

REQUEST FOR VARIANCE AT  
240 PINEY POINT ROAD  
HOUSTON, TEXAS 77024  
IN PINEY POINT VILLAGE

FOR JEN AND JAMES CUNNINGHAM

Jen and James Cunningham  
240 Piney Point Road  
Houston, Texas 77024

January 4, 2023

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

RE: 240 Piney Point Road Generator Variance

Dear Members of the Board,

We are seeking a variance from Chapter 74, Section 24<sup>4</sup> of the Piney Point Code of Ordinances stating that:

“Generator. If not located in the existing building lines, the generator maybe located:

- A. On the ground;
- B. In the rear third of the property;
- C. Ten feet from the property line; and
- D. Five feet from the main structure.”

Specifically, we are requesting a variance from the generator ordinance side yard setback. The generator concrete slab is expected to be approximately 98 inches by 38 inches. Our proposed location would be five feet from the main structure (our garage on the left side of the home) and no less than 21-22 feet from the property line. We require a variance for this location because our side yard building setback is 30 feet from the property line (the maximum side yard setback required for any lot in Piney Point because our lot is approximately 256 feet wide).

We believe the generator location required by the ordinance would cause unnecessary hardship to us as homeowners and would be significantly less desirable for our neighbors due to the unique configuration of our property.

Our home faces Piney Point Road (the western end of our property), with the north property line along Kingsworthy, and the south property line along Iris Lee. We do not share a property line with any neighbors to the north or south. We only share one property line, our rear property line (the eastern end of our property), sharing a back fence with our neighbors at 11322 Iris Lee Ln.

Our proposed generator location is in our backyard, approximately 21-22 feet from the north property line along Kingsworthy, behind a solid wooden fence with landscaping on both sides of the fence, well insulated from view and as well as any sound created by the generator. In addition, we do not share this fence with any neighbors, as our side fence runs along Kingsworthy Lane, our north property line.

If we were to place the generator within 10 feet of the rear property line (the east end of our property) as contemplated in the ordinance, the generator would be significantly closer to our closest neighbor and the only neighbors that we share a fence with, along our rear property line. We believe our proposed location is ideal for our neighbors because it is hidden from view and sound, and it is significantly further away from our neighbors than the alternative locations permitted by the ordinance.

In addition, if we were to place the generator in the rear 1/3 of the property as contemplated by the ordinance, we have been told we would likely have issues with tree roots impeding our ability to run new gas and electric lines. We also have recently installed a playscape for our children in the southeastern corner of our backyard, and we do not want our young children to be playing anywhere near generator equipment. In the northeastern corner of our backyard, we have open green space, and it would create a major eyesore to place a generator in that location.

The proposed location is marked with a red X on the enclosed survey. We have also included some photos in the following pages to assist in your review.

We have submitted notices to our neighbors at the following addresses (a sample of which is included in this packet):

11333 Iris Lee Ln.  
243 Piney Point Rd.  
247 Piney Point Rd.  
251 Piney Point Rd.  
11503 Raintree Cir.  
252 Piney Point Rd.  
11312 Kingsworthy Ln.  
11322 Iris Lee Ln.

Finally, we do not have an active homeowners' association, so it is our understanding that this Board's approval is all that would be needed to place the generator in our desired location.

Please feel free to contact me with any questions or concerns at 281-799-5425.

Many Thanks,

Jen and James Cunningham

OF NO. 120000A, OLD REPUBLIC TITLE  
 ADDRESS: 240 PINEY POINT ROAD  
 HOUSTON, TEXAS, 77024  
 BORROWER: TRANG TRUONG AND  
 DARY REICHMANN

1.430 ACRES  
 SITUATED IN THE  
 TAYLOR SURVEY, ABSTRACT NO. 72  
 IN HARRIS COUNTY, TEXAS  
 (SEE ATTACHED METES AND BOUNDS)

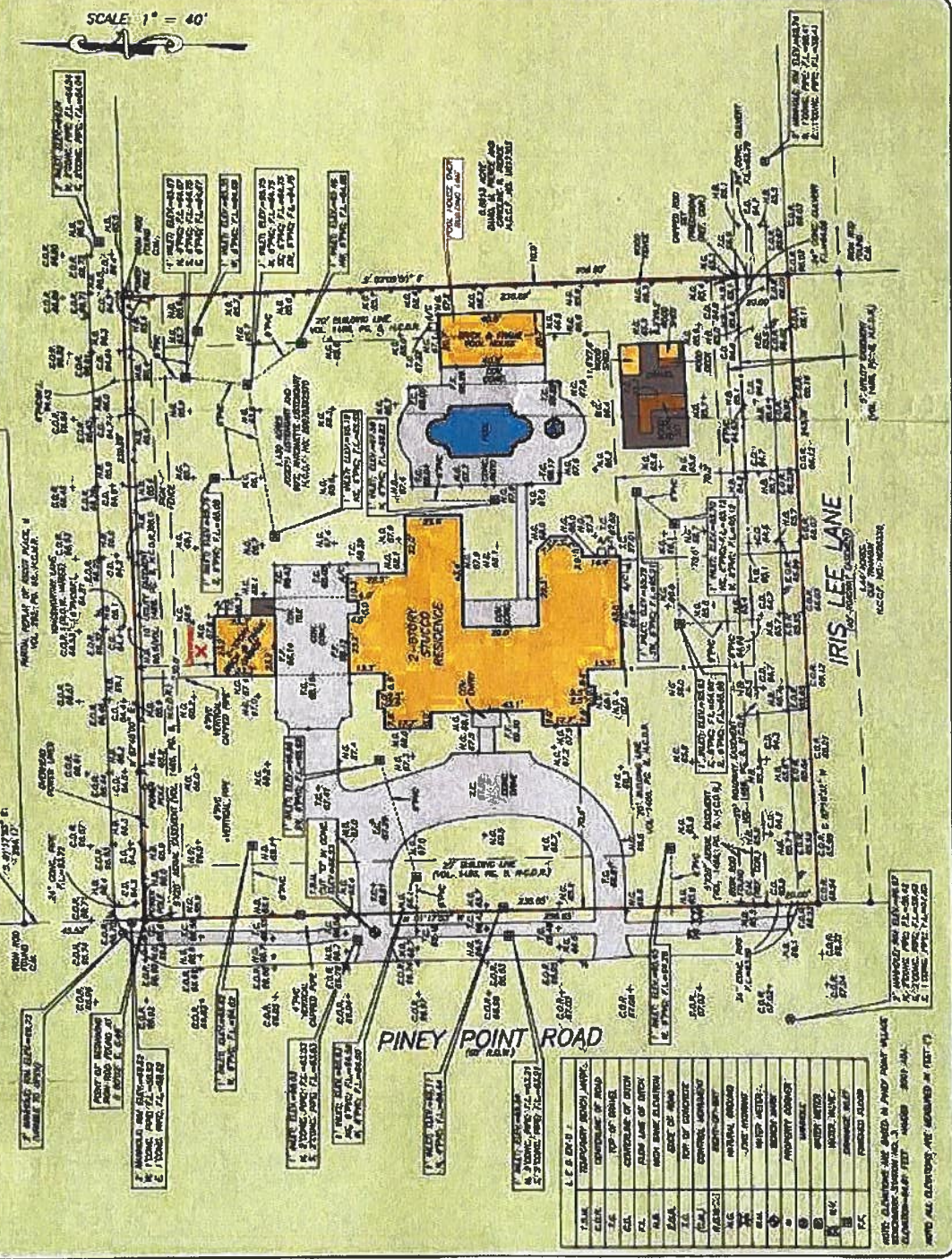


THE PROPERTY HERE SHOWN IS WITHIN THE  
 100 FOOT FLOOD PLAIN AS PER THE  
 FEMA FLOOD ZONING MAP 17060-01-0000  
 ZONE 1 (SPECIAL FLOOD HAZARD AREA)  
 ACCORDING TO THE MOST RECENT FLOOD  
 DETERMINATION REPORT AVAILABLE FOR THIS STUDY

A SURVEYOR IS NOT TO BE HELD RESPONSIBLE FOR THE  
 ACCURACY OF THE DATA PROVIDED BY THE CLIENT  
 UNLESS THE SURVEYOR HAS BEEN ADVISED IN WRITING  
 THAT THE DATA IS NOT TO BE RELIED UPON FOR  
 ANY OTHER PURPOSES THAN THE ONE FOR WHICH IT WAS  
 PROVIDED.



1-800-UNIVERSITY  
 710-259-2514  
 281-428-1387  
 281-428-1388  
 281-428-1389  
 281-428-1390  
 281-428-1391  
 281-428-1392  
 281-428-1393  
 281-428-1394  
 281-428-1395  
 281-428-1396  
 281-428-1397  
 281-428-1398  
 281-428-1399  
 281-428-1400



SYMBOL	DESCRIPTION
1	1/4 SECTION
2	1/2 SECTION
3	3/4 SECTION
4	SECTION
5	1/4 SECTION
6	1/2 SECTION
7	3/4 SECTION
8	SECTION
9	1/4 SECTION
10	1/2 SECTION
11	3/4 SECTION
12	SECTION
13	1/4 SECTION
14	1/2 SECTION
15	3/4 SECTION
16	SECTION
17	1/4 SECTION
18	1/2 SECTION
19	3/4 SECTION
20	SECTION
21	1/4 SECTION
22	1/2 SECTION
23	3/4 SECTION
24	SECTION
25	1/4 SECTION
26	1/2 SECTION
27	3/4 SECTION
28	SECTION
29	1/4 SECTION
30	1/2 SECTION
31	3/4 SECTION
32	SECTION
33	1/4 SECTION
34	1/2 SECTION
35	3/4 SECTION
36	SECTION
37	1/4 SECTION
38	1/2 SECTION
39	3/4 SECTION
40	SECTION

**PRECISION**  
 surveyors

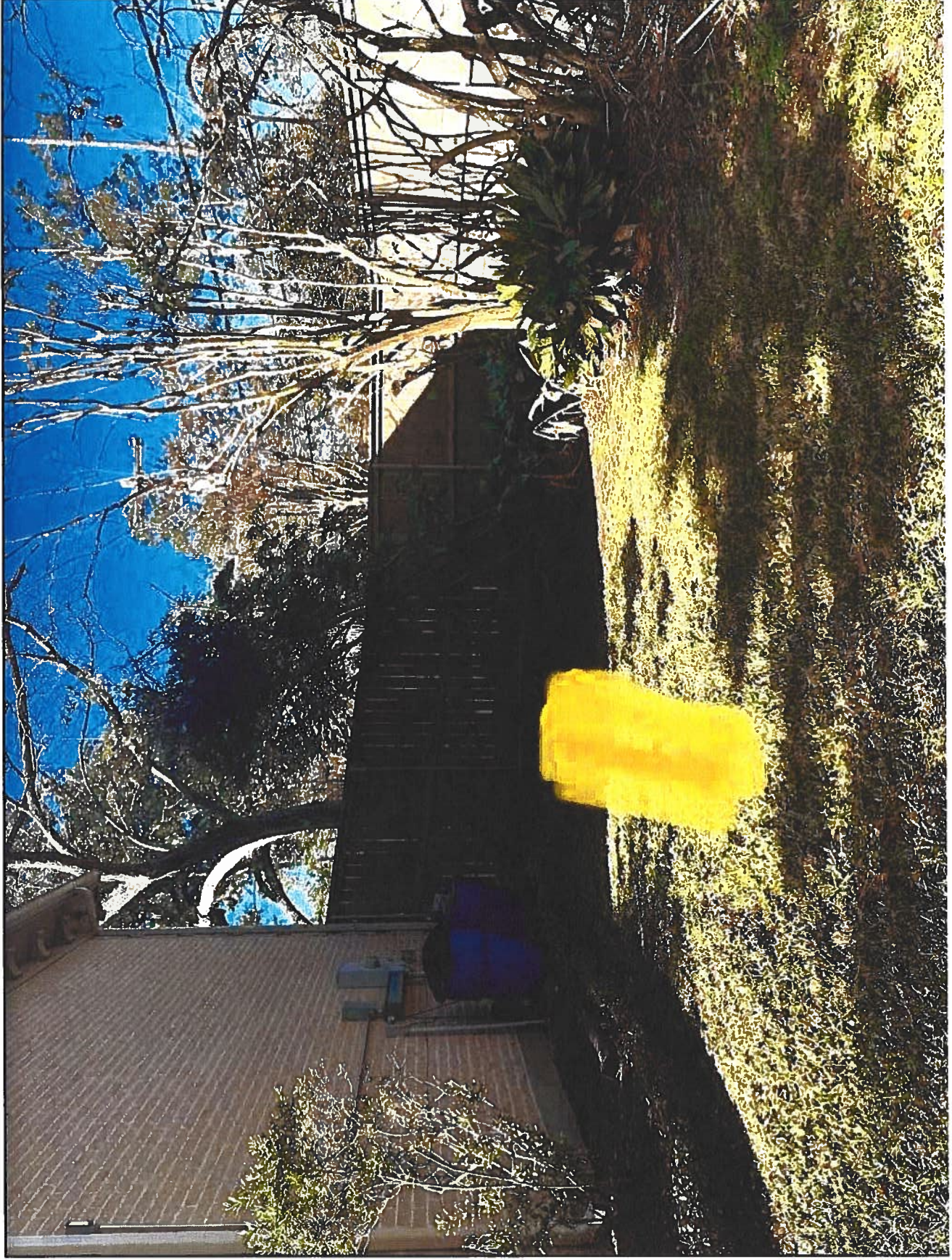


PAM LONGLEY  
 714-626-9220



714-626-9220

Our proposed generator location is marked with a red "X" and labeled "Generator". Generator slab would be 5 feet north of the garage, and approximately 21-22 feet south of the property line/wooden fence along Kingsworthy Lane.



Photograph of approximate generator location highlighted in yellow. The generator concrete slab is expected to be approximately 98 inches by 38 inches. Our proposed location would be five feet from the main structure (our garage on the left side of the home) and no less than 21-22 feet from the fence.



Front view of the fence. Generator would be located behind this fence.

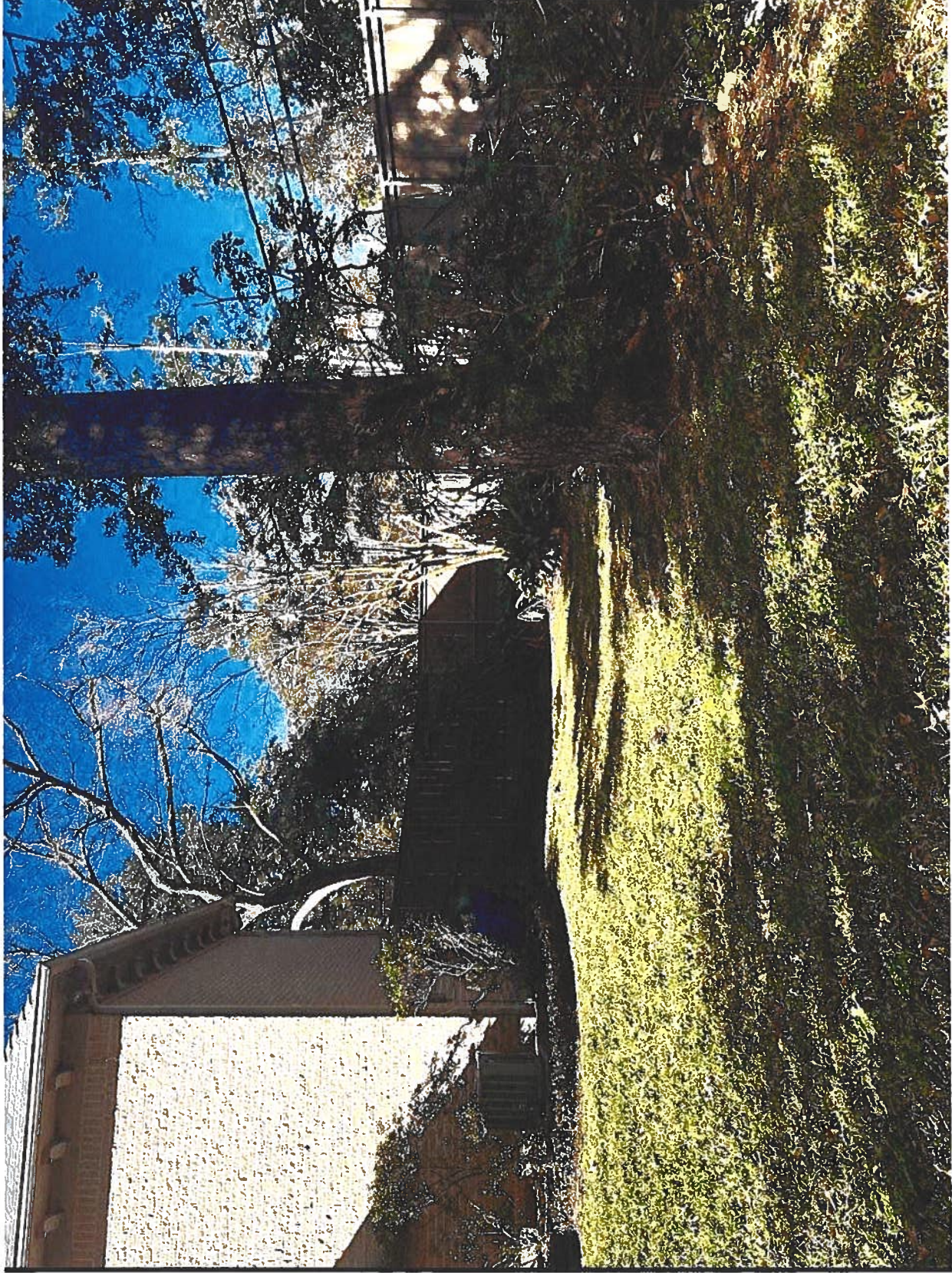


This is the northeastern rear corner of our backyard. This placement is not ideal because there is nothing to shield the view of the generator, and we would need run gas and electricity lines near the large tree to the left. We have been told that tree roots would likely impede a direct route to the rear yard.



This is the southeastern rear corner of our backyard. This placement is not possible because we have installed a playscape for our children, and we do not want our children anywhere near generator equipment. In addition, our pool equipment is already located adjacent to the backhouse, so it would be difficult to locate additional equipment in this area.





This is a zoomed-out view of our proposed location. It is ideal because it is furthest away from neighbors, shielded from view and sound from the interior and exterior of our yard, away from the children's play area, and directly adjacent to the existing electrical lines feeding into our home.

Jen and James Cunningham  
240 Piney Point Road  
Houston, Texas 77024

January 3, 2023

Our Piney Point Neighbor  
[Insert Addresses]  
Houston, Texas 77024

RE: 240 Piney Point Road Generator Variance

Dear Piney Point Neighbor,

We are writing to let you know that we are seeking a variance from Chapter 74, Section 22 of the Piney Point Code of Ordinances stating that:

“Generator. If not located in the existing building lines, the generator maybe located:

- A. On the ground;
- B. In the rear third of the property;
- C. Ten feet from the property line; and
- D. Five feet from the main structure.”

Specifically, we are requesting a variance from the generator ordinance side yard setback. The generator concrete slab is expected to be approximately 98 inches by 38 inches. Our proposed location would be five feet from the main structure (our garage on the left side of the house) and no less than 21-22 feet from the property line. We require a variance for this location because our side yard setback is 30 feet from the property line, which is the maximum side yard setback required for any lot in Piney Point.

Our proposed generator location is in our backyard, behind a solid wooden fence with landscaping on both sides of the fence, well insulated from view and as well as any sound created by the generator. In addition, we do not share this fence with any neighbors, as our side fence runs along Kingsworthy Lane, our north property line. If we were to place the generator within 10 feet of the rear property line (on the east end of our property) as contemplated in the ordinance, the generator would be significantly closer to the only neighbors that we share a fence with, along our rear property line. We believe our proposed location is ideal for our neighbors because it is hidden from view and sound, and it is significantly further away from our neighbors than the alternative locations permitted by the ordinance.

The proposed location is marked with a red X on the enclosed survey. I have also included some photos.

We will go before the Piney Point Village Board of Adjustment on Thursday, January 12 at 7 pm, at Piney Point City Hall, located at 7676 Woodway Drive, Suite 300. A detailed packet will be available on the City of Piney Point website at [www.cityofpineypoint.com](http://www.cityofpineypoint.com) on Monday, January 9.

Please feel free to contact me with any questions or concerns at 281-799-5425. We look forward to meeting our new neighbors!

Many Thanks,

Jen and James Cunningham