

October 3, 2019

Piney Point Board of Adjustment  
Piney Point City Hall  
7676 Woodway Drive, Ste 300  
Houston, TX 77024

Re: 12 Shady Grove side setback variance request

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

Chapter 78, Section 244 Regulations

( C ) Area Regulations, size of yards

(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 be less than 15 feet or be required to be more than 30 feet.

We are specifically requesting a variance to build two small additions which will require a 5' variance to the required 15' minimum side yard requirement to allow for the following:

- 1) Extension of the master bedroom approximately 7' into the backyard in order to expand the size of the master bathroom and closet, while keeping the size of the master bedroom the same. The design of the new proposed bathroom and closet aims to improve the accessibility and mobility of the house which we want to plan for as we will continue to occupy the house for the years to come. Currently, the house has narrow doors, walkways and walk in closet areas that do not allow for proper accessibility and mobility.
- 2) Extension of a current covered patio area into the backyard to allow for usable space. The portions that would be encroaching within the required 15' side setback would be one column and the roof overhang as this request is only for the extension of the roof overhang. Currently, there would be no room for a mobility impaired person to turn around in the current covered patio because there is not enough room between the outdoor grill and the edge of pavement under the covered roof.

We understand a conforming lot in Piney Point is 40,000 SF minimum, so this lot is less than half the size of a conforming lot since it is 17,500 square feet.

The house was built in 1958 per HCAD records and the current we have owned it for approximately 26 years. The current house footprint has 10' side yards as this house was likely built before this minimum side yard requirement was required. The proposed additions merely extend the existing side conditions of the existing house in the backyard, so there will be no change from the front of the house. Additionally, this home is situated at the end of the shady grove lane which is a private street, so there is no through-traffic that goes on that street. The side of the house of the proposed covered porch extension will actually be improved as it will be an opportunity to clean up the current situation which has unsightly a/c units on the existing roof of the covered patio.

Figure 1 is the existing survey of the property at 12 Shady Grove.

Figure 2 is the site plan illustrating the proposed addition (they are shaded in gray).

Figure 3 is an exhibit showing the existing and proposed rear and side elevations

Figure 4 is an exhibit showing the existing and proposed floor plan

Figure 5 are some pictures of the existing house

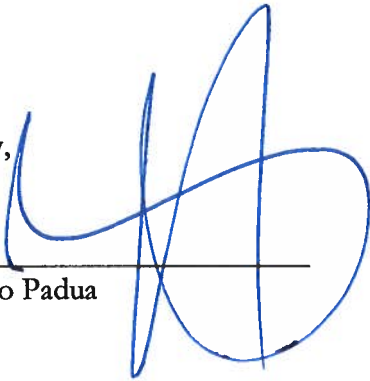
Figure 6 is the HCAD summary of this address

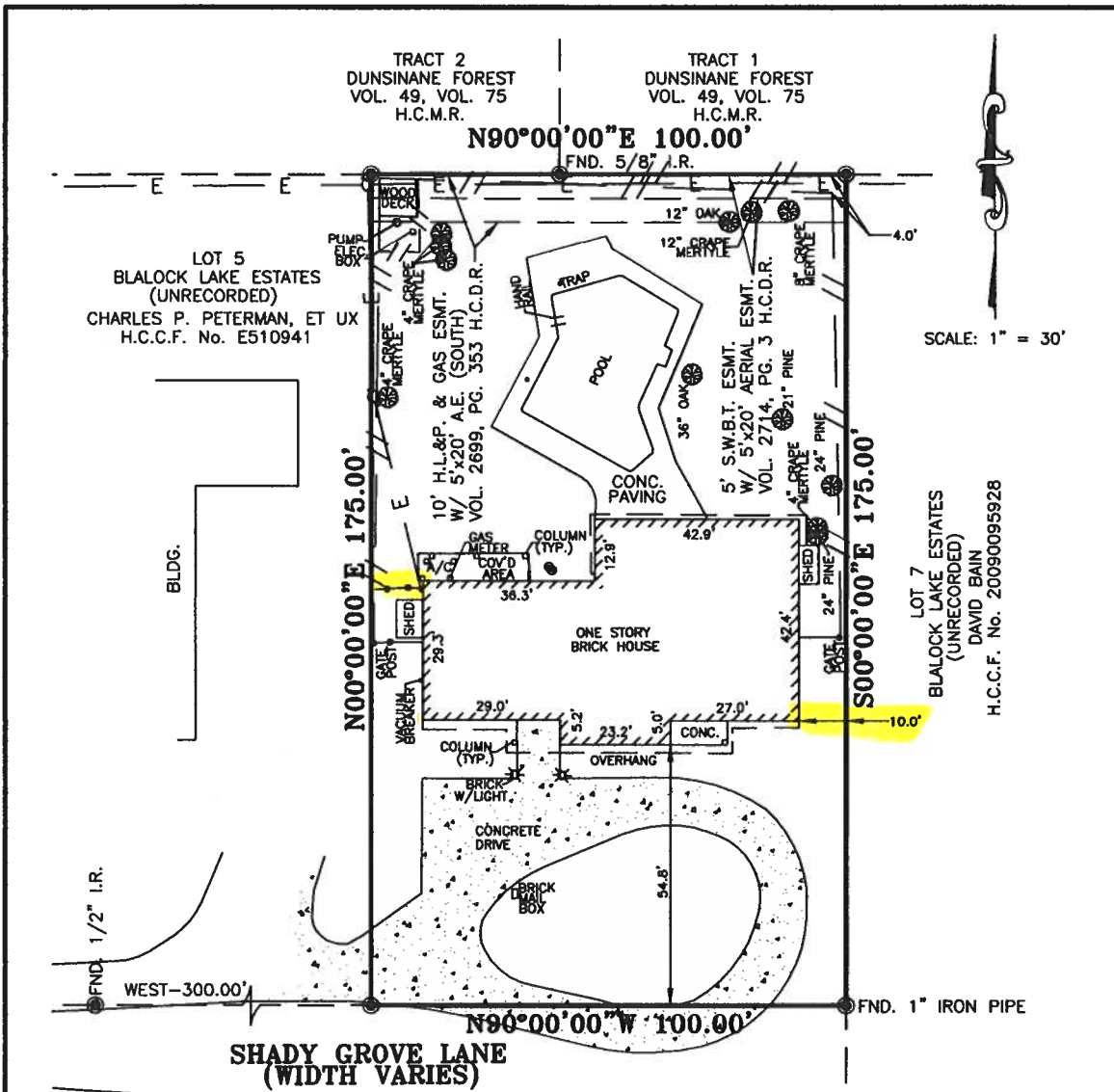
Figure 7 - Chapter 74, Section 244 City of Piney Point Code of Ordinances

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

Sincerely,

Francisco Padua

A handwritten signature in blue ink, consisting of several overlapping loops and curves, positioned above a horizontal line.



I do hereby certify that this survey was this day made on the ground. This plat correctly represents the facts found at the time of the survey.

*Kenneth A. Gruller*  
 Kenneth A. Gruller  
 Texas Registered Professional Land Surveyor No. 5476

- SURVEY NOTES:**
- The surveyor has not abstracted the subject property.
  - This survey was created with the benefit of a title commitment prepared by Fidelity National Title Insurance Company, G.F. No. 1042001841, Effective Date: November 22, 2013.
  - Basis of Bearings for the survey is the subdivision plat of J.C. Bauer Subdivision of record in Vol. 655, Pg. 201, H.C.D.R.
  - By graphic plotting only, the subject property lies within Zone "X", areas determined to be outside the 0.2% annual chance flood, as defined by the Federal Emergency Management Agency flood insurance rate map number 48201C0645 L, dated June 18, 2007.
  - Subject to restrictive covenants of record in Vol. 2479, Pg. 155 and Vol. 2699, Pg. 353 H.C.D.R.

**LEGEND**

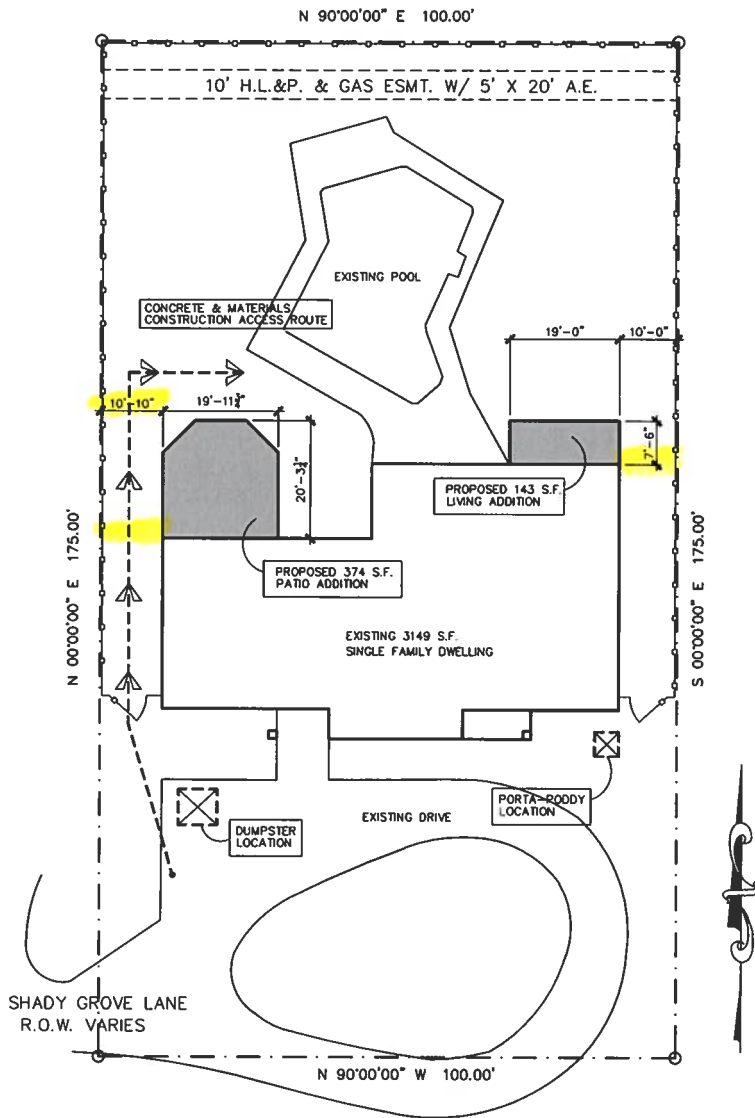
- SET 5/8" IR W/CAP, UNLESS OTHERWISE NOTED
- POWER POLE
- ✕ LIGHT
- ⊙ CLEANOUT

WOOD FENCE // //  
 OVERHEAD ELECTRIC E E E

**PLAT OF SURVEY**  
 ADDRESS: 12 SHADY GROVE LN.  
 HOUSTON, TX 77024

**BOUNDARY AND IMPROVEMENT  
 LOT 6  
 BLALOCK LAKE ESTATES  
 BEING OUT OF AND A PART OF  
 LOT 7  
 J.C. BAUER SUBDIVISION  
 VOL. 655, PG. 201, H.C.D.R.  
 LOCATED IN  
 JOHN D. TAYLOR SURVEY, A-776  
 HARRIS COUNTY, TEXAS**

**GRULLER SURVEYING**  
 PROFESSIONAL LAND SURVEYING  
 5599 San Felipe, Ste. 1420  
 HOUSTON, TEXAS 77056  
 TELEPHONE: (713) 333-1486  
 SCALE: 1" = 30' DATE: 12-02-2013  
 JOB NO.: 45-13137.DWG



**SITE PLAN**  
SCALE: 1/8" = 1'-0"

IMPERVIOUS CALCULATIONS:	
LOT SIZE:	17,500
EXISTING DRIVE:	2,261
EXISTING SLAB:	3,230
EXISTING POOL:	1,672
PROPOSED ADDITION:	383
<b>TOTAL EX. IMPERVIOUS:</b>	<b>7,163 = 41.0 %</b>
<b>TOTAL NEW IMPERVIOUS:</b>	<b>7,546 = 43.1 %</b>

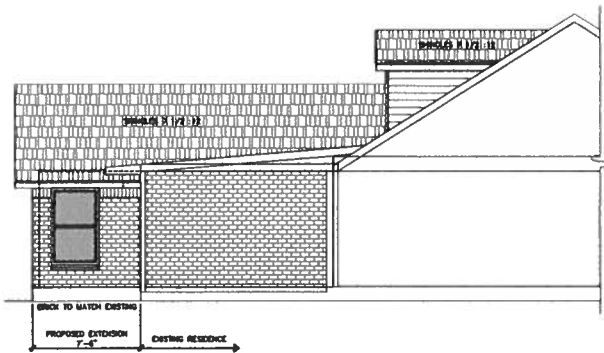
REMODEL/ADDITION FOR:  
 1 2 SHADY GROVE  
 PADUA RESIDENCE  
 ANDERSON CANYON



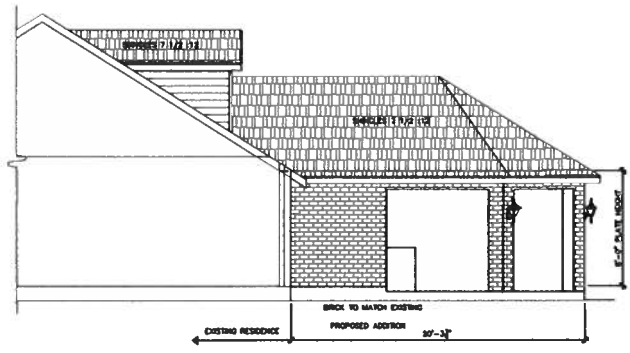
EXISTING NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



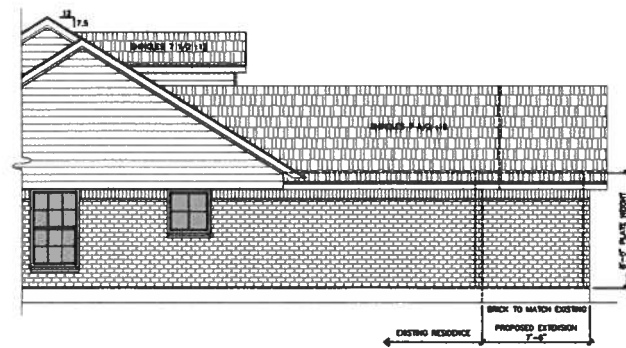
PROPOSED NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



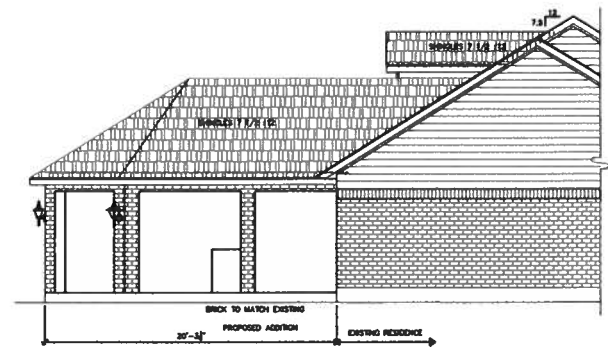
PROPOSED MASTER ADDITION WEST ELEVATION  
SCALE: 1/4" = 1'-0"



PROPOSED PORCH ADDITION WEST ELEVATION  
SCALE: 1/4" = 1'-0"

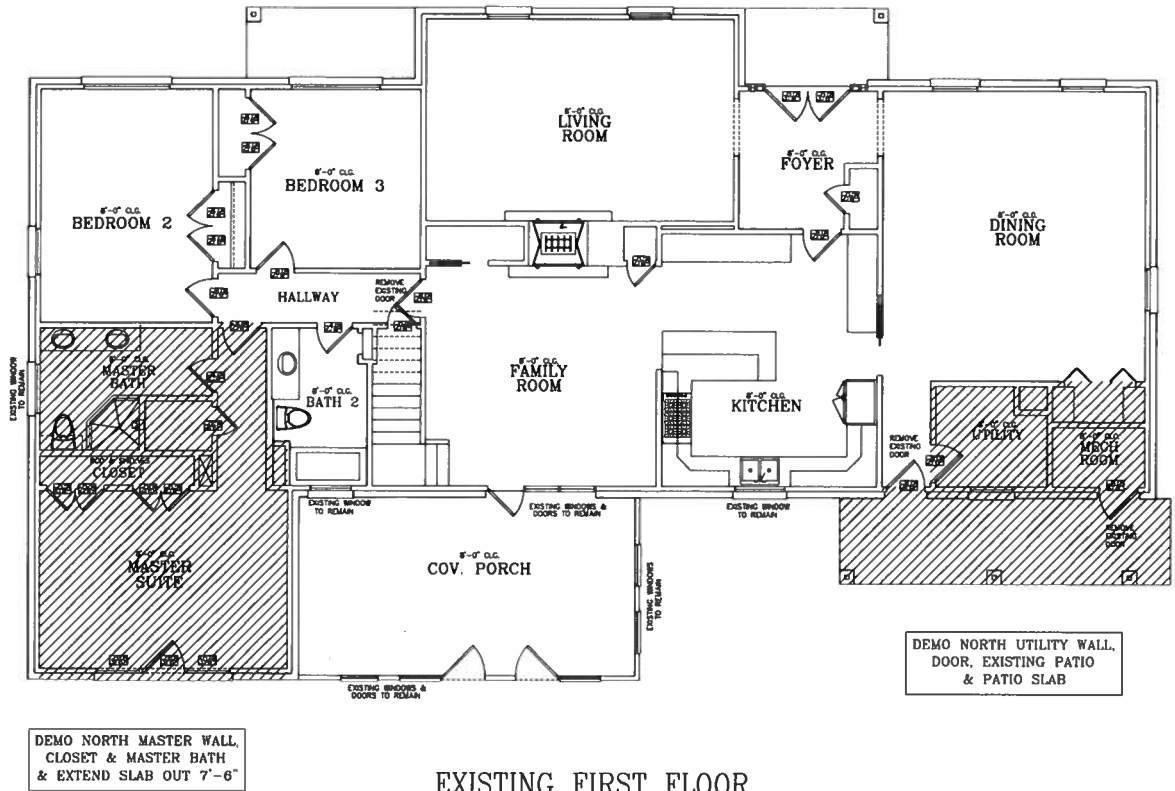


PROPOSED MASTER ADDITION EAST ELEVATION  
SCALE: 1/4" = 1'-0"



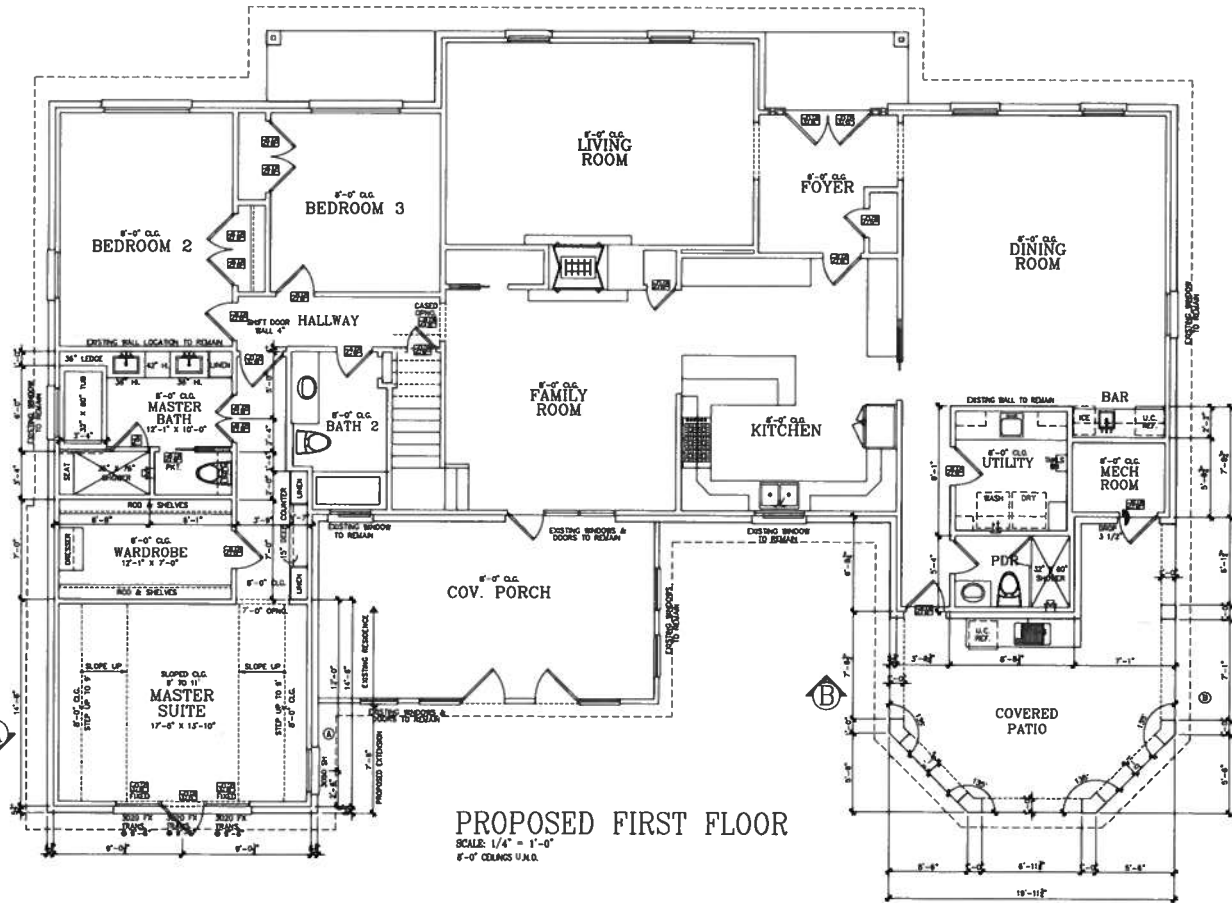
PROPOSED PORCH ADDITION EAST ELEVATION  
SCALE: 1/4" = 1'-0"

REMODEL/ADDITION FOR:  
12 SHADY GROVE  
 PADUA RESIDENCE  
 ANDERSON CANYON



EXISTING FIRST FLOOR

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



PROPOSED FIRST FLOOR

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

6'-0" COLUMNS U.A.R.

REMODEL/ADDITION FOR:  
**12 SHADY GROVE**  
PADUA RESIDENCE  
ANDERSON CANYON







HARRIS COUNTY APPRAISAL DISTRICT  
 REAL PROPERTY ACCOUNT INFORMATION  
**082366000006**

Tax Year: 2019



Owner and Property Information								
Owner Name & Mailing Address: <b>PADUA SARA C &amp; FRANCISCO 12 SHADY GROVE LN HOUSTON TX 77024-6512</b>				Legal Description: <b>LT 6 BLALOCK LAKE ESTATES</b>				
				Property Address: <b>12 SHADY GROVE LN HOUSTON TX 77024</b>				
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map <sup>1/2</sup>
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	17,500 SF	3,146 SF	7834	25501	392 -- ISD 25 - Memorial Villages South of I-10	5057A	490L

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
<b>Residential Homestead (Multiple)</b>	025	SPRING BRANCH ISD	242,768	Certified: 08/02/2019	1.394500	
	040	HARRIS COUNTY	346,368	Certified: 08/02/2019	0.418580	
	041	HARRIS CO FLOOD CNTRL	346,368	Certified: 08/02/2019	0.028770	
	042	PORT OF HOUSTON AUTHY	346,368	Certified: 08/02/2019	0.011550	
	043	HARRIS CO HOSP DIST	346,368	Certified: 08/02/2019	0.171080	
	044	HARRIS CO EDUC DEPT	346,368	Certified: 08/02/2019	0.005190	
	075	PINEY POINT VILLAGE	21,000	Certified: 08/02/2019	0.255140	
	707	MEMORIAL VILLAGES WA	207,768	Certified: 08/02/2019	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	1,036,532		Land	1,087,625	
Improvement	200		Improvement	120,675	
<b>Total</b>	<b>1,036,732</b>	<b>847,127</b>	<b>Total</b>	<b>1,208,300</b>	<b>931,839</b>

Land					
Market Value Land					

Line	Description	Site Code	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	SF	17,500	1.13	1.00	1.00	--	1.13	55.00	62.15	1,087,625.00

**Building**

Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1958	Residential Single Family	Residential 1 Family	Good	3,146 *	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	Detail
Cost and Design	Econ Misimprovement
Cond / Desir / Util	Average
Foundation Type	Slab
Grade Adjustment	B-
Heating / AC	Central Heat/AC
Physical Condition	Average
Exterior Wall	Frame / Concrete Blk
Exterior Wall	Brick / Masonry
Element	Units
Room: Total	7
Room: Full Bath	3
Room: Bedroom	4
Fireplace: Masonry Firebrick	1

Building Areas	
Description	Area
BASE AREA PRI	2,624
ATTIC FINISHED	522
MAS/CONC PATIO PRI	312
OPEN MAS PORCH PRI	60
OPEN MAS PORCH PRI	138
OPEN MAS PORCH PRI	50

**Extra Features**

Line	Description	Quality	Condition	Units	Year Bult
1	Gunite Pool	Average	Average	840.00	1979

## 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, no light, if installed on any pole or other structure, shall exceed 25 feet in height. Gas or electric lights not exceeding eight feet in height 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 street;
  - c. The lot 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 place 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)

Property Address	Owner's Name	Current Mailing Address
5 Shady Grove	CURRENT OWNER	1240 BLALOCK RD UNIT 270 HOUSTON TX 77055-6467
6 Shady Grove	SILVERWOOD BUILDERS I INC	1022 WIRT RD HOUSTON TX 77055-6884
8 Shady Grove	ALEXANDER NANCY G C/O EARLE S ALEXANDER JR ESTATE OF	8 SHADY GROVE LN HOUSTON TX 77024-6512
9 Shady Grove	MEHRAN & LADAN AGHILI	9 SHADY GROVE LN HOUSTON TX 77024-6512
10 Shady Grove	CHAS P PETERMAN	10 SHADY GROVE LN HOUSTON TX 77024-6512
455 Jan Kelly	BRIAN A & KATHERINE THOMPSON	455 JAN KELLY LN HOUSTON TX 77024-6500
458 Jan Kelly	TRENT D & ANDREA TELLEPSEN	458 JAN KELLY LN HOUSTON TX 77024-6511
466 Jan Kelly	JOHN H III & CARLA S BAKER	466 JAN KELLY LN HOUSTON TX 77024-6511
467 Jan Kelly	DAVID A & ADRIANA BAIN	467 JAN KELLY LN HOUSTON TX 77024-6500
470 Jan Kelly	ROBERT C & PAULINE P MERTENSOTTO	470 JAN KELLY LN HOUSTON TX 77024-6511
510 Jan Kelly	BRAD & TRISHA BASAROWICH	510 JAN KELLY LN HOUSTON TX 77024-5236
11505 Dunsinane St	EREC & LISA ISAACSON	11505 DUNSINANE ST HOUSTON TX 77024-5208
11511 Dunsinane St	GARY & DOROTHY SELINE	11511 DUNSINANE ST HOUSTON TX 77024-5208
11515 Dunsinane St	MITCH D ZARSKY	11515 DUNSINANE ST HOUSTON TX 77024-5208

# MAKO, LLC

---

5599 SAN FELIPE, SUITE 911 HOUSTON, TX 77056 • (713) 840-7719 • FAX 281.652.5872

October 3, 2019

Piney Point Neighbor  
(Address)  
Houston, TX 77024

Dear Neighbor,

This letter is to inform you that we are requesting a variance to the Piney Point Village side setback ordinance for the property at 12 Shady Grove Ln. Houston, TX 77024. We are requesting that the existing home, which was built 10' from the property line, be allowed to remain at the existing setback and allow us to build two (2) new additions on the back of the house maintaining this same setback. Therefore, we are requesting a 5' variance from the current City of Piney Point Restrictions. Attached is a site plan that shows the layout of the home on the lot.

Here is the relevant portion of the Piney Point Village Code of Ordinances to which we seek a variance.

Sec. 78-244 Regulations

(C) Area Regulations, size of yards

(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 be less than 15 feet or be required to be more than 30 feet.

We will be making this request during the October meeting of the Board of Adjustments, which you are invited to attend. The meeting will take place on Thursday, October 10, 2019 at 7P.M. at the following address:

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

You may view our complete, detailed submittal packet on the Piney Point Village Website beginning on Friday, October 4 through Thursday, October 10 by navigating to:

<http://www.citypiney.com/>, then following the dropdown menus to the > Government > Board of Adjustment > BOA Meeting Packet

Regards,

---

Antonio Padua  
Mako, LLC