

May 30, 2019

Piney Point Board of Adjustment
Piney Point City Hall
7676 Woodway Dr., Ste. 300
Houston, TX 77063

RE: 11305 Iris Lee Lane
Houston, TX 77024

We are seeking two variances to the following portions of the City of Piney Point Village Code of Ordinances:

Variance One: Master Bath

Chapter 74 Sec. 244. Regulations.

(c) Area regulations; size of yards.

(1) Front yard. There shall be a front yard having a depth of not less than 50 feet.

Where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard of no less than 25 feet.

Variance Two: Privacy Fence

Chapter 74 Sec. 245. Supplementary district regulations.

(i) Fences and walls in required yards

(5) Replacement of nonconforming fences. At such time as there is construction of any building or remodeling of any existing building on the lot as defined in section 714-212(b), all fences on the lot shall be replaced so as to conform to all the regulations and articles of the city, including the provisions of subsection (h)(4) above. Notwithstanding any other provision contained in this chapter to the contrary, a fence other than a chain link or wire fence located within a required side or rear yard adjacent to a street, which was lawfully permitted by the city and existing at the time of its construction or erection, but which is nonconforming pursuant to subsection (i)(3), shall be permitted to be replaced or reconstructed to remain non-conforming until such time as there is construction as defined in section 714-212(b), even in the event of total damage or destruction, provided such fence is replaced or reconstructed:

- a. With like materials and construction, so as to be as identical to the fence being replaced as is reasonably possible;
- b. To a height which does not exceed six feet above the surrounding natural grade;
- c. In a manner which does not expand a nonconforming characteristic thereof; and
- d. If a wooden fence, with the finished exterior side facing the adjacent street, with no posts or rails visible from such adjacent street.

Provided, however, the provisions of this paragraph (5) shall not be construed to permit the replacement or reconstruction of any wire or chainlink fence nor shall they be construed to permit violation of requirements other than those in subsection (i)(3).

Variance Request:

The existing house at 11305 Iris Lee Lane, originally built in 1955, has a small portion of the existing master bath and existing master bath privacy fence that extend 2 feet into the front 70-foot setback. This sunken portion of the master bath is badly leaking and rotting, needing complete replacement. The bath privacy fence is also rotting and needs replacement. We are specifically requesting a variance to the 70-foot front setback, allowing us to build 2 feet into the front setback, in order to replace this portion of the master bath and privacy fence. The proposed work will be within the same footprint as the existing master bath and privacy fence, and significantly improve the house's appearance from the street.

The owners would like to do considerable and greatly needed repair work to the entire house. Repairing the master bath is a crucial part of this update. Not being able to repair the master bath would be a significant hardship affecting the house's livability, and an economic hardship with respect to future valuation of the property.

Attachments:

Figure 1: Vicinity map

Figure 2: Property survey showing the existing home at 11305 Iris Lee Lane.

Figure 3: Overall Existing Floor Plan of house.

Figure 4: Enlarged partial Existing and Proposed Floor Plans, with the area extending into the front setback shaded on the Existing Plan.

Figure 5: Existing and Proposed Exterior Elevations.

Figure 6: Exterior photos of existing master bath portion in need of repair.

Figure 7: Interior photos of existing master bath in need of repair.

Figure 8: Harris County Appraisal District Assessment of 11305 Iris Lee Lane.

Figure 9: Section 74-244 Regulations, Piney Point Village, TX, Code of Ordinances

Figure 10: Section 74-245 Regulations, Piney Point Village, TX, Code of Ordinances

Attachment A: contains the list of the neighbors notified of the variance request along with the letter that was sent to them.

Sincerely,



A handwritten signature in black ink, appearing to read "Jennifer Espey" followed by a flourish. A horizontal line is drawn across the signature.

Jennifer Espey
Lin Espey
11305 Iris Lee Lane
Houston, TX 77024
(713) 882 - 9880

Harris County Appraisal District



PUBLICATION DATE:
12/28/2018

Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.

MAP LOCATION

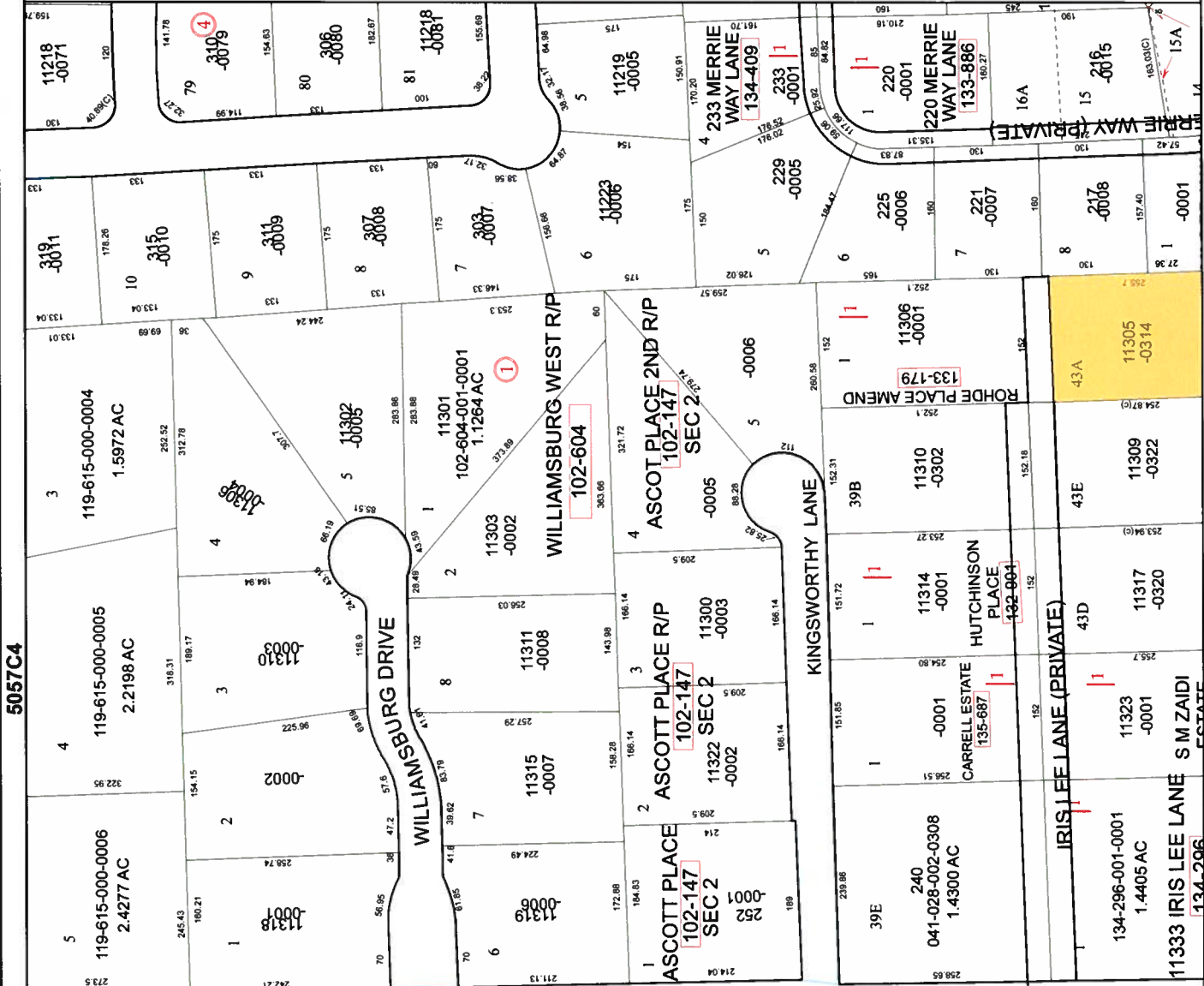


FACET 5057C

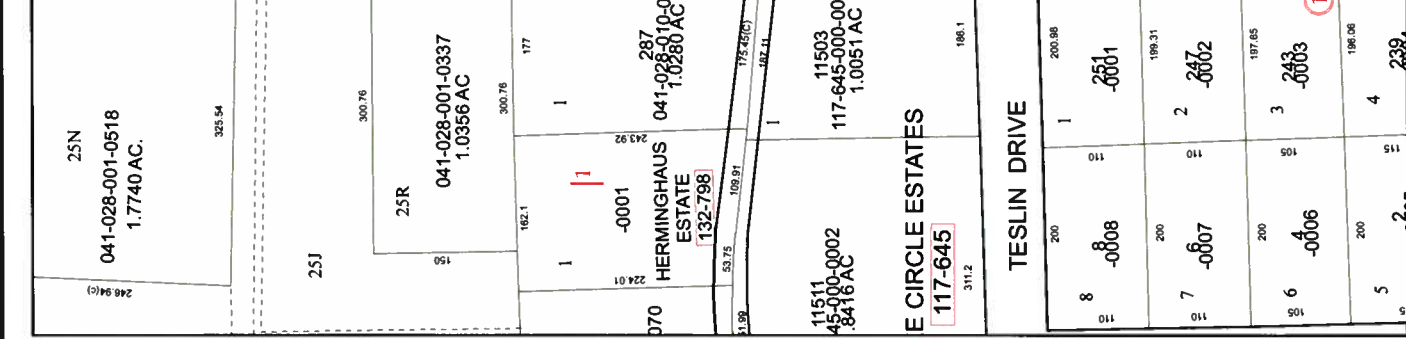
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6	7	8	5	6
10	11	12	9	10

5057DS

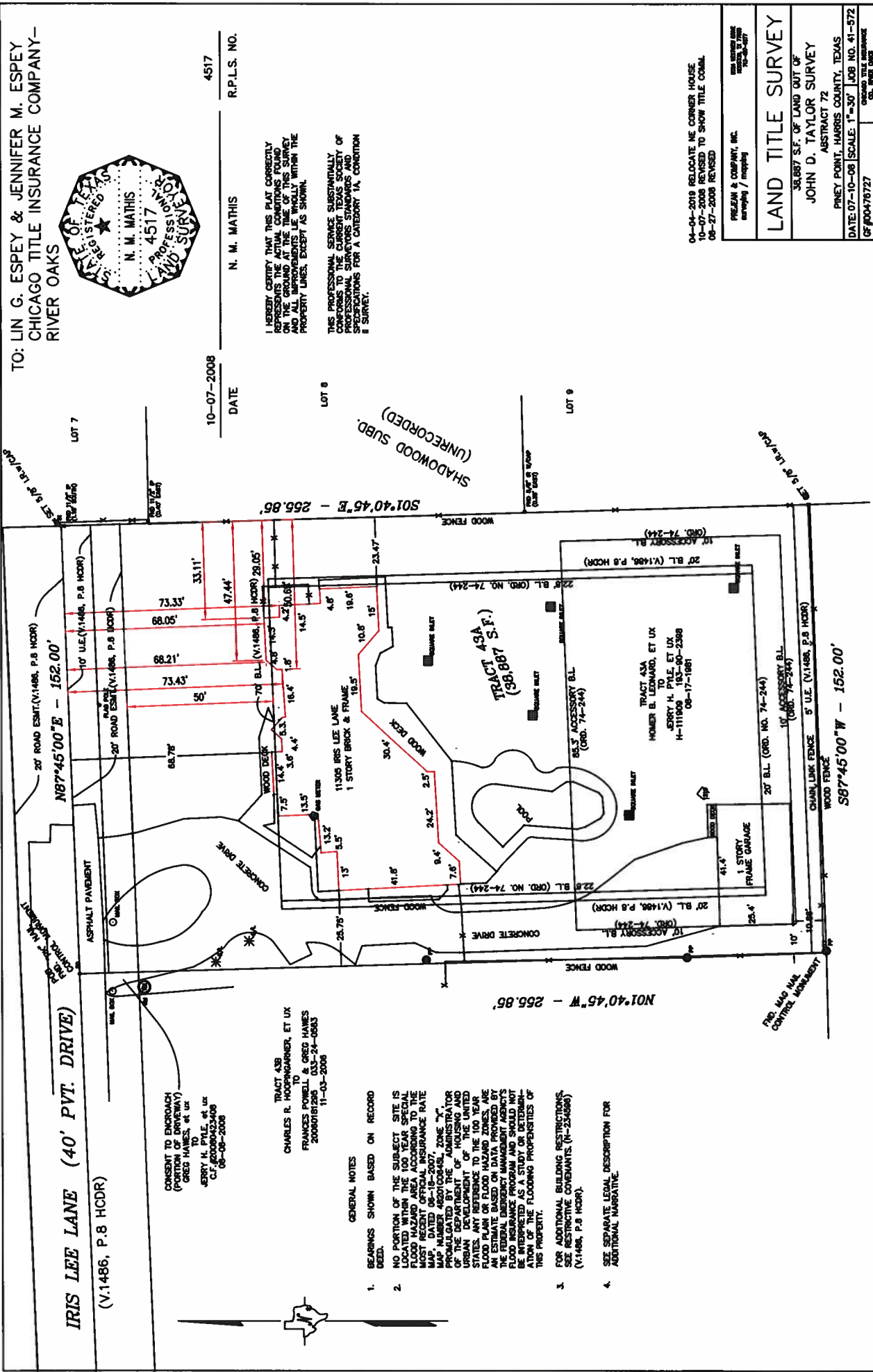
5057C4



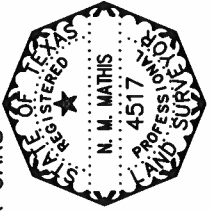
5057C1



5057C12



TO: LIN G. ESPEY & JENNIFER M. ESPEY
CHICAGO TITLE INSURANCE COMPANY—
RIVER OAKS



N. M. MATHIS
DATE 10-07-2008
R.P.L.S. NO. 4517

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THE ACTUAL CONDITIONS FOUND ON THE GROUND AT THE TIME OF THIS SURVEY AND ALL IMPROVEMENTS FULLY WITHIN THE PROPERTY LINES, EXCEPT AS SHOWN.

THIS PROFESSIONAL SERVICE SUBSTANTIALLY CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS SPECIFICATIONS FOR A CATEGORY 1A, CONDITION B SURVEY.

04-04-2010 RELOCATE NE CORNER HOUSE
10-07-2008 REVISED TO SHOW TITLE CORNER
09-27-2008 REVISED

PRELIM & COMPANY, INC. Surveying / Mapping 10000 Katy Rd Houston, TX 77057
LAND TITLE SURVEY
30,887 S.F. OF LAND OUT OF JOHN D. TAYLOR SURVEY ABSTRACT 72
PINEDALE, HARRIS COUNTY, TEXAS
DATE: 07-10-08 SCALE: 1"=30' JOB NO. 41-572 ISSUED TITLE NUMBER CF 000476727

IRIS LEE LANE (40' PVT. DRIVE)
(V.1486, P.8 HCDR)

CONSENT TO ENCRANCH
(PORTION OF DRIVEWAY)
GREG HAINES, et ux
JERRY H. PALE, et ux
C.F. 2008042408
08-08-2008

TRACT 43B
CHARLES R. HOOPINGARNER, ET UX
FRANCES POWELL, G.S. & G.H.S.
2008012928, 03-24-0803
11-03-2008

GENERAL NOTES

1. BEARINGS SHOWN BASED ON RECORD DEED.
2. NO PORTION OF THE SUBJECT SITE IS LOCATED WITHIN THE DESIGNATED FLOOD HAZARD AREA ACCORDING TO THE MOST RECENT OFFICIAL INSURANCE RATE MAP, DATED 06-18-2007, MAP NUMBER 460702640L, ZONE "X" OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES. ANY REFERENCE TO THE 100 YEAR FLOOD PLAN OR FLOOD HAZARD ZONES ARE THE ESTIMATE BASED ON INFORMATION FROM THE FLOOD INSURANCE PROGRAM AND SHOULD NOT BE INTERPRETED AS A STUDY OR DETERMINATION OF THE FLOODING PROPENSITIES OF THIS PROPERTY.
3. FOR ADDITIONAL BUILDING RESTRICTIONS, SEE RESTRICTIVE COVENANTS (N-234696) (V.1486, P.8 HCDR).
4. SEE SEPARATE LEGAL DESCRIPTION FOR ADDITIONAL NARRATIVE.

TRACT 43A
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43B
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43C
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43D
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43E
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43F
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43G
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43H
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

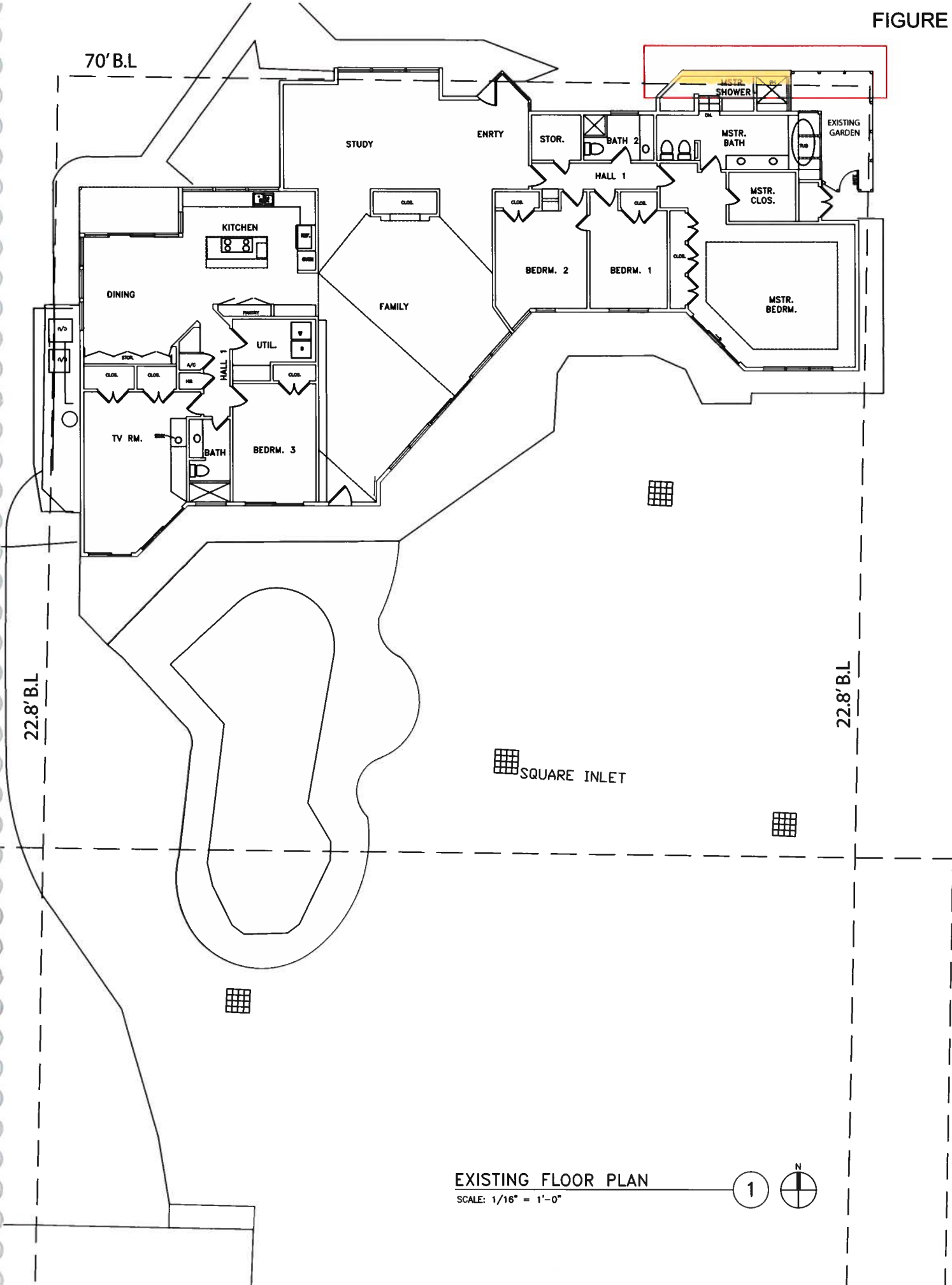
TRACT 43I
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43J
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43K
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

TRACT 43L
HOMER B. LEONARD, ET UX
JERRY H. PALE, ET UX
H-111809, 183-80-2368
08-17-1981

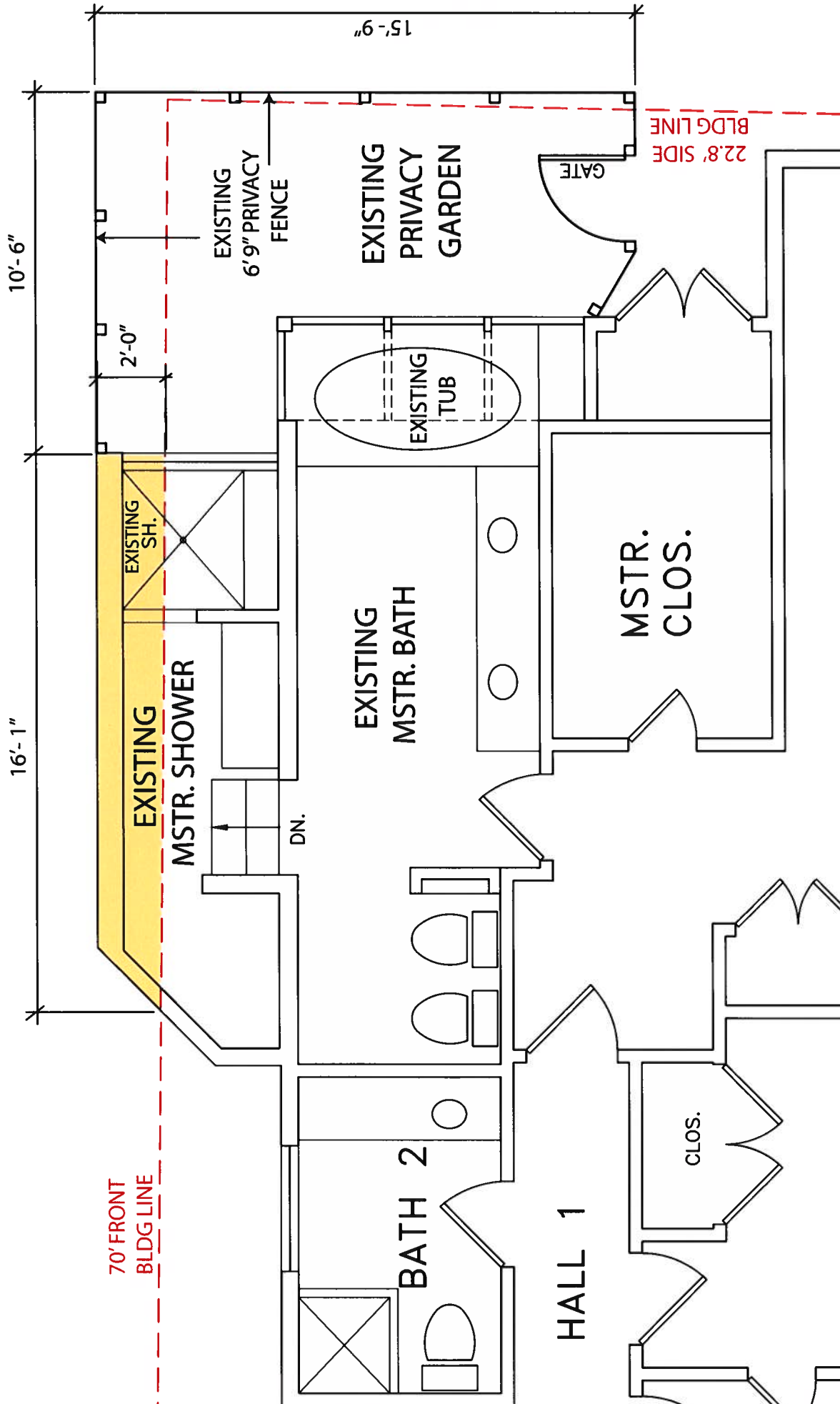
FIGURE 3



EXISTING FLOOR PLAN

SCALE: 1/16" = 1'-0"

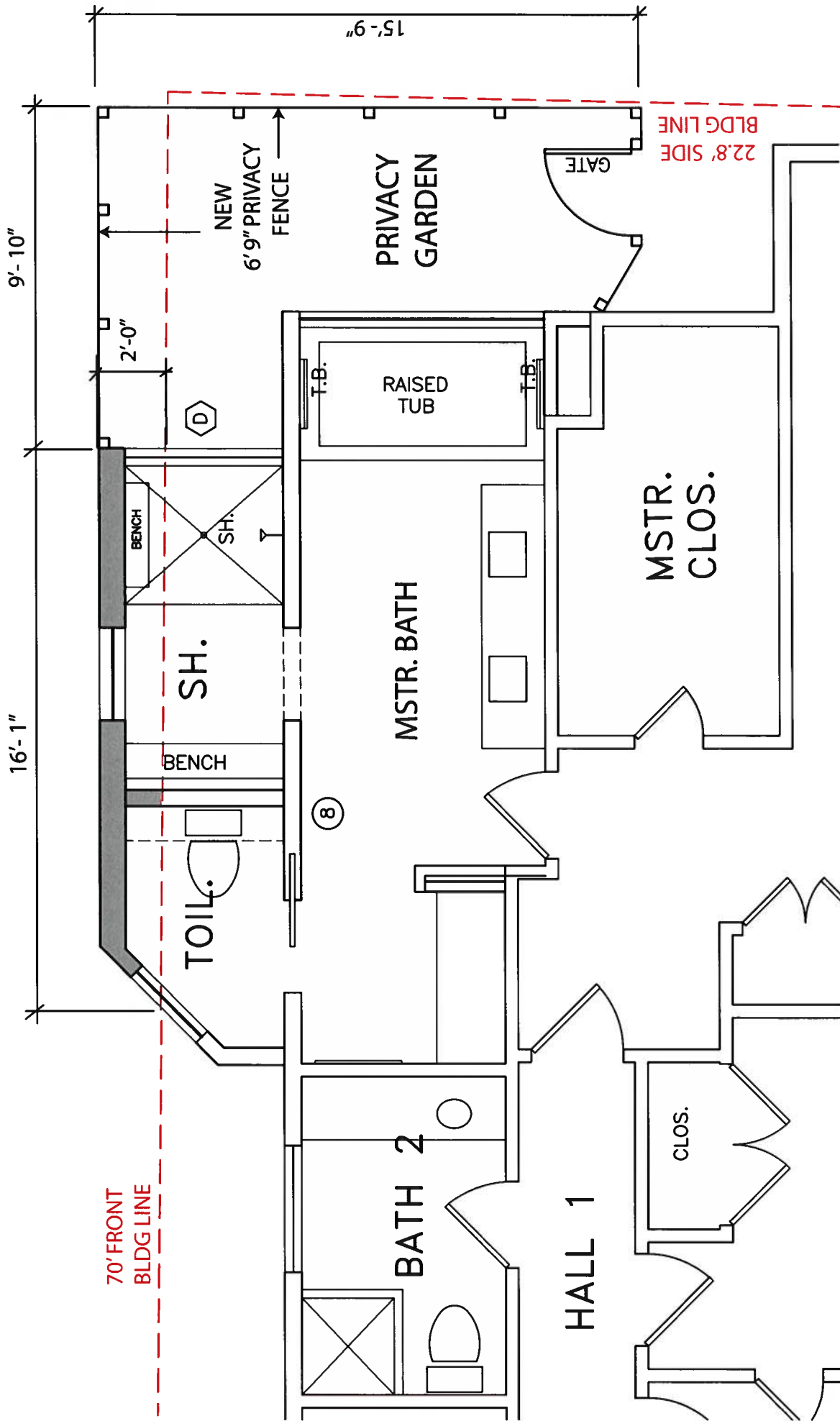




1

EXISTING MASTER BATH | PRIVACY FENCE

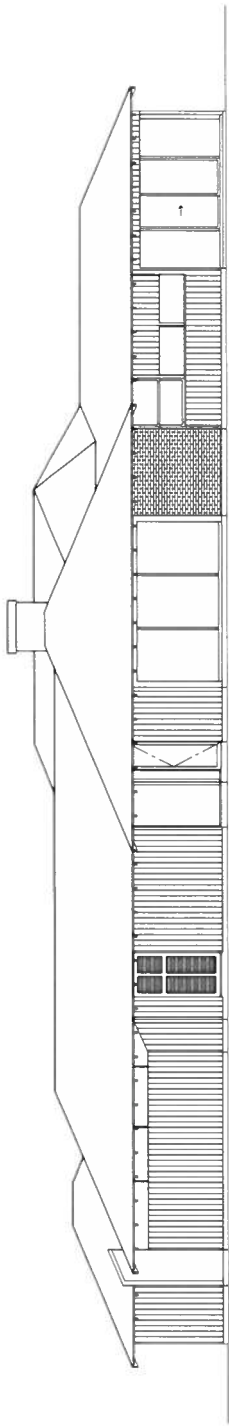
SCALE: 1/4" = 1'-0"



1

PROPOSED MASTER BATH | PRIVACY FENCE

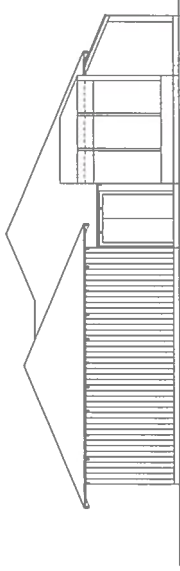
SCALE: 1/4" = 1'-0"



EXISTING FRONT ELEVATION

SCALE: 1/16" = 1'-0"

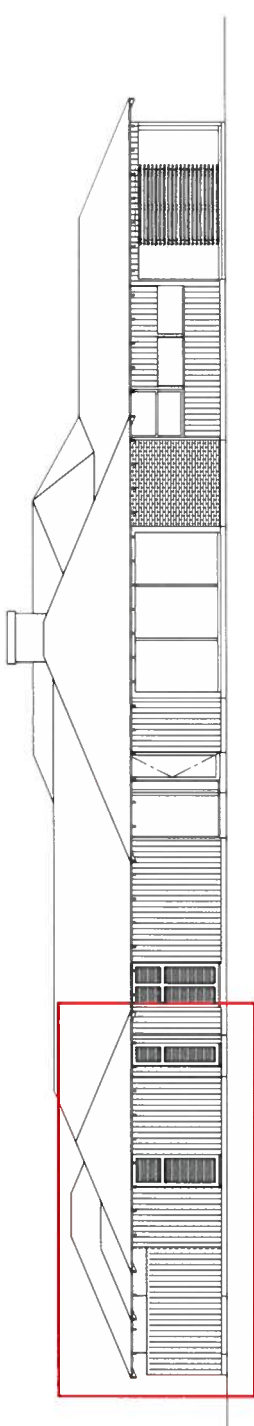
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EXISTING EAST ELEVATION

SCALE: 1/16" = 1'-0"

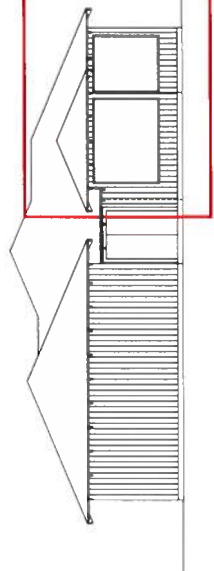
1



PROPOSED FRONT ELEVATION

SCALE: 1/16" = 1'-0"

1



PROPOSED EAST ELEVATION

SCALE: 1/16" = 1'-0"

1









Tax Year: 2019	HARRIS COUNTY APPRAISAL DISTRICT REAL PROPERTY ACCOUNT INFORMATION 0410280020314	Print E-mail
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File A Protest	Similar Owner Name	Nearby Addresses	Same Street Name	Related Map 5057C
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Ownership History

Owner and Property Information

Owner Name & Mailing Address:	ESPEY LIN G & JENNIFER M 11305 IRIS LEE LN HOUSTON TX 77024-7410	Legal Description:	TR 43A ABST 72 J D TAYLOR
		Property Address:	11305 IRIS LEE LN HOUSTON TX 77024

State Class Code	Land Use Code
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved

Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map®
38,760 SF	3,962 SF	7826	25501	392 -- ISD 25 - Memorial Villages South of I-10	5057C	490Q

Value Status Information

Value Status	Notice Date	Shared CAD
Noticed	04/23/2019	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2018 Rate	2019 Rate	Online Tax Bill
Residential Homestead	025	SPRING BRANCH ISD	356,030	Not Certified	1.394500		
	040	HARRIS COUNTY	331,030	Not Certified	0.418580		
	041	HARRIS CO FLOOD CNTRL	331,030	Not Certified	0.028770		
	042	PORT OF HOUSTON AUTHY	331,030	Not Certified	0.011550		
	043	HARRIS CO HOSP DIST	331,030	Not Certified	0.171080		
	044	HARRIS CO EDUC DEPT	331,030	Not Certified	0.005190		
	075	PINEY POINT VILLAGE	0	Not Certified	0.255140		
	707	MEMORIAL VILLAGES WA	331,030	Not Certified	0.027463		

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations

Value as of January 1, 2018				Value as of January 1, 2019			
	Market	Appraised		Market	Appraised		
Land	1,462,802		Land	1,462,802			
Improvement	194,807		Improvement	192,350			
Total	1,657,609	1,657,609	Total	1,655,152	1,655,152		

5-Year Value History

Land

Market Value Land

Line	Land Use	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value SF1 -- Primary SF	SF	38,760	1.02	1.00	1.00	--	1.02	37.00	37.74	1,462,802.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1953	Residential Single Family	101 -- Residential 1 Family	Excellent	3,962 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Details
Cost and Design	Econ Misimprovement
Cond / Desir / Util	Average
Foundation Type	Slab
Grade Adjustment	A-
Heating / AC	Central Heat/AC
Physical Condition	Average
Exterior Wall	Frame / Concrete Blk
Element	Units
Room: Total	10
Room: Rec	2
Room: Half Bath	1
Room: Full Bath	3
Room: Bedroom	4
Fireplace: Masonry Firebrick	1

Building Areas	
Description	Area
BASE AREA PRI	3,962
OPEN FRAME PORCH PRI	28
OPEN FRAME PORCH PRI	32
WOOD DECK PRI	394
OPEN FRAME PORCH PRI	25
OPEN FRAME PORCH PRI	78

Extra Features					
Line	Description	Quality	Condition	Units	Year Built
1	Gunite Pool	Average	Average	608	1988

Sec. 74-244. - Regulations.

- (a) *Accessory buildings and structures.* Except as provided immediately below, or specifically permitted otherwise in this chapter, no accessory building shall be erected in any yard as required by subsection (c).
- (1) *Rear yard.* A structure or accessory building not attached or made a part of the main building may be placed not less than ten feet from the rear property line, provided that all of such structure or accessory building is with the rear third of the lot.
 - (2) *Side yard.* An accessory structure or accessory building not attached to or made a part of the main building, may be placed not less than ten feet from a side property line, provided that all such accessory structure or accessory building is within the rear third of the lot. Notwithstanding the foregoing, air conditioning and heating equipment, and/or mosquito equipment may be placed within the side yard so long as it is:
 - a. Located no less than ten feet from the side property line;
 - b. Located within six feet of the main structure; and
 - c. Screened so it cannot be viewed from the street.
 - (3) *Equipment/residential structures.* Air conditioning/heating equipment, swimming pool equipment and mosquito equipment are not allowed on any roof or front yard of any residential structure.
 - (4) *Generator.* If not located in the existing building lines, the generator may be located:
 - a. On the ground;
 - b. In the rear third of the property; and
 - c. Ten feet from the property line.

The generator must be screened from the public view by shrubbery and be fueled only by natural gas. Sound shielding and screening is subject to a city approved design.

Unless there is a bona fide emergency requiring the use of the generator, the generator may be turned on only during daylight hour on weekdays.

- (b) *Height regulations.* Except as provided immediately below, or specifically permitted otherwise in this chapter:
- (1) *Building or structure.* No building or structure, or any part thereof, shall exceed 35 feet in height above the natural grade of the existing lot (i.e., the grade at center of proposed building footprint after the lot has been cleared and before any other construction has begun); provided however, if the city requires that the base elevation of the first floor of any building or structure be raised above the natural grade in order to be in compliance with the city's flood prevention ordinance or other applicable city Code provision, then the height restriction provided for in this paragraph shall be measured from the base of the first floor. Chimneys and antennas shall be allowed not more than ten feet above the building.
 - (2) *Accessory building or structure in required yard.* No part of any accessory building or structure that is erected in any yard as required by subsection (c) shall:
 - a. Exceed 20 feet in height above the adjacent natural grade, except for chimneys (the width of which shall not exceed six feet and the horizontal cross section of which shall not exceed 16 square feet), ordinary plumbing stacks, or antennas, which are not to exceed ten feet above the building;
 - b. Contain more than one story; or
 - c. Contain any part (other than chimneys, ordinary plumbing stacks, or antennas) which is higher than an imaginary line rising from a point beginning at ten feet high, ten feet from the property line and rising seven feet for each additional 12 feet from the property line.
 - (3) *Accessory building, church and school.* No accessory building or structure, or any part thereof, shall exceed 35 feet in height.

- (4) *Yard lights.* Yard lights attached to vegetation are permitted without height limitation within any required yard; however, if installed on any pole or other structure, shall exceed 25 feet in height. Gas or electric lights not exceeding eight feet are permitted in a required front yard.
- (5) *Fences.* As permitted in this section.
- (c) *Area regulations; size of yards.*
- (1) *Front yard.* There shall be a front yard having a depth of not less than 50 feet. Where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard depth of not less than 25 feet.
 - (2) *Side yards.* There shall be two side yards on each lot, neither of which shall be less than 15 percent of the lot width at the building line; however, in no event shall a side yard be less than 15 feet or be required to be more than 30 feet.
 - (3) *Rear yard.* There shall be a rear yard having a depth of not less than 20 feet. Corner lots on the turnaround portion of a cul-de-sac shall have two rear yards.
- (d) *Area regulations; size of lot.* No building shall be constructed on any lot that does not meet the following regulations;
- (1) *Lot area.* Lots will have not less than 40,000 square feet. The area of any portion of a private street or right-of-way of a private street shall not be considered as part of the lot for purposes of calculating lot size or building location.
 - (2) *Lot width.* The width of the lot shall be not less than 100 feet at the front building line, nor shall its average width be less than 100 feet; however, if a lot abuts wholly upon the turnaround portion of a cul-de-sac, the lot width at the building line shall be not less than 50 feet, but the average lot width shall be not less than 100 feet.
 - (3) *Lot depth.* The average depth of a lot shall be not less than 100 feet.
- Lots that meet the foregoing requirements will be known as conforming lots. Lots that do not meet those requirements will be known as nonconforming lots.
- (e) *Exceptions.* The regulations relating to minimum lot size, width and depth will not prohibit the erection of a single-family dwelling on a nonconforming lot if:
- (1) Such nonconforming lot or tract was established by legal subdivision after May 12, 1955, and such subdivision is reflected by plat duly approved by the planning and zoning commission of the city and recorded in the map records of the county pursuant to applicable state law.
 - (2) A subdivision plat of such nonconforming lot is submitted to and approved by the planning and zoning commission of the city and duly recorded in the map records of the county pursuant to applicable state law.
- (f) *Standards for approval—Plats of nonconforming lots.* Subdivision plats for nonconforming lots must comply with all applicable platting requirements. If all applicable platting requirements are met, then:
- (1) *Grandfathered lot.* A subdivision plat of a nonconforming lot or lots will be approved if such lot or tract (a) existed as a separate lot or tract of smaller size prior to May 12, 1955, as shown by a deed duly recorded in the deed records of the county before May 12, 1955, or on a plat duly approved and recorded in the map or deed records of the county before May 12, 1955, and has not been the subject of a plat or re-plat approved by the planning and zoning commission of the city since that time, and (b) has not come under common ownership with any adjoining lot since May 12, 1955; or
 - (2) *Conformity with existing development.* A subdivision plat of a nonconforming lot or lots may be approved if:
 - a. No part of such lot or lots has been included in a legal subdivision described in subsection (e)(1) above (unless all of the lots to be created by the proposed subdivision plat are conforming lots);

- b. Each such nonconforming lot has at least 20 feet of frontage on a public street or lawfully existing private st
- c. The let area of each such nonconforming lot is equivalent to other lots on the public or lawfully existing private street that provides access to such lot;
- d. All public utilities and all other public infrastructure are in lace to serve each such nonconforming lot;
- e. The development of a single-family dwelling on each such nonconforming lot would be consistent with the development scheme (existing on the date the application for subdivision plat is filed) for the adjacent neighborhood of which the nonconforming lot is a part; and
- f. The plat otherwise complies with applicable platting requirements.

As used herein, the phrase "neighborhood of which the nonconforming lot is a part" means all lots that both (i) lie adjacent to a street that is also adjacent to the nonconforming lot, and (ii) lie within 1,000 feet of the nonconforming lot.

A notice, setting forth the provisions and requirements of this section, will be filed of record in the real property records of the county.

- (g) *Building area.* The building area, exclusive of driveways and uncovered walkways, shall not exceed 30 percent of the lot area, exclusive of roadway easements; and the building area, inclusive of all structures (including driveways, tennis or other play courts, uncovered walkways, all other structures and impervious surfaces), shall not exceed 50 percent of the lot area.
- (h) *Impervious surface* shall be any material applied to the surface of land which does not permit the natural infiltration or passage of water into the ground.
- (i) *Overhang into yard space.* No balcony, porch or eave of any kind may extend into or over any required yard or building line a distance of more than 36 inches.

(Ord. No. 647, § 3.2, 6-25-84; Ord. No. 811, § 1, 7-28-97; Ord. No. 817, § 1, 2-9-98; Ord. No. 818, § 1, 2-9-98; Ord. No. 885, §§ 22—26, 8-26-02; Ord. No. 920, §§ 1, 2, 9-27-04; Ord. No. 930, § 1, 7-25-05; Ord. No. 933, § 1, 9-26-05; Ord. No. 954, § 1, 7-24-06; Ord. No. 961, § 1, 9-25-06; Ord. No. 965, § 1, 11-27-06; Ord. No. 992, § 1, 7-28-08; Ord. No. 2011.10.24C, § 1, 10-24-11)

Sec. 74-245. - Supplementary district regulations.

- (a) *Visibility at intersections.* On a corner lot vegetation shall not be planted or allowed to grow in such a manner as to impede vision between a height of three feet and ten feet above the center line grades of the intersecting streets in the area bounded by the street lines on the corner lots and a line joining points along the street lines 30 feet from the point of the intersection.
- (b) *Driveways, walkways and sidewalks.* Notwithstanding any other provision of this chapter, driveways, walkways and sidewalks are permitted in or along the edge of any required yard. However, no driveway or sidewalk shall be permitted within ten feet of the side and rear lot lines if such driveways or sidewalks are located in the rear third of the lot.
- (c) *Structures to have access.* Every building shall be on a lot adjacent to a public street or an approved private street, and all structures shall be so located on a lot so as to provide safe and convenient access for servicing, emergency and fire protection.
- (d) *Outdoor lighting.*
 - (1) It shall be unlawful for any person to cause or permit to be energized on property under his possession or control, or to maintain, any light that projects or is capable of projecting a glare or brightness, directly or indirectly, upon any lot, tract or parcel of land other than that upon which the lighting is situated, that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the city. Every light shall be installed, regulated and maintained by the owner or person in control thereof in such a manner that the beam of any such light shall be cast so that it will not create glare upon any lot, tract or parcel of land other than that upon which it is situated and so that it will not cause or permit any illumination from lighting in excess of 1½ lumens per square foot in, on or over the ground at any point beyond the boundary of the lot, parcel or tract of land upon which the light emanates. Any light in violation of this article shall be entirely removed or permanently altered in such fashion so to prevent the possibility of future violation.
 - (2) *Institutional uses.* The provisions of this paragraph shall apply only to tracts of land containing public or private religious or educational institutions. For the purposes hereof, the term "institutional uses" shall mean and include public or private religious or educational uses if they are the primary use of a tract of land. It shall be unlawful for any person to cause or permit to be energized, or to cause or permit to be maintained, on any tract of land containing an institutional use, any artificial light source that is located more than seven feet above natural grade if not attached to or within 12 inches of a building, or more than nine feet above natural grade if attached to or within 12 inches of a building, unless such light is hooded and cast in a manner to prevent glare on property other than the property upon which the light is situated. For the purposes

of this paragraph, the term "hooded" shall mean a fixture containing or attached to an artificial light source that is designed and maintained so that any light beam therefrom is directed forward from its source only and no light or light beam therefrom can be cast in a direction perpendicular to the main beam of such light. The term "cast in a manner to prevent glare" shall mean hooded light that is pointed at an angle not exceeding 30° from any vertical direction and, if located more than nine feet above natural grade and not within 12 inches of any building, is directed inward toward the center of the property upon which it is located so that the light source is not visible from any adjacent property.

- (3) It shall be unlawful for any person to cause or permit to be energized any light which is attached to a pole, standard or other facility or structure located upon or within a public roadway right-of-way or public street easement; provided, however, nothing contained in this subsection shall prevent the city from erecting street lighting or other lighting deemed necessary or appropriate for vehicular and pedestrian safety.
- (e) *Parking and storage of automobiles.* Not more than five motor vehicles, including not more than one commercial vehicle of not more than three-quarters-ton capacity not used in connection with any business conducted on the same premises, shall be parked or stored overnight outside on any lot or within any open garage or carport, nor shall any occupant of any lot use any nearby street for parking vehicles not permitted to be parked or stored on his lot hereunder.
- (f) *Recreational vehicles.* It shall be unlawful for any person to park or store a recreational vehicle in any front yard, any yard contiguous to a side street, or at any location that is visible from a street or thoroughfare for a period exceeding 72 hours within any consecutive 30-day period.
- (g) *Temporary structures not to be used for living quarters.* No temporary structure shall be erected, used or maintained for living quarters. For the purposes of this section, a temporary structure shall include any form of temporary home or temporary or permanent mobile home, trailer or other vehicle, whether on wheels or not.
- (h) *Cemeteries.* No land shall be used for cemeteries or similar uses; provided however, columbariums may be permitted as an accessory use to a church or other place of worship upon the granting of a specific use permit therefor by the city council.
- (i) *Fences and walls in required yards.* No fence or freestanding fence-type wall shall be permitted in any required yard except as specifically authorized below:
 - (1) *Fences, front yard.* Fences and freestanding fence type walls may be constructed within a required front yard if not exceeding three feet in height; however, a fence not exceeding six feet in height above the natural grade of the lot at the lot line adjacent to

such fence may be constructed within a required front yard if the front yard is adjacent to a four-lane, esplanaded, curbed and guttered thoroughfare, the fence is set back at least three feet from the adjacent front lot line, and the fence is an 80 percent fence.

- (2) *Fences, side and rear yard not adjacent to a street.* Fences and freestanding fence-type walls not exceeding eight feet in height are permitted in or along the edge of any required yard other than a front yard or a side or rear yard adjacent to a street.
- (3) *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 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.
- (4) *Fences, new construction.* In the event of the construction of any dwelling (or remodeling in excess of at least 50 percent of value of any dwelling) as defined in section 714-212(b), subsequent to adoption of this article, all fences shall be replaced so as to conform to the other provisions of subsections (h)(1), (2), and (3) above. However, exempted from this section shall be any fences constructed originally for a subdivision of more than five acres or more, and any brick or concrete fences along the south side of Greenbay Drive.
- (5) *Replacement of nonconforming fences.* At such time as there is construction of any building or remodeling of any existing building on the lot as defined in section 714-212(b), all fences on the lot shall be replaced so as to conform to all the regulations and articles of the city, including the provisions of subsection (h)(4) above. Notwithstanding any other provision contained in this chapter to the contrary, a fence other than a chain link or wire fence located within a required side or rear yard adjacent to a street, which was lawfully permitted by the city and existing at the time of its construction or erection, but which is nonconforming pursuant to subsection (i)(3), shall be permitted to be replaced or reconstructed to remain non-conforming until such time as there is construction as defined in section 714-212(b), even in the event of total damage or destruction, provided such fence is replaced or reconstructed:
 - a. With like materials and construction, so as to be as identical to the fence being replaced as is reasonably possible;
 - b. To a height which does not exceed six feet above the surrounding natural grade;
 - c. In a manner which does not expand a nonconforming characteristic thereof; and
 - d. If a wooden fence, with the finished exterior side facing the adjacent street, with no posts or rails visible from such adjacent street.

Provided, however, the provisions of this paragraph (5) shall not be construed to permit the replacement or reconstruction of any wire or chainlink fence nor shall they be construed to permit violation of requirements other than those in subsection (i)(3).

- (j) *Animals.* It shall be unlawful for any person to keep or harbor an animal, in other than a stable; however, the keeping of dogs, cats or other domestic household pets of the family is not prohibited.
- (k) *Driveway curbcuts.* Except as provided below, it shall be unlawful for any person to cause or permit the construction of any driveway curbcut which constitutes a driveway with any street other than the street adjacent to the front yard of the lot upon which the driveway is situated.
 - (1) On a corner lot, one curbcut shall be allowed in a side yard adjacent to a side street. The curbcut shall be allowed as long as:
 - a. No accessory building or structure (except a conforming fence) is located within the side yard containing the curbcut;
 - b. 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;
 - c. 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.
 - (2) No more than two curbcuts shall be allowed in any front yard.
 - (1) 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.
- (l) *Mail boxes.* It shall be unlawful for any person to construct or install a mail box which is greater than 30 inches wide at the side running parallel to the street right-of-way, 36 inches deep, and exceeds 66 inches above the ground on which it is located.

Cross reference— Parking of mobile equipment at construction sites, § 10-2.

Attachment A

Addresses of Neighbors that were notified of Variance Request:

1. 11309 Iris Lee Lane
2. 11306 Iris Lee Lane
3. 11310 Iris Lee Lane
4. 221 Merrie Way Lane
5. 217 Merrie Way Lane
6. 213 Merrie Way Lane
7. 209 Merrie Way Lane
8. 11302 Piney Point Circle

May 30, 2019

Neighbor
Houston, TX 77024

RE: 11305 Iris Lee Lane

Dear Neighbor,

We wish to inform you that we will be seeking two variances from the Piney Point Board of Adjustments for our property at 11305 Iris Lee Lane.

The existing house at 11305 Iris Lee Lane, originally built in 1955, has a small portion of the existing master bath and existing master bath privacy fence that extend 2 feet into the front 70-foot setback. This sunken portion of the master bath is badly leaking and rotting, needing complete replacement. The bath privacy fence is also rotting and needs replacement. We are specifically requesting a variance to the 70-foot front setback, allowing us to build 2 feet into the front setback, in order to replace this portion of the master bath and privacy fence. The proposed work will be within the same footprint as the existing master bath and privacy fence, and significantly improve the house's appearance from the street.

We are seeking variances to the following portions of the City of Piney Point Village Code of Ordinances:

Variance One: Master Bath

Chapter 74 Sec. 244. Regulations.

(c) Area regulations; size of yards.

(1) Front yard. There shall be a front yard having a depth of not less than 50 feet.

Where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard of no less than 25 feet.

Variance Two: Privacy Fence

Chapter 74 Sec. 245. Supplementary district regulations.

(i) Fences and walls in required yards

(5) Replacement of nonconforming fences. At such time as there is construction of any building or remodeling of any existing building on the lot as defined in section 714-212(b), all fences on the lot shall be replaced so as to conform to all the regulations and articles of the city, including the provisions of subsection (h)(4) above. Notwithstanding any other provision contained in this chapter to the contrary, a fence other than a chain link or wire fence located within a required side or rear yard adjacent to a street, which was lawfully permitted by the city and existing at the time of its construction or erection, but which is nonconforming pursuant to subsection (i)(3), shall be permitted to be replaced or reconstructed to remain non-conforming until such time as there is construction as defined in section 714-212(b), even in the event of total damage or destruction, provided such fence is replaced or reconstructed:

a. With like materials and construction, so as to be as identical to the fence being replaced as is reasonably possible;

- b. To a height which does not exceed six feet above the surrounding natural grade;
- c. In a manner which does not expand a nonconforming characteristic thereof; and
- d. If a wooden fence, with the finished exterior side facing the adjacent street, with no posts or rails visible from such adjacent street.


Provided, however, the provisions of this paragraph (5) shall not be construed to permit the replacement or reconstruction of any wire or chainlink fence nor shall they be construed to permit violation of requirements other than those in subsection (i)(3).

You are invited to attend the hearing before the Board of Adjustment to take place on Thursday, June 13th, 2019 at 7:00 pm at the following address:

Piney Point City Hall
7676 Woodway Dr., St. 300
Houston, TX 77063

A complete Board Package will be available at Piney Point City Hall during normal business hours and will be available at the city hall website from June 10th - 13th, 2019. You may contact my architect, Bob Robinowitz AIA, McIntyre + Robinowitz Architects, with any questions or concerns, at (713) 520 - 9336.

Sincerely,



Jennifer Espey
Lin Espey
11305 Iris Lee Lane
Houston, TX 77024