

REQUEST FOR VARIENCE
AT
20 LACEWOOD LN
HOUSTON, TX 77024
IN PINEY POINT VILLAGE

FOR
RICK AND KOURTNEY PEÑA

Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

January 12, 2023

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

RE: 20 Lacewood Ln Generator Variance

Dear Members of the Board:

We are seeking a variance from the Board of adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

We would like to install an emergency standby generator on our property to help provide our family with electricity and keep essential equipment operational during emergency situations such as weather events and frequently experienced, unexpected utility interruptions. The intent of the generator is to only power essentials and not the whole home in the event of a power loss. The proposed Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Specifically, we are asking for a variance from the generator ordinance for a 15' side yard setback. We are requesting that the generator be placed between 14.0' and 16.1' from the property line, along the east side of our home (Exhibits A, B and C), screened from neighbors by a pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south, leaving 6' of clearance from the main structure (Exhibit D) and 3' from our air conditioning units (Exhibit E). The location of the standby generator was selected by the Contractor to comply with all code requirements while taking into account the preexisting design of the home which includes stretching from end to end of the east side of the main structure - 3 windows, 3 air conditioning units, as well as the main gas and power utility interconnections services for the home.

20 Lacewood Ln is located on a 21,756 sqft corner lot and was originally constructed in 2004. The original design and build of the home occupied a majority of the buildable area. We purchased our home in May 2020 and began to experience power outages of various durations. Example significant power outages highlighted below:

- 2020
 - 13 hours - May 27
- 2021
 - 3 days – February 16
 - 5 hours – August 16
 - 3 days – September 21
- 2022
 - 2 hours – January 26
 - 2 hours – August 9
 - 16 hours – September 7

As a result, in accordance with Tynewood HOA requirements for a Generator Permit we sought HOA approval in compliance with the Tynewood Protective Control Document. On July 12, 2022 the Tynewood Committee responded to our approval request with an email to the City and home owners indicating *“You have approval from the HOA to move the generator to the EAST (away from the house) and minimally encroach into the setback (as required) to comply with City of PPV Code and the safe operation of the generator”* (Exhibit G).

Additionally, please note that we have already placed an initial deposit on the generator for the proposed location. We have instructed our contractors to discontinue any further work on the generator until the Board’s review of this variance request.

We have included copies of the notices that we sent to our six neighbors on December 29, 2022 (Exhibit G and H).

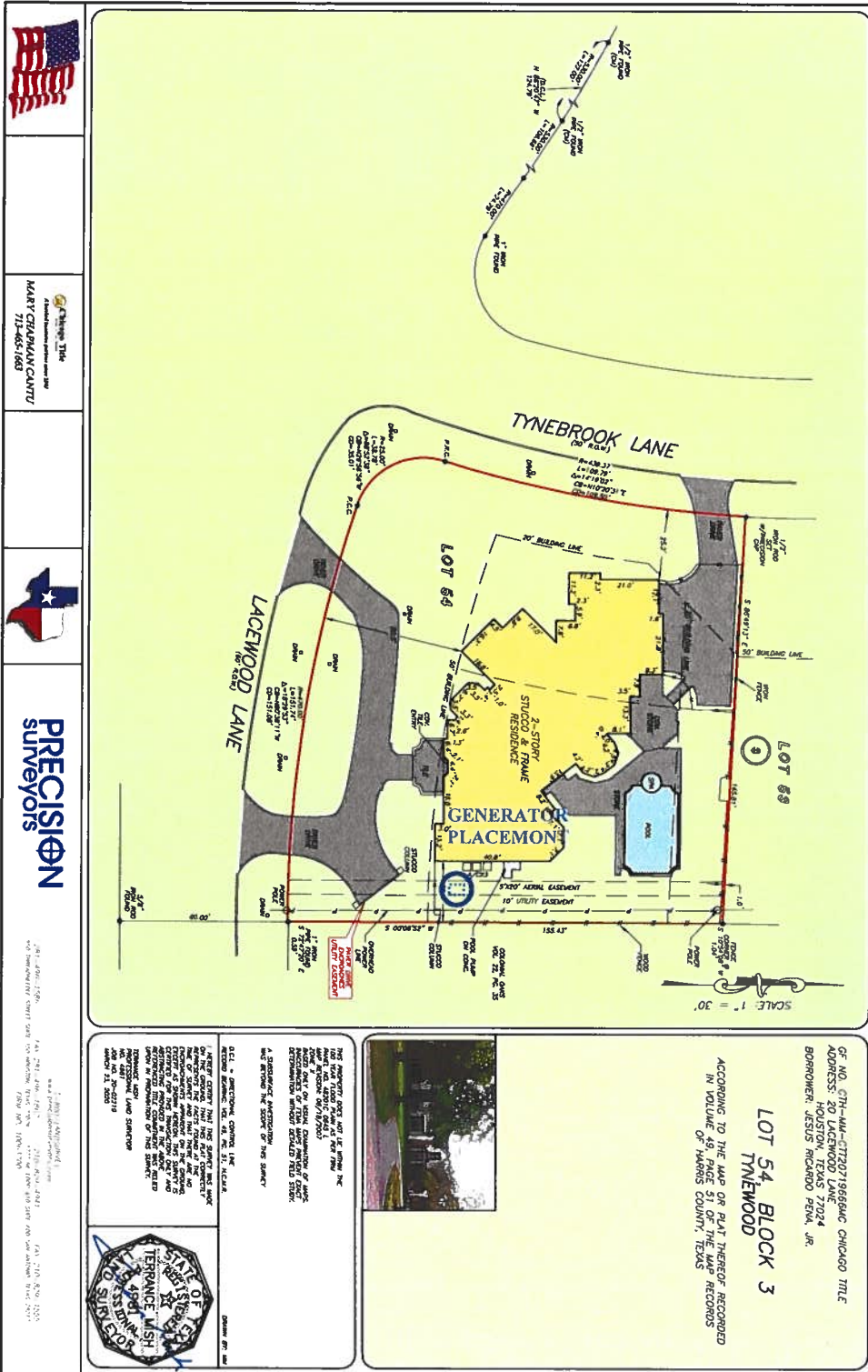
We are attaching the following Exhibits:

- Exhibit A - Proposed location of generator – plotted on lot survey.
- Exhibit B - Proposed location of generator – detailed location.
- Exhibit C - Proposed location of the generator – image looking east.
- Exhibit D - Proposed location of generator – image looking west.
- Exhibit E - Proposed location of the generator – image looking northeast.
- Exhibit F - Tynewood HOA Generator Location Request- Tynewood Committee Response
- Exhibit G - List of neighbors contact for variance request.
- Exhibit H - Letters to neighbors describing variance request.

Thank you for your consideration of our request.

Rick and Kourtney Peña

Exhibit A. Proposed location of generator – plotted on lot survey – adjacent to the east side of our house.



MARY CHAMBERLAIN

 713-465-1888



PRECISION

 surveys

281-466-1376 409-241-4061 210-342-4411 409-770-8700

 409-241-4061 409-241-4061 409-241-4061 409-241-4061

THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEES PAID TO THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS SURVEY.



LOT 54, BLOCK 3

TYNEBROOK

 ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 49, PAGE 51 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS

OF NO. CTH-44-2720719886AC CHICAGO TITLE

 ADDRESS: HOUSTON, TEXAS 77024

 BORROWER: JESUS RICARDO PERA, JR.



Exhibit B. Proposed location of generator – detailed location - indicating distance from main structure, air condition, south fence and property line.

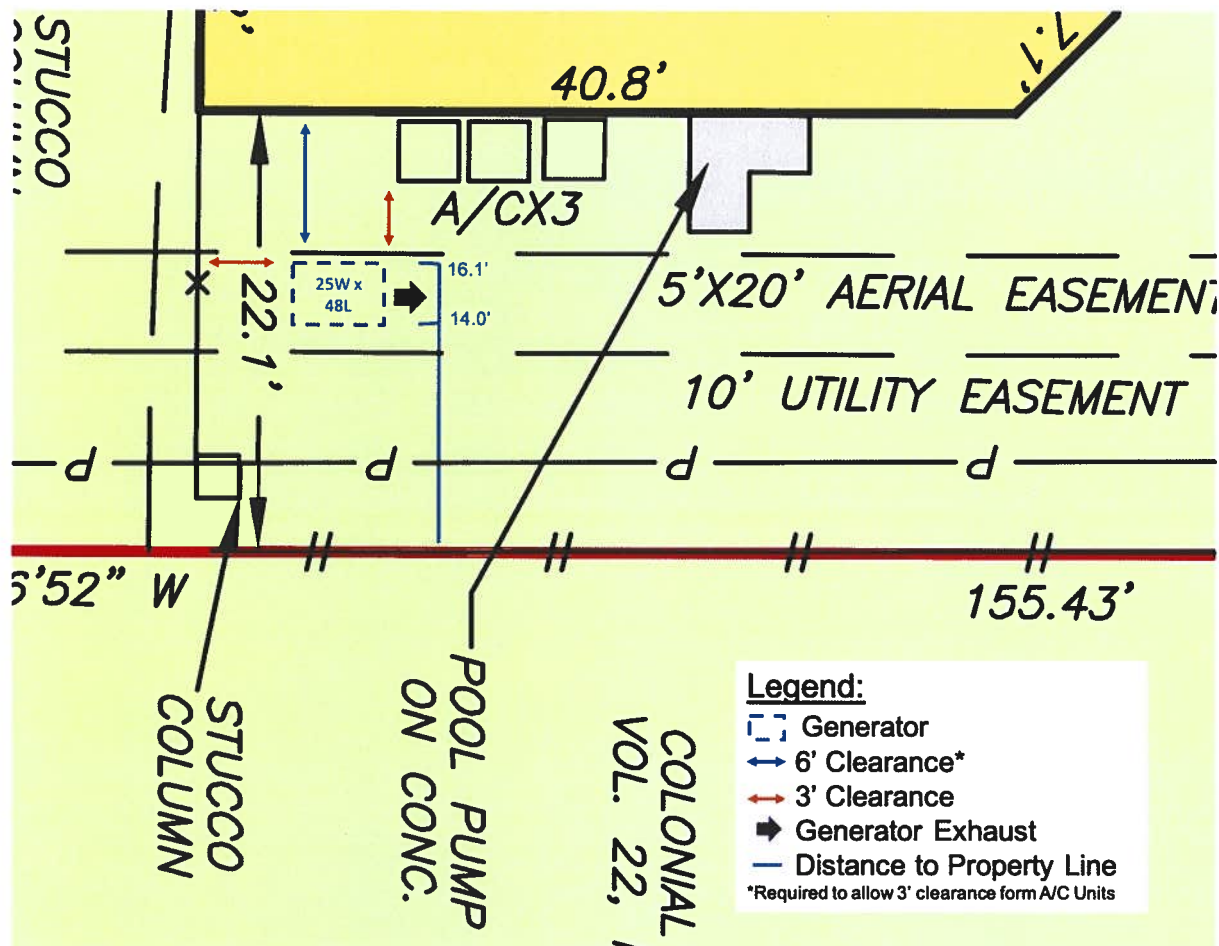


Exhibit C. Proposed location of generator – image looking east – 16.1' and 14.0' from the property line along the east side of our home.



Exhibit D. Proposed location of generator – image looking west – 6' from the main structure along the east side of our home.




Exhibit E. Proposed location of generator – image looking northwest – 3' from the air condition unit along the east side of our home.



Exhibit F. Tynewood HOA Generator Location Request – Tynewood Committee Response.



Found in AOL Inbox

 **From: Roland Sauermann** >
To: Rick Pena >
Cc: Chris DEZEVALLOS > Annette Arriaga >
July 12, 2022 at 10:19 AM

**Generator Location - CHANGE APPROVED | 20 Lacewood Home
Generator - Peña**

Rick,

Thank you for reaching out. Per our conversation.

You have approval from the HOA to move the generator to the EAST (away from the house) and minimally encroach into the setback (as required) to comply with City of PPV Code and the safe operation of the generator.

You should feel free to forward this email to your Contractor. I have copied the City.

Roland Sauermann
Tynewood Committee

Exhibit G. List of neighbors contacted for variance request.

GREG D & LAURA DAVIS
19 LACEWOOD LN
HOUSTON TX 77024

TODD & DIANA BROCK
16 LACEWOOD LN
HOUSTON TX 77024

CLAIRE H WALTRIP
15 LACEWOOD LN
HOUSTON TX 77024

MIKE & KELLY GREEN
350 TYNEBROOK LN
HOUSTON TX 77024

THOMAS & JENNIFER GOTTSCHALK
11210 LACEWOOD LN
HOUSTON TX 77024

WILLIAM W OGDEN
11211 LACEWOOD LN
HOUSTON TX 77024

Exhibit H. Letters to neighbors describing variance request – see following 18 pages.

Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

Greg and Laura Davis

19 Lacewood Ln

Houston, TX 77024

Dear Greg and Laura,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2023 at 7:00 PM to ask for a variance from the generator ordinance for a 15' side yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

The Board meeting will be at Piney Point Village City Hall located at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The meeting time is 7:00 PM. For a detailed Board Packet, you will be able to find this on the city website at

www.cityofpineypoint.com; please go to Government/Board of Adjustment/Agenda and Minutes/Variance Packets. The information will be posted on Monday, January 9, 2023.

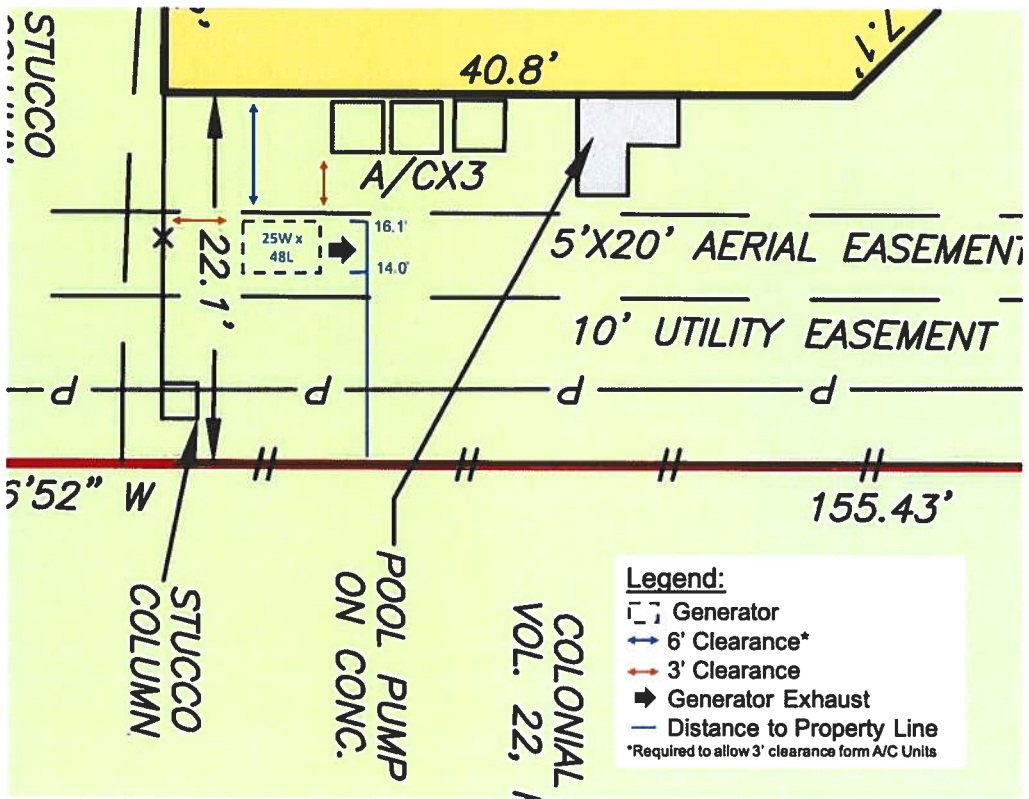
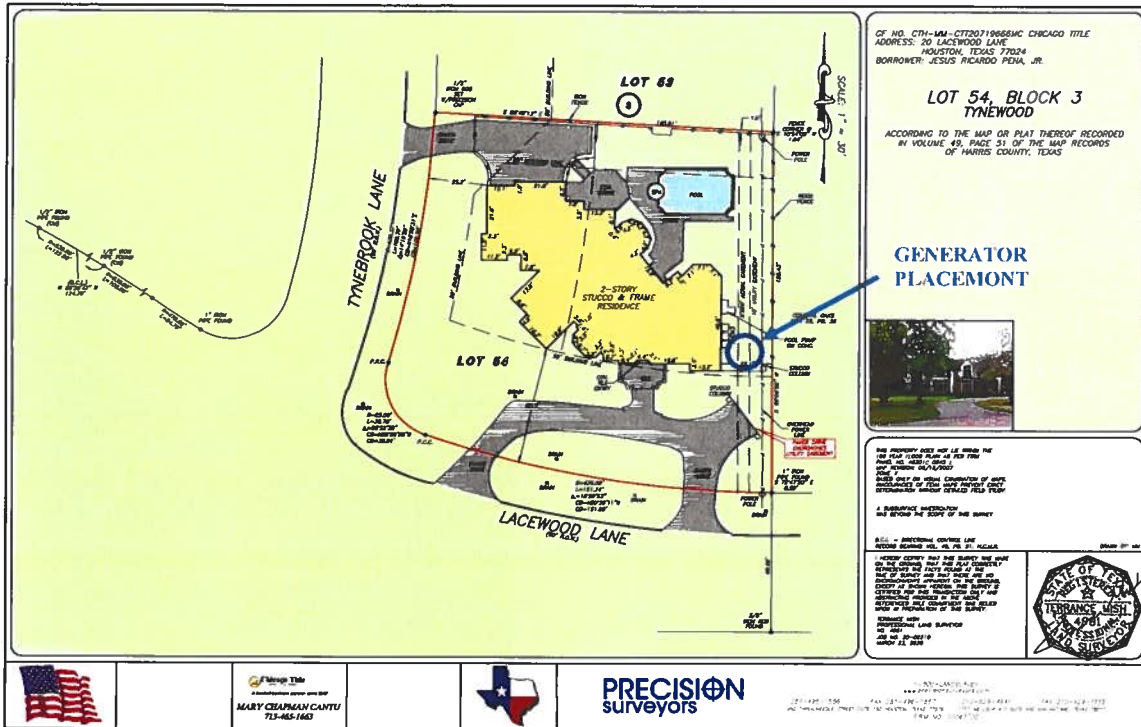
Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

Greg and Laura Davis

Exhibit A. 20 Lacewood Ln Proposed Generator Location



Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

Todd and Diana Brock

16 Lacewood Ln

Houston, TX 77024

Dear Todd and Diana,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2023 at 7:00 PM to ask for a variance from the generator ordinance for a 15' yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

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www.cityofpinepoint.com; please go to Government/Board of Adjustment/Agenda and Minutes/Variance Packets. The information will be posted on Monday, January 9, 2023.

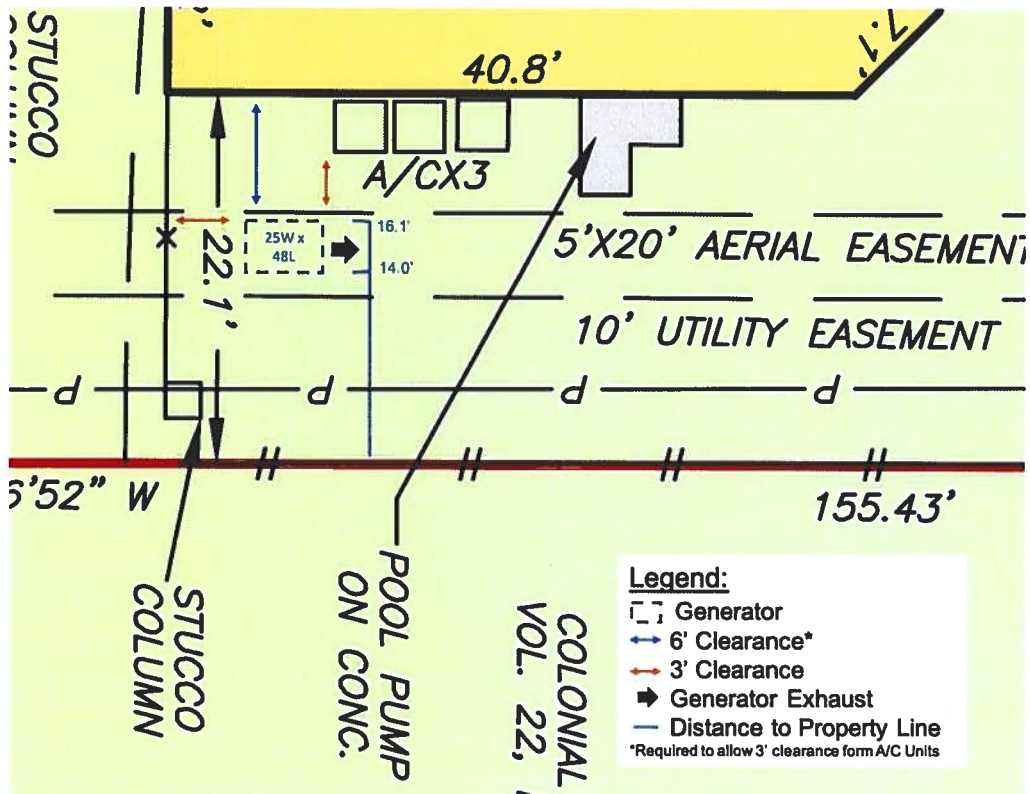
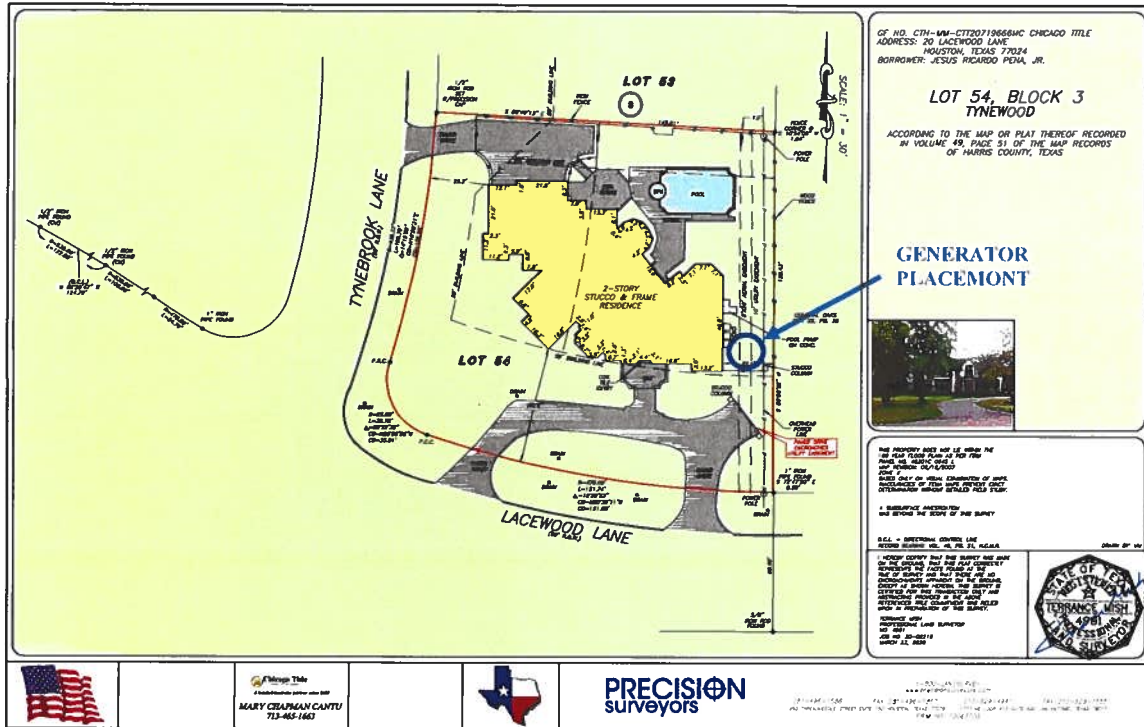
Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

Todd and Diana Brock

Exhibit A. 20 Lacewood Ln Proposed Generator Location



Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

Claire H Waltrip

15 Lacewood Ln

Houston, TX 77024

Dear Claire,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2023 at 7:00 PM to ask for a variance from the generator ordinance for a 15' side yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

The Board meeting will be at Piney Point Village City Hall located at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The meeting time is 7:00 PM. For a detailed Board Packet, you will be able to find this on the city website at

www.cityofpiney.com; please go to Government/Board of Adjustment/Agenda and Minutes/Variance Packets. The information will be posted on Monday, January 9, 2023.

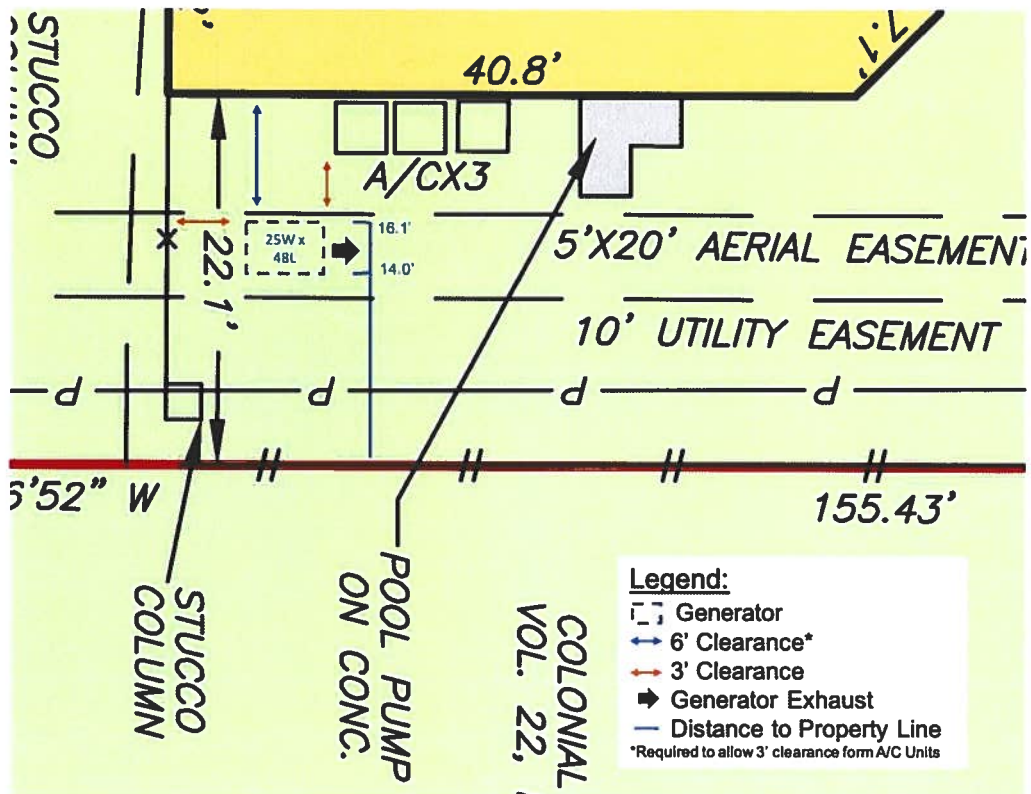
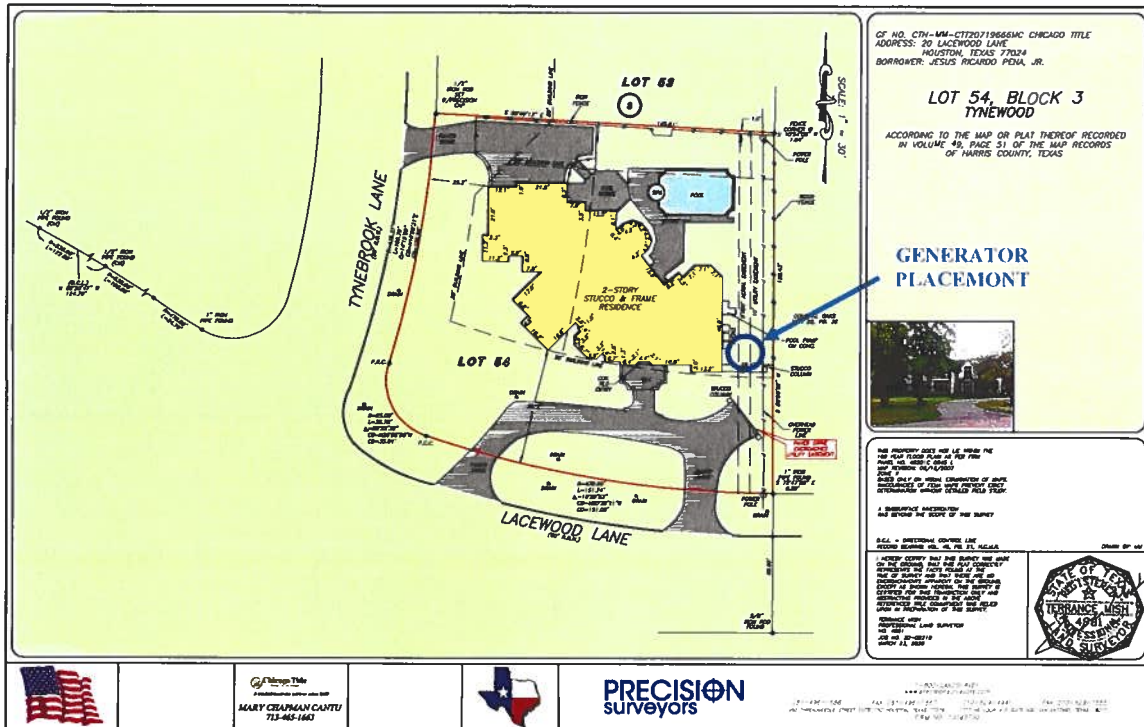
Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

Claire H Waltrip

Exhibit A. 20 Lacewood Ln Proposed Generator Location



Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

Mike and Kelly Green

350 Tynebrook Ln

Houston, TX 77024

Dear Mike and Kelly,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2023 at 7:00 PM to ask for a variance from the generator ordinance for a 15' side yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

The Board meeting will be at Piney Point Village City Hall located at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The meeting time is 7:00 PM. For a detailed Board Packet, you will be able to find this on the city website at

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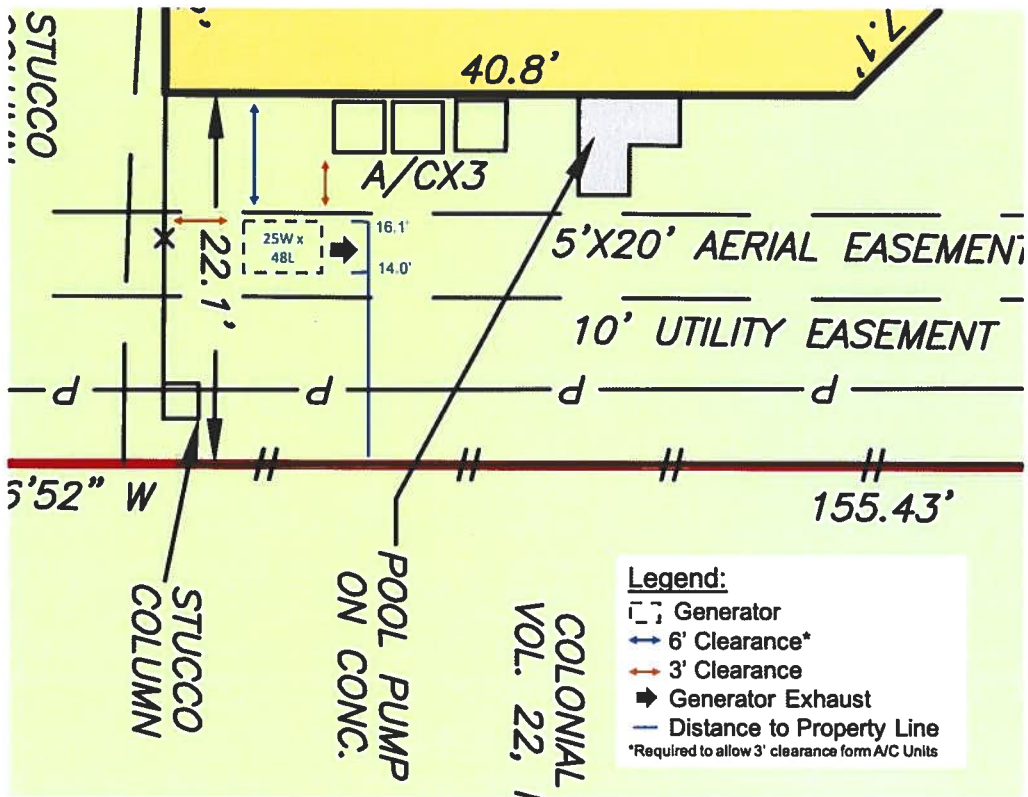
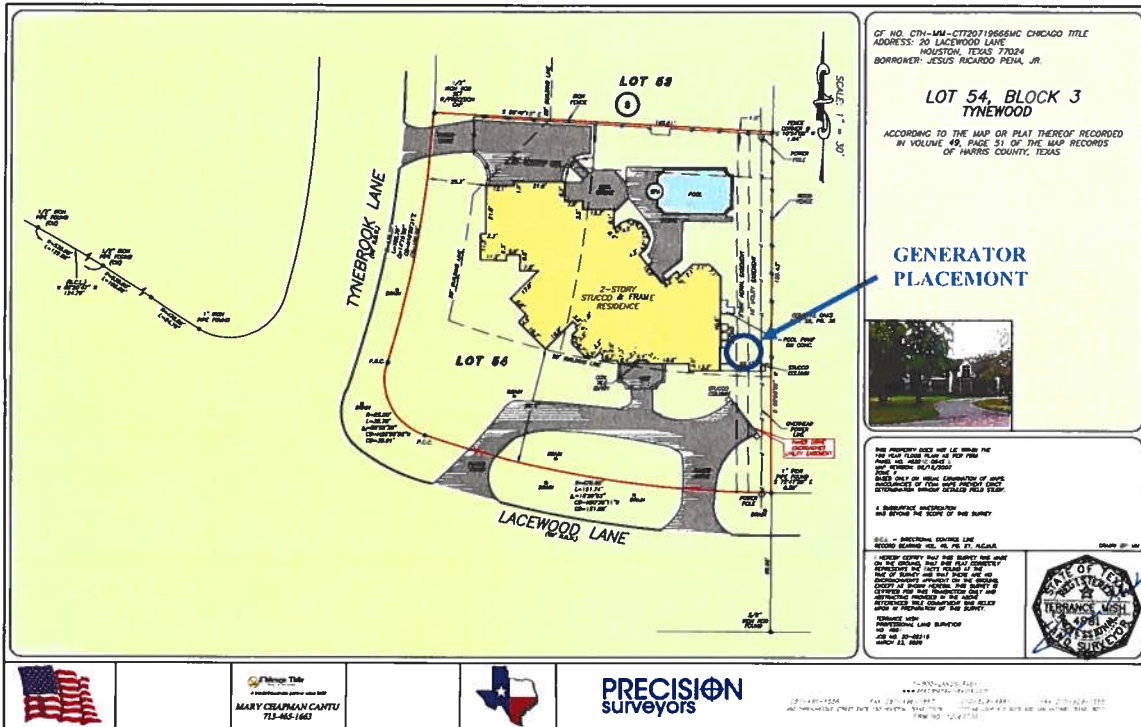
Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

Mike and Kelly Green

Exhibit A. 20 Lacewood Ln Proposed Generator Location



Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

Thomas and Jennifer Gottschalk

11210 Lacewood Ln

Houston, TX 77024

Dear Thomas and Jennifer,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2023 at 7:00 PM to ask for a variance from the generator ordinance for a 15' side yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

The Board meeting will be at Piney Point Village City Hall located at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The meeting time is 7:00 PM. For a detailed Board Packet, you will be able to find this on the city website at

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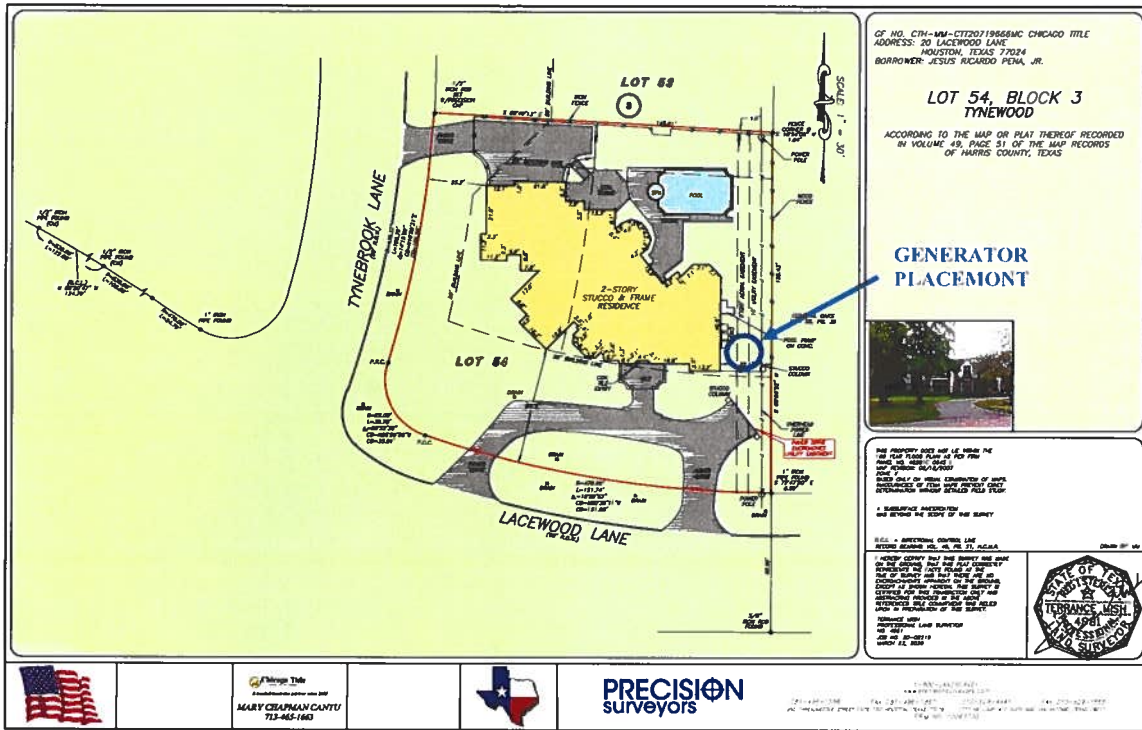
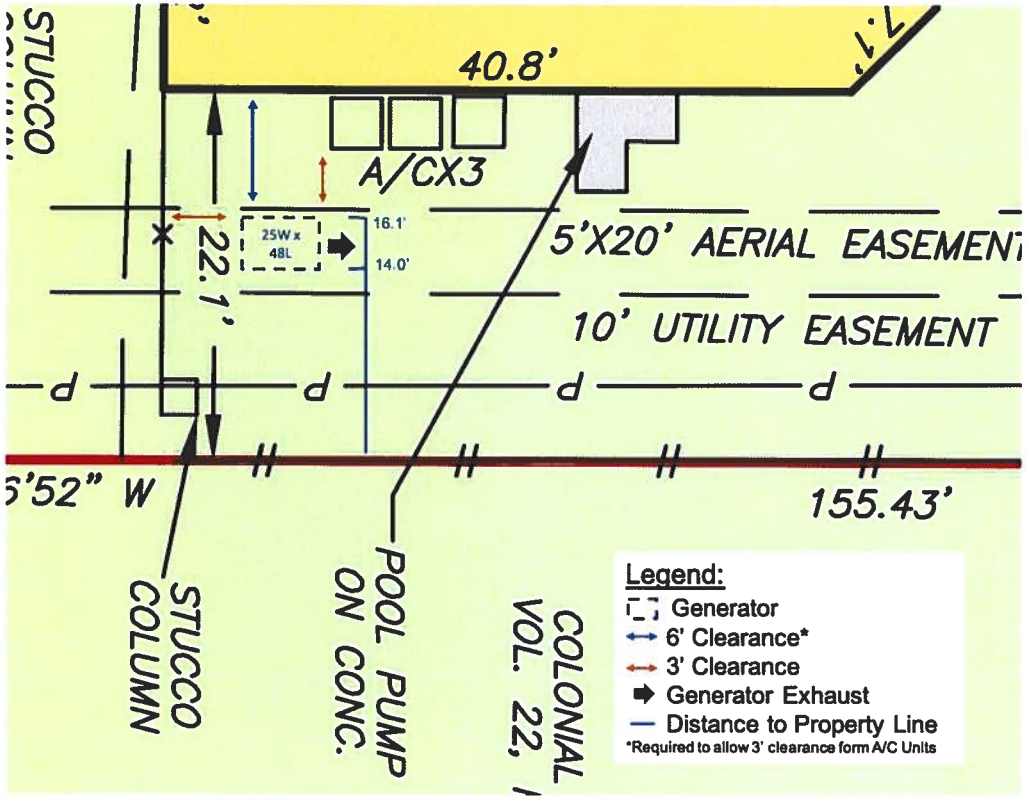
Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

Thomas and Jennifer Gottschalk

Exhibit A. 20 Lacewood Ln Proposed Generator Location

Rick and Kourtney Peña
20 Lacewood Ln
Houston, TX 77024

December 29, 2022

William W Ogden

11211 Lacewood Ln

Houston, TX 77024

Dear William,

We are writing to let you know that we will be going before the Piney Point Village Board of Adjustment on Thursday, January 12, 2022 at 7:00 PM to ask for a variance from the generator ordinance for a 15' side yard setback. We would like to install an emergency standby generator to our property to help provide our family with electricity during emergency situations such as weather events and unexpected utility interruptions. We are requesting that the generator be placed 14' from the property line, alongside the east side of our home, leaving 3' of clearance from our air conditioning unit and also meeting the NFPA code for the distance from our home, which is a minimum of 5'. The Generac 24-7210 generator is 48" long and 25" wide and 29" high and will be secured on a concrete pad. Please see the below Exhibit A for the proposed generator location.

The location that we are requesting beside the east side of our home would be screened by the pre-existing 7' 6" wood fence to the east and pre-existing 7' wrought iron fence and shrubbery to the south. This location poses the least impact to neighbors and would help us minimize the chance of losing power should we experience another significant power outage.

Specifically, we are seeking a variance from the Board of Adjustment from Chapter 74, Section 244, Regulations (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; C. Ten feet from the property line; D. Five feet from the main structure.

If you have any questions or concerns, please contact me at 832 331 6923. I would be glad to discuss this with you in more detail. If you have no objection to the variance, please sign this letter and return a copy to Piney Point City Hall in the enclosed envelope.

The Board meeting will be at Piney Point Village City Hall located at 7676 Woodway Drive, Suite 300, Houston, TX 77063. The meeting time is 7:00 PM. For a detailed Board Packet, you will be able to find this on the city website at

www.cityofpinepoint.com; please go to Government/Board of Adjustment/Agenda and Minutes/Variance Packets. The information will be posted on Monday, January 9, 2023.

Thank you for your consideration.

Rick and Kourtney Peña

I have no objection to the proposed variance described above.

William W Ogden

Exhibit A. 20 Lacewood Ln Proposed Generator Location

