



Application to the City of Piney Point
Board of Adjustments
Ordinance 958

Cupic Custom Homes
10801 Hammerly Blvd., Ste. 118
Houston, TX 77043
832-940-0831
www.Cupiccustoms.co


Dear Board of Adjustments,

Thank for taking the time to review our client's current situation. We hope to achieve an outcome that all parties will be happy with.

Laith Daik and Cupic Custom Homes purchased 11014 Landon Lane in June of 2017. In January of 2018 we entered into a custom home contract with the Purdy family. The concept of the project was to build a single-family home for the Purdy family and their disabled daughter. She currently requires a special handicap van and ADA construction in her wing off the driveway. This helps provide access for the family and their daughter. To help accommodate the daughter and the handicap van, we proposed a side curbcut with access off of Hedwig Rd. We approached the Homeowners Association, Hedwig Shadows Block II, with the proposal that included amending the Deed restrictions for the street to allow side curbcut access from Hedwig. The HOA approved the change along with the design of the home. The deed restriction amendment was signed off by all members of the HOA and filed for record. After completion of the full project plans, we submitted the plans to Hunters Creek Village for permitting. The permit included the site plan with the design for side curbcut access to Hedwig. Hunters Creek Village approved the design and provided a permit for the project.

We are in the last 2 months of construction and during the process of installing the driveway we informed by the trade that Hedwig was owned by the City of Piney Point and a permit was required from City of Piney Point. Our subcontractor, Supreme Concrete, approached Piney Point to pull a permit to tie in the driveway at Hedwig Road; we were unaware of Ordinance 958. We have a City of Hunters Creek permitted site plan that shows we are able to approach the driveway from Hedwig Road.

As a reputable builder in the village area, Cupic Custom Homes wants to complete a home for client that helps facilitate the family and their daughter's needs.

4/5/19

Shane Cupic

To Whom It May Concern,

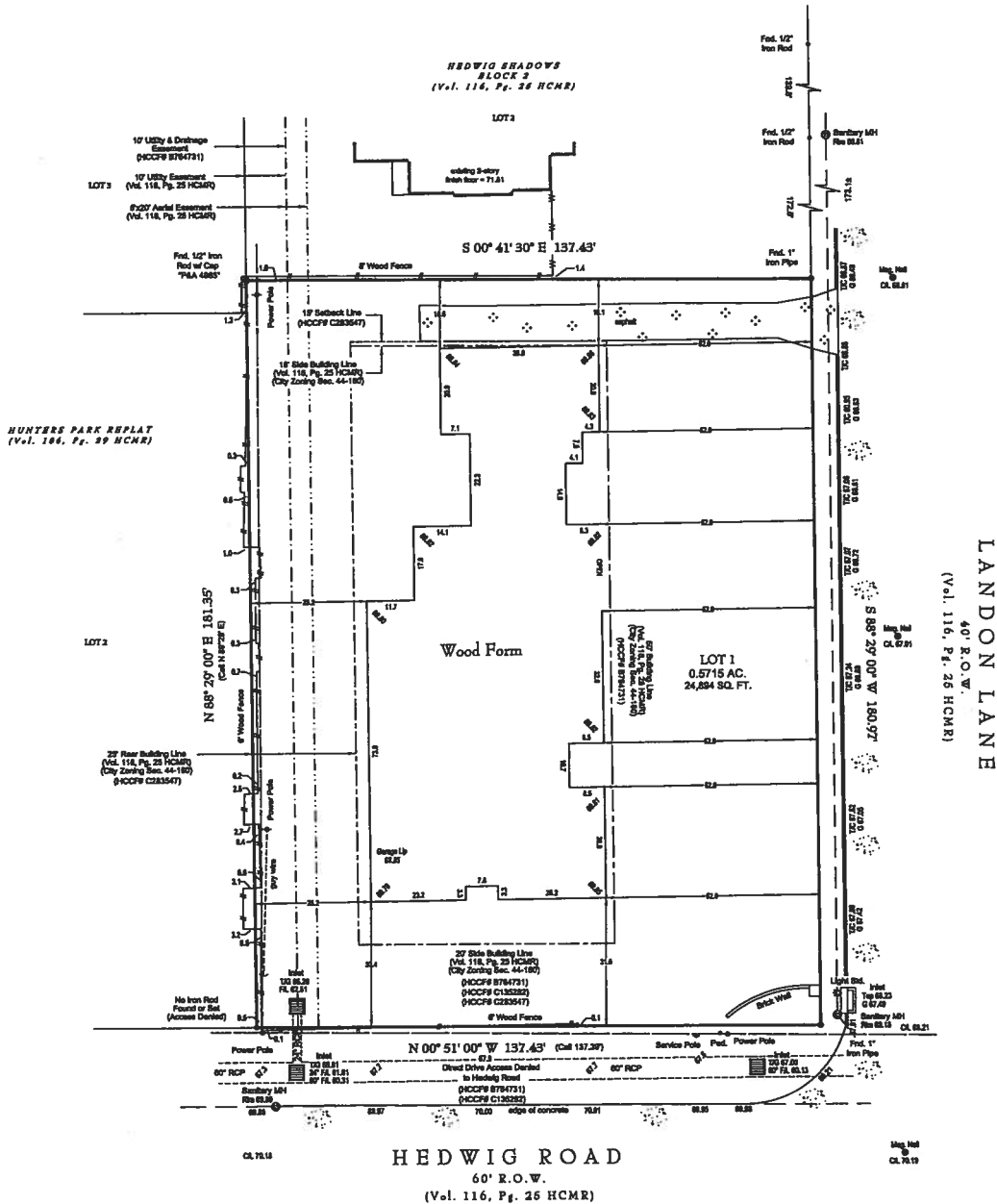
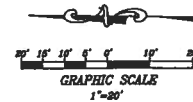
We are in the process of building our home on Landon Lane in the Village of Hunters Creek. As we worked with an architect our top priority was to enable our daughter to have the smoothest transition not only into our new home but also ease her everyday life. She has a very rare genetic condition called CDKL5. Due to this she is unable to walk among many other issues including epilepsy. We have a handicap van with a ramp in order to get her to and from therapy and school. She has to have a handicap ramp that meets all ADA rules so when working with our architect and Cupic Custom Homes we found that the side of the house to be the best way to get the van in coming off of Hedwig therefore allowing the van to pull directly to her ramp opening from the back and allowing the easiest access point for her. We appreciate your understanding with these extenuating circumstances.

Justin and Mary Margaret Purdy

PROBSTFELD & ASSOCIATES

PROFESSIONAL LAND SURVEYORS

515 PARK GROVE DRIVE, SUITE 102 ▲ KATY, TEXAS 77460 ▲ (281) 829-0034 ▲ FAX (281) 829-0233



PLAT OF PROPERTY

FOR: SOHO HOMES, LLC
 AT: 11614 LONDON LANE - HUNTERS CREEK VILLAGE, TX
 LGL: LOT 1, BLOCK 2
HEDWIG SHADOWS
 VOLUME 116, PAGE 25 OF THE MAP RECORDS OF
 HARRIS COUNTY, TEXAS
 SCALE: 1" = 20'
 DATE: 4/10/2017 REVISED DATE: 4/25/2018
 This Property DOES lie within the designated 100 year Floodplain.
 PANEL NO.: 48231C 0645 L FIS PROFILE (24)
 ZONE: AS EFF. DATE: 6/1/07
 BASE FLOOD ELEVATION: 89.0' (100YR) 79.0' (50YR)
 LOCATED BY GRAPHIC PLOTTING ONLY AND NOT RESPONSIBLE FOR ACTUAL DETERMINATION.
 THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH TITLE COMMITMENT
 PROVIDED BY: FIDELITY TITLE INSURANCE COMPANY
 GIP: FTI-77E-FAH17093899 (2/14/2017)

LEGEND: PROPERTY BOUND, see accessories neither scaled

NOTES:

- Elevations shown based on Pinney Point Village Benchmark No. 5, Elevation = 61.48 NAVD83, 2001 adjustment.
- Fences do not follow boundary lines as shown above.
- Surveyor has not abstracted file property. This survey has been prepared based upon information provided by the title company. No independent investigation of the accuracy of the title company's work has been performed by the surveyor. Zoning ordinances and zoning building setback lines (if any) are not shown. Surveyor has not reviewed restrictive covenants as set forth under Exceptions From Coverages in Schedule B of the Title Commitment.
- Hedwig Shadows Subdivision is a deed restricted community. Front, side and rear setbacks shown as set forth under Harris County Clerk's File No.(s) 8784731, C13S282 & C283547. Direct drive access to Hedwig Road is denied. Amendment to Restrictions for record under Harris County Clerk's File No. 20150167714 provides that "No building shall exceed 25% of the Lot area, or exceed a height of thirty-five (35) feet." Lot may be subject to certain requirements pertaining to front, side and rear setback lines and also architectural protrusions such as eaves, overhangs, ledges, etc., in relation to easements and/or building lines and should be verified prior to any planning or construction. Written approval by the Architectural Control Committee may be required.
- The building area, exclusive of outdoor swimming pools, shall not exceed 25 percent of the lot area. Tennis courts, paddle ball and game courts are included in the computation of building area.
- All bearings are based on the North right-of-way line of Landon Lane (S 89°29'00" W).

EMAIL COPY
NOT TO BE RECORDED FOR ANY PURPOSE

JOB # 2334-016 DRAWN BY: AAS/DL

THIS SURVEY IS THE PROPERTY OF PROBSTFELD & ASSOCIATES, INC., IS CERTIFIED FOR THIS TRANSACTION ONLY, AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR OWNERS.

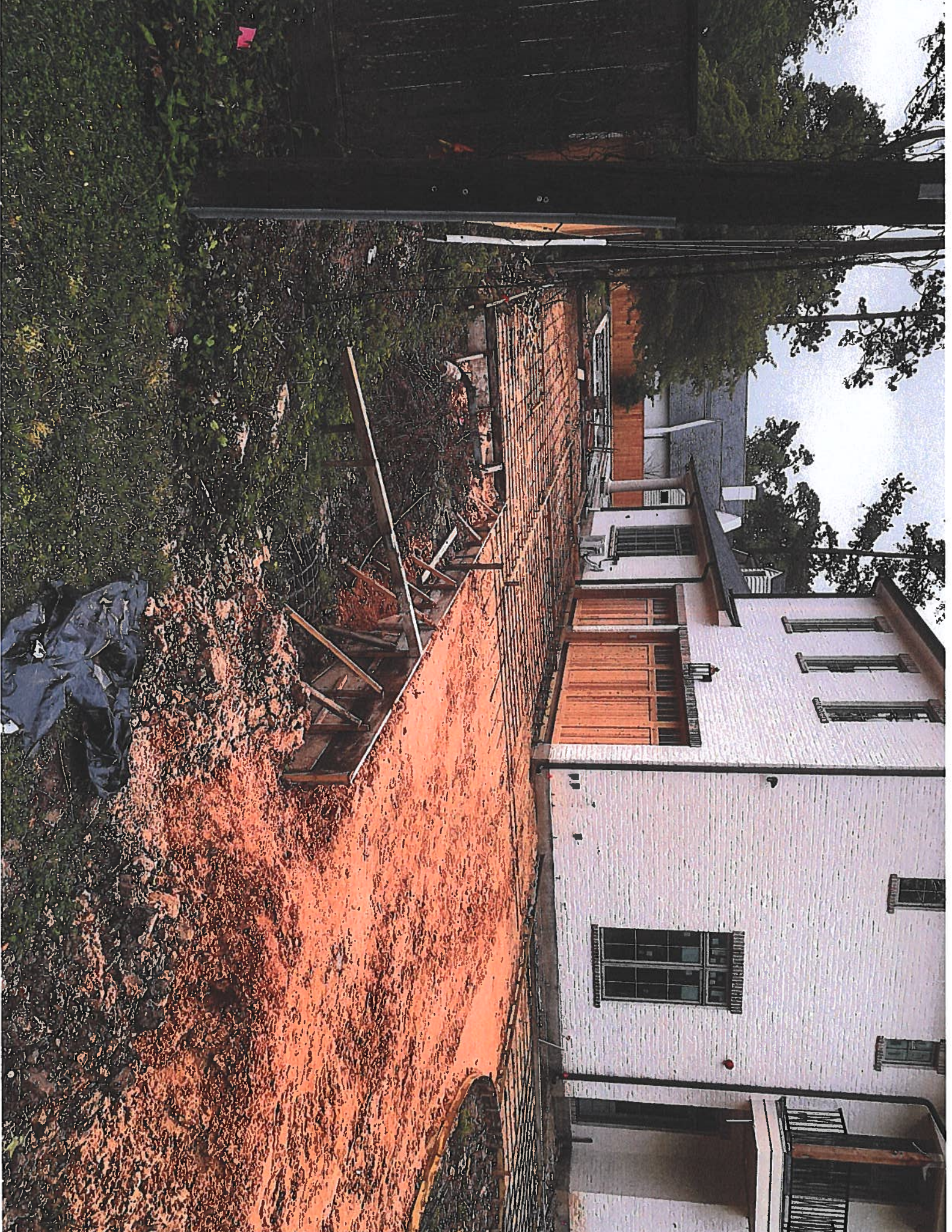




IN - PIVE

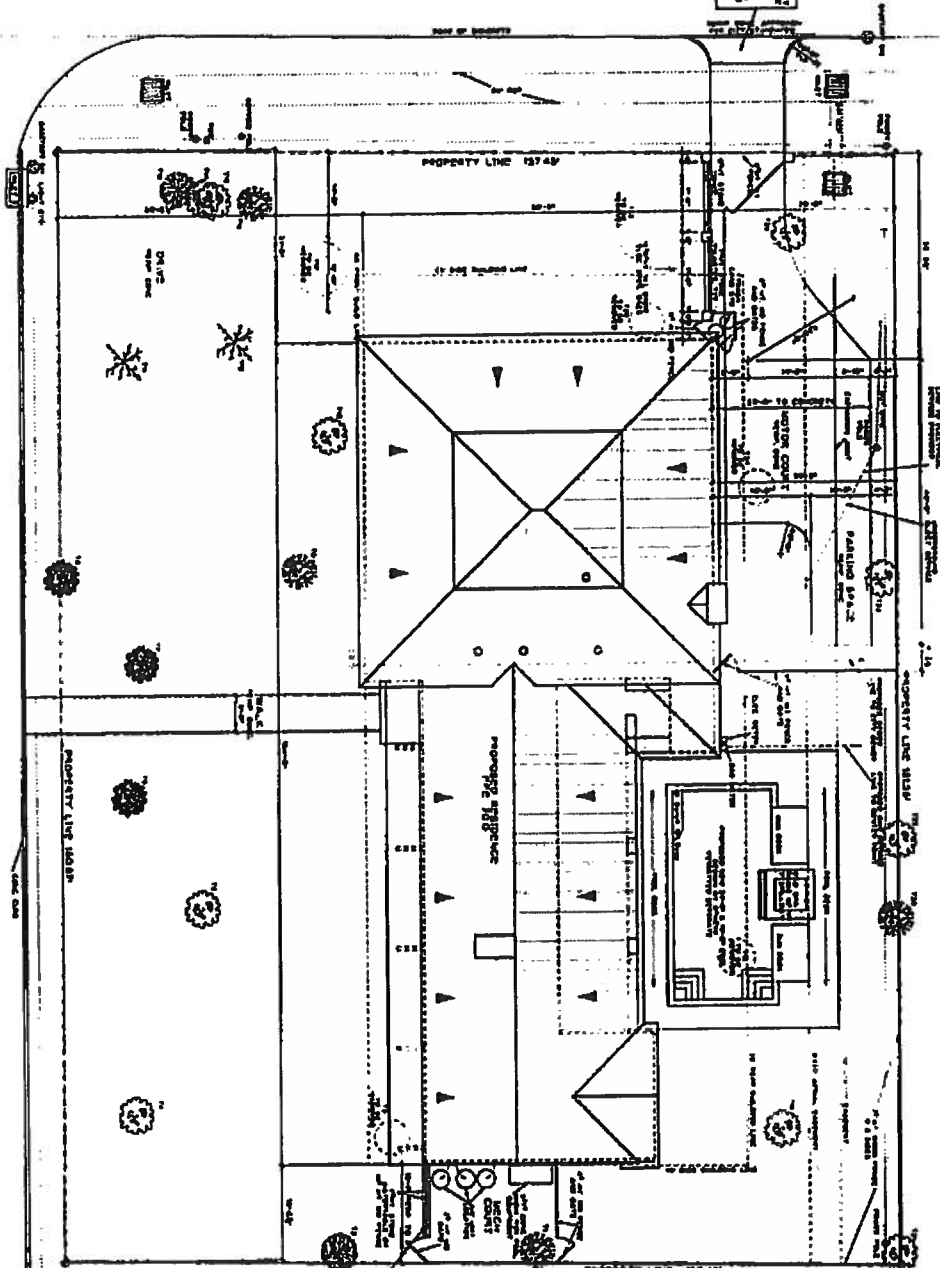






HEDWIG ROAD
60' R.O.W.

11014 LONDON LANE



NOTE: THE ARCHITECT HAS VISITED THE SITE AND HAS FOUND THE EXISTING UTILITIES AS SHOWN ON THIS PLAN TO BE IN SUBSTANTIAL ACCORD WITH THE RECORD PLANS AND SURVEY DATA PROVIDED TO HIM. HE IS NOT RESPONSIBLE FOR ANY INACCURACIES OR OMISSIONS THEREOF. HE HAS NOT CONDUCTED AN ELECTRICAL OR MECHANICAL SURVEY OF THE SITE AND DOES NOT GUARANTEE THE ACCURACY OF THE LOCATIONS OF UTILITIES SHOWN ON THIS PLAN.

LOT CALCULATIONS
 SITE AREA: 13,000 S.F.
 LOT AREA: 13,000 S.F.
 GARAGE AREA: 2,000 S.F.
 HOUSE AREA: 2,000 S.F.
 DRIVEWAY AREA: 1,000 S.F.
 TOTAL AREA: 13,000 S.F.


NOTE: THE ARCHITECT HAS VISITED THE SITE AND HAS FOUND THE EXISTING UTILITIES AS SHOWN ON THIS PLAN TO BE IN SUBSTANTIAL ACCORD WITH THE RECORD PLANS AND SURVEY DATA PROVIDED TO HIM. HE IS NOT RESPONSIBLE FOR ANY INACCURACIES OR OMISSIONS THEREOF. HE HAS NOT CONDUCTED AN ELECTRICAL OR MECHANICAL SURVEY OF THE SITE AND DOES NOT GUARANTEE THE ACCURACY OF THE LOCATIONS OF UTILITIES SHOWN ON THIS PLAN.

NO.	REVISION	DATE	BY	CHKD.	APP'D.
1	PRELIMINARY	10/15/11	JAS		
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 NORTH
 LOT 1
 BLOCK 2
 HEDWIG SHADOWS
 SUBDIVISION

A0.10

SITE PLAN



ARCHITECTURAL SOLUTIONS, INC.

CITY OF ST. LOUIS, MISSOURI

APPROVED FOR THE CITY OF ST. LOUIS, MISSOURI

DATE OF APPROVAL: 10/15/11

PROJECT NO. 11014 LONDON LANE

March 26th, 2019

Dear Neighbor,

We are building the house located in Hunters Creek Village at 11014 Landon Lane, Houston, TX 77024 at the SE corner of Landon and Hedwig for a family. All aspects of the project design have been approved by both Hunters Creek Village and the Hedwig Shadows Block II homeowners association on Landon. We are seeking relief from the City of Piney Point Village regarding City Ordinance 958.

On a corner lot, one curbcut only shall be allowed in a side yard adjacent to a side street if and for as long as (1) no accessory building or structure (except a conforming fence) is located within the side yard containing the curbcut, (2) no garage door opening faces the street adjacent to such side yard, and such openings are at angles of not less than 90 degrees to such side street, (3) no driveway located within the front yard of the same lot is connected with the driveway utilizing such side yard curbcut. Notwithstanding the foregoing, no side yard curbcut shall be permitted on or adjacent to the following streets: Memorial Drive, San Felipe Drive, Greenbay Road, Claymore Road, Smithdale Road, Taylorcrest Road, Beinhorn Road, Hedwig Road, Piney Point Road, Blalock Road and/or South Piney Point Road.

We have counted 9 corner lot homes located off of Hedwig Rd that have the same side yard curbcut that we have designed for 11014 Landon Lane including the most recently built home located at 11014 Hunters Park.

We will be meeting with the City of Piney Point Village Board of Adjustments to request a variance to allow for a curbcut off of Hedwig Rd within the City of Piney Point Village at 7PM on April 11th, 2019 at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The full detail of our request will be posted on the City of Piney Point website <http://www.cityofpineypoint.com> from Monday April 8th, 2019 to Thursday April 11th, 2019.

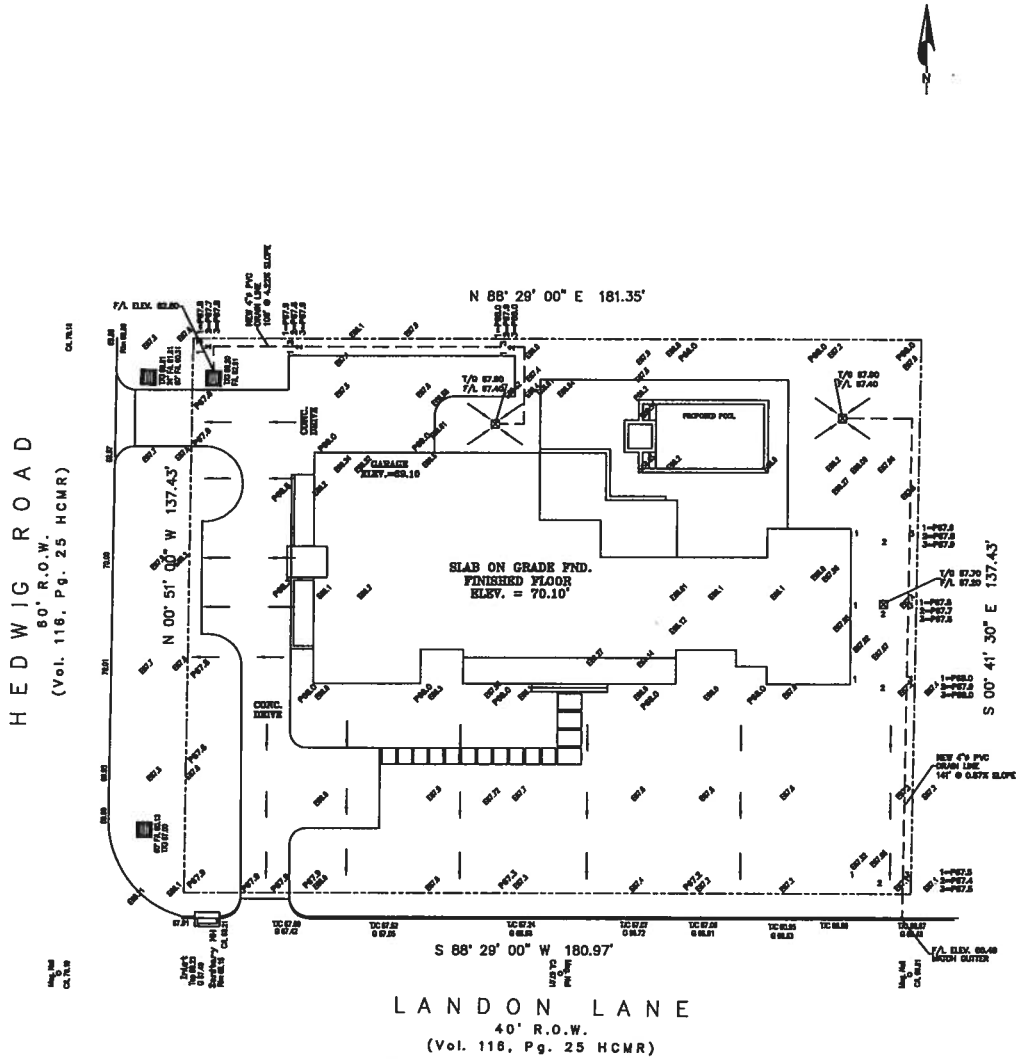
Please call me direct with any questions at 832-431-8380.

Thank you,

Shane Cupic

Cupic Custom Homes

9420 Kerrwood Ln, Houston, TX 77080



GENERAL NOTES:

1. ELEVATIONS SHOWN ARE BASED ON PINEY POINT VILLAGE BENCHMARK NO. 5, ELEV=61.48', NAVD88, 2001 ADJUSTMENT.
2. PROPERTY DOES LIE WITHIN THE 100-YEAR FLOOD PLAIN. BFE = 69.0'
3. GUTTER DOWNSPOUTS SHALL BE CONNECTED TO THE UNDERGROUND DRAIN LINES.
4. POSITIVE DRAINAGE TO A CITY DRAINAGE FACILITY MUST BE MAINTAINED AT ALL TIMES.
5. PIPE MATERIAL UNDER CONCRETE & R.O.W. SHALL BE SCHED. 40 PVC OR BETTER.

E=EXISTING GRADE ELEVATION
P=PROPOSED GRADE ELEVATION

☒ = 12"x12" DRAIN INLET WITH GRATE

DRAINAGE PLAN

CUPIC CUSTOM HOMES
11014 LONDON LANE
LOT 1
BLK 2
HEDWIG SHADOWS
DATE 03/14/18
SCALE: 1"=30'

TEXAS ENGINEERING FIRM
REGISTRATION #F-002414

**SECOND AMENDMENT TO RESTRICTIONS
FOR HEDWIG SHADOWS SUBDIVISION, BLOCK 2**

THIS AMENDMENT TO RESTRICTIONS FOR HEDWIG SHADOWS SUBDIVISION, BLOCK 2 (this "Amendment") is made as this 30th day of January, 2018, by majority of the owners of lots in Hedwig Shadows Subdivision, Block 2 ("Owners").

WITNESSETH

WHEREAS, Owners are each the current owners of at least one lot in Hedwig Shadows Subdivision, Block 2 in Houston, Harris County, Texas.

WHEREAS, a plat of the subdivision ("Property") is filed of record in the office of the County Clerk of Harris County, Texas in the Deed Records in Vol. 99 at Page 45.

WHEREAS, The Property is subject to "Restrictions Hedwig Shadows Subdivision, Block 2" filed of record in the office of the County Clerk of Harris County, Texas in the Deed Records at Vol. 5271 at Page 522 and also recorded under Film Code 096-20-0008 and an Amendment to Restrictions for Hedwig Shadows Subdivision, Block 2 filed of record in the Harris County Clerk's Office File Number 20150187714.

WHEREAS, attached as Exhibit "A" is a site map of the Property depicting Lot One (1) of the Hedwig Shadows Subdivision, Block 2, more commonly known as 11014 Landon Lane, Houston, Texas 77024.

WHEREAS, the Restrictions provide that a majority of the owners of lots in Hedwig Shadows Subdivision, Block 2 can change the covenants and restrictions in whole or part by the filing of an executed and recorded instrument.

WHEREAS, the Restrictions, §II (c) reads "No driveway may enter any lot from Hedwig Road."

WHEREAS, a majority of the Owners deem it desirable for the efficient use of the Lots to amend § II (c).

NOW THEREOF, a majority of the Owners of lots in Hedwig Shadows Subdivision, Block 2, as evidenced by their signatures affixed to this Amendment, change § II (c) as provided in Article I. Such Change shall be binding on all parties having any right, title, or interest in a lot in the Subdivision and shall inure to the benefit of each Owner thereof.

ARTICLE I
AMENDMENT

Subject to subsequent change as provided in the Restrictions, § II (c) is supplanted, replaced and changed and shall henceforth provide: "No driveway may enter any lot from Hedwig Road, except for the properties described as Lot 1, Block 2, Hedwig Shadows, more commonly known as 11014 Landon Lane and Lot 8, Block 2, Hedwig Shadows, more commonly known as 11015 Landon Lane, Houston, Texas 77024."

IN WITNESS WHEREOF, the Owners signing their respective signature pages have caused this instrument to be executed, effective December 14, 2017.

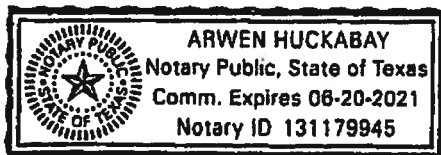
By: James Chaffe, President
Name and Title

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by
Arwen Huckabay

Arwen Huckabay
Notary Public, State of Texas
My commission expires: 06/20/2021



2020010107.111

OWNERS:

Lot 1, 11014 Landon Lane

SOHO Homes, LLC:

By: *[Signature]*
Laith Daik, President

ACKNOWLEDGEMENT

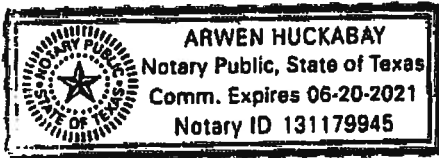
STATE OF TEXAS)

COUNTY OF HARRIS)

This Amendment to Restrictions for Hedwig Shadows Subdivision, Block 2 was acknowledged before me this 30 day of January, 2018 by Laith Daik, President of SOHO Homes, LLC, the owner of Lot 1, Block 2, (11014 Landon Lane) Hedwig Shadows Subdivision platted under that plat filed for record in the Deed Records of Harris County in Vol.99 at Page 45 of the Deed Records of said County.

Arwen Huckabay
Notary Public, State of Texas

My commission expires: 06/20/2021



OWNERS:

Lot 2, 11010 Landon Lane

By: [Signature]
Laith Daik

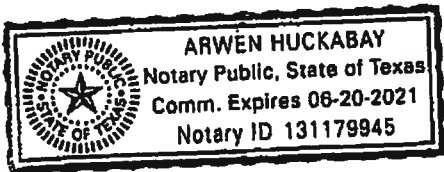
By: [Signature]
Jody L. Daik

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by Laith Daik and Jody L. Daik.

[Signature]
Notary Public, State of Texas
My commission expires: 06/20/2021



2000010107-111

OWNERS:

Lot 3, 11006 Landon Lane

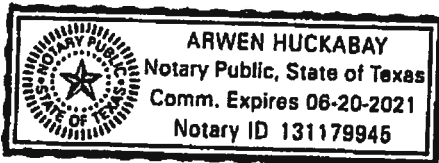
Nasir Family Living Trust:

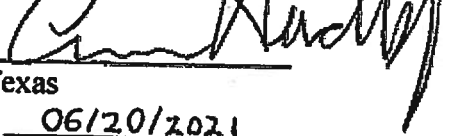
By: 
Syed M. Nasir

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 02 day of February, 2018 by Syed M. Nasir.




Notary Public, State of Texas
My commission expires: 06/20/2021

OWNERS:

Lot 4, 11002 Landon Lane

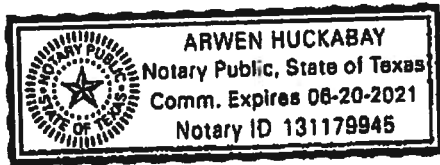
By: *Xiao J. Wang*
Xiao J. Wang

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by Xiao J. Wang.

Arwen Huckabay
Notary Public, State of Texas
My commission expires: 06/20/2021



20250107-11

OWNERS:

Lot 5, 11003 Landon Lane

By: *Jay A. Chaffee*
Jay A. Chaffee

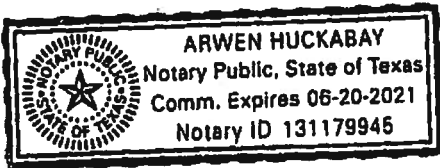
By: *Jeanne Chaffee*
Jeanne Chaffee

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by Jay A. Chaffee and Jeanne Chaffee.

Arwen Huckabay
Notary Public, State of Texas
My commission expires: 06/20/2021



OWNERS:

Lot 6, 11007 Landon Lane

By: *[Signature]*
Christopher B. Dillon

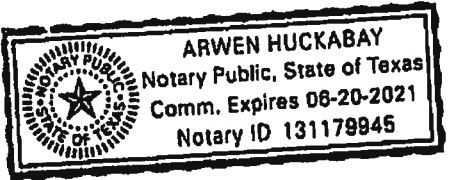
By: ~~X~~
Lisa L. Dillon

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by Christopher B. Dillon and Lisa L. Dillon.

Arwen Huckabay
Notary Public, State of Texas
My commission expires: 06/20/2021



2003-10-17-11

OWNERS:

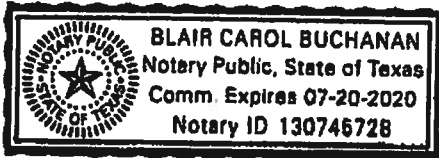
Lot 7, 11011 Landon Lane

By: BTM.
Brian Austin

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 31ST day of January, 2018 by Brian Austin.



Blair Carol Buchanan
Notary Public, State of Texas
My commission expires: 7-20-2020

OWNERS:

Lot 8, 11015 Landon Lane

By: _____
L. William Heiligbrodt

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this _____ day of _____, 2018 by L. William Heiligbrodt.

Notary Public, State of Texas
My commission expires: _____

2025-10-17 11

OWNERS:

Lot 8, 11015 Landon Lane

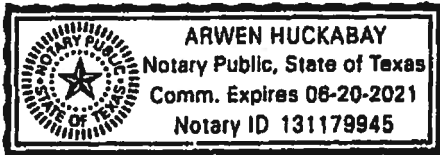
By: Corinne C. Heiligbrodt
Corinne Heiligbrodt

STATE OF TEXAS)

COUNTY OF HARRIS)

This instrument was executed this 30 day of January, 2018 by
Corinne Heiligbrodt.

Arwen Huckabay
Notary Public, State of Texas
My commission expires: 06/20/2021



RP-2018-48589
Pages 13
02/05/2018 03:37 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$60.00

RECORDERS MEMORANDUM
This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

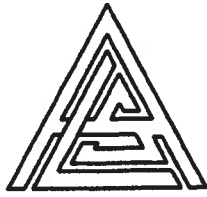
Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS



Andrew Lonnie Sikes, Inc.

Surveying and Civil Engineering since 1977

April 5, 2019

Mr. Shane Cupic
President, Cupic Custom Homes
10801 Hammerly Boulevard, Suite 118
Houston, TX 77043

Re: Driveway Access Request – Hedwig Road
11014 Landon Lane, City of Hunters Creek Village, Texas

Dear Mr. Cupic,

I have visited the referenced property and made direct observation of existing and proposed site improvements at 11014 Landon Lane. Specifically, I have observed the existing ditch and storm sewer system located adjacent to 11014 Landon Lane within the east side of the Hedwig Road in Right-of-Way as it relates to a proposed driveway from the referenced property off of the existing Hedwig Road pavement.

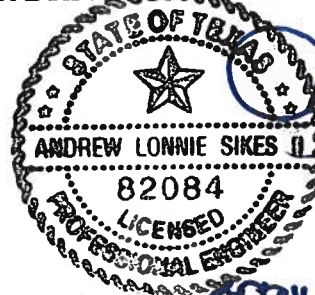
The proposed driveway will shed water north and south into the existing shallow ditch system. The runoff conveyed in the shallow ditches along Hedwig Road is collected by intermittent storm inlets accessing an existing 60-inch storm sewer. The proposed driveway location is immediately adjacent to the south of one City storm inlet and a lot length north of the next storm inlet at the intersection of Landon Lane and Hedwig Road.

It is my opinion that the proposed driveway will not impede the conveyance of runoff to these two inlets, nor interfere with the suitable drainage of the Hedwig Road ROW adjacent to this property. Please feel free to share this letter and associated exhibits with the City of Piney Point Village for purposes of requesting approval for the proposed driveway from Hedwig Road into the property at 11014 Landon Lane.

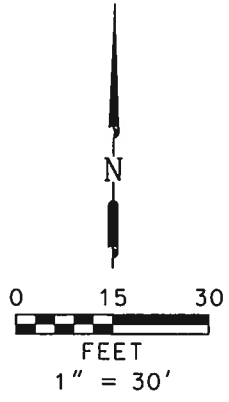
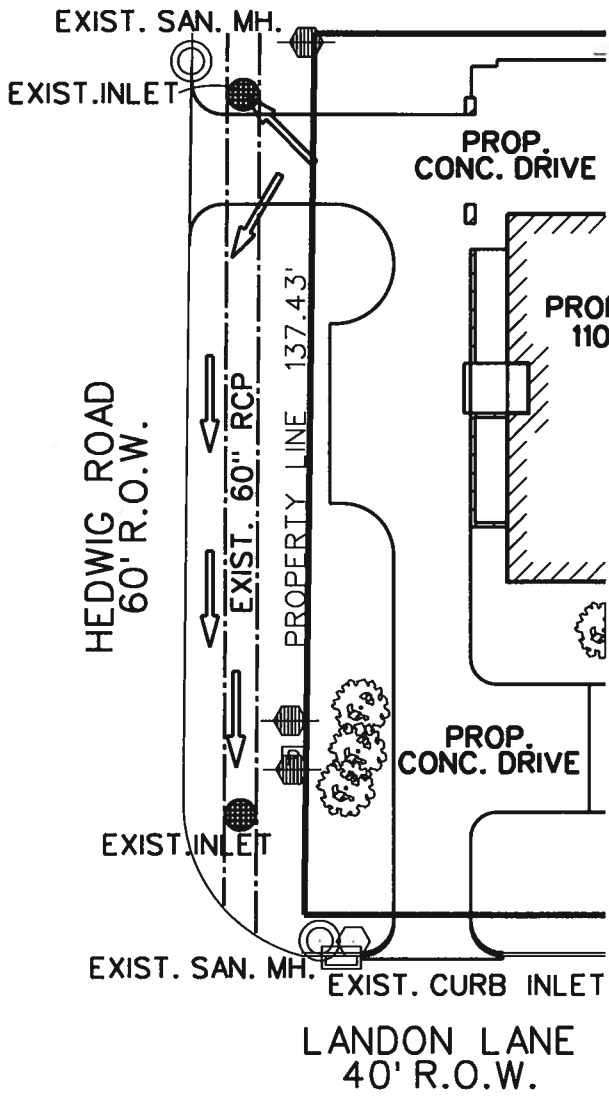
Sincerely,

Andrew Lonnie Sikes II, P.E.
Vice-President, Engineering
Andrew Lonnie Sikes, Inc.
Firm #5238

FOR DRIVEWAY DRAINAGE ASSESSMENT



April 5, 2019



LEGEND

- PROPERTY LINE
- ▨ BUILDING OUTLINE
- MASONRY WALL
- ⊕ UTILITY POLE
- ⊙ MANHOLE
- ⊠ COMM. PEDESTAL
- ⬡ LIGHT POLE
- ⊗ EXIST. TREE
- - - EXIST. STORM LINE
- EXIST. STORM INLET
- ➔ SURFACE RUNOFF DIRECTION

R.O.W. RUNOFF PATTERN

FOR DRIVEWAY APPROVAL

[Handwritten Signature]



ANDREW LONNIE SIKES, INC. SURVEYING & ENGINEERING
1002 EAST AVENUE KATY, TEXAS 77493
PHONE (713) 981-7132, FAX (281) 561-8668
SURVEY FIRM •101047-00 ENGINEERING FIRM •5238

MAYOR
Jim Pappas

CITY OF
HUNTERS CREEK VILLAGE

CITY COUNCIL
Stuart Marks
Fidel Sapien
Ken Spalding
Chip Cowell
Jay Carlton



CITY ADMINISTRATOR
Tom Fullen, CPM
CITY SECRETARY
Crystal R. Dozier, TRMC

April 3, 2109

City of Piney Point Village
7676 Woodway, Suite 300
Houston, Texas 77063

Attention: Annette Arriaga

Cupic Custom Homes applied for a Building Permit for the property located at 11014 Landon Lane on March 14, 2018. The submitted plans were reviewed for compliance with the City of Hunters Creek Village Codes and Ordinances and after subsequent minor revisions, the plans were approved and a Building Permit was issued on April 12, 2018. Driveway approaches to both Landon Lane and Hedwig Road were included on the approved plans. Those plans met the City of Hunters Creek Village requirements at the time of permitting.

On February 25, 2019 a Driveway Permit was issued by the City of Hunters Creek Village based on the plans approved with the Building Permit. At that time the contractor asked about culvert elevations along Hedwig Road. Realizing that Hedwig Road and the Hedwig Road Right of Way were actually located in the City of Piney Point Village, the contractor was directed to the City of Piney Point Village for approval. At no time was the City of Hunters Creek Village aware of the City of Piney Point Village driveway restrictions on Hedwig Road.

Please feel free to contact Building Official, James Stewart if there are any questions.

Thank You

A handwritten signature in black ink, appearing to read "James A. Stewart". The signature is fluid and cursive.

James A. Stewart, CBO
Building Official
City of Hunters Creek Village