Dan and Allyson Mark

510 Gingham Drive
Houston, TX 77024

September 5, 2024

Piney Point Village Board of Adjustment
Piney Point City Hall
7660 Woodway Dr., Suite 593
Houston, TX 77063

Dear Members of the Board of Adjustment,

We are seeking a variance from the Board of Adjustment (the "***Board***") from the ordinance located at Chapter 74, Section 244, Regulations (4) Generator, which states that a "generator may only be located: (a) On the ground; (b) No less than ten feet from the property line; and (c) **at last five feet from the building**. No generator shall be located in front of the main structure. The generator must be screened from the public view by shrubbery and be fueled only by natural gas." (emphasis added)

We would like to install an emergency standby generator in our back yard to provide our family with electricity during emergency situations such as the recent weather events. We were without power for over a week in Winter Storm Uri and with Hurricane Beryl and for several days with the Derecho event earlier this year. Accordingly, a generator is the only way to avoid extended hotel stays (sometimes at multiple locations) or other costly and difficult secondary plans for future severe weather events.

We are requesting to be authorized to install the generator 18 inches from the solid brick wall our garage as opposed to being required to install the generator at least 5 feet from the back of our garage. Our proposed location would place the generator closer to our house and further from our rear property line (our garage is ~ 20 feet from the rear property line).

We are the original owners of our home which was completed in 1989 (35 years ago). We are requesting to be permitted to place the generator within 18 inches of the backside of a solid brick wall (no windows or doors) of our garage. Please see the attached Exhibit A for the proposed location on our survey. Also, Exhibit B attached hereto contains pictures of the proposed location and the solid brick wall of our garage. The generator is 48 inches long, 25 inches wide, and 29 inches high. It will be secured on a concrete pad and will not be seen from the street or neighboring properties due to wood fences that enclose our backyard on all sides. Exhibit C attached hereto describes the specifications of the generator including the manufacturer's installation requirement that the generator be located at least 18" from an existing wall.

The location we are requesting is the most feasible spot on our property due to the proximity to both our gas line and electricity entering the house. The gas line has already been upgraded to a 2 lb. regulator. The generator would be placed within a short distance to both gas and electricity and require minimal disruption to the property.

Placement of the generator within the existing code requirements without a variance would cause an unnecessary hardship for at least the following reasons:

- We were previously issued a permit in early 2022 to install the generator but the permit required that the generator be installed at least 5 feet from the back wall of our garage as currently provided in Section 244 of the regulations. However, our lot is 140' x 150' (21,000 sq. ft.) which is smaller than standard lots in Piney Point. Due to the size of the lot, the back side of our garage is only 20 feet from our rear property line (not counting/including the 5 foot utility easement and an additional 5 foot arial utility easement along our rear property line). If we are required to place the generator at least 5 feet from the back wall of our garage then the generator would be in the middle of the pathway behind our garage. Also, we have a large pine tree behind our garage which we are trying to avoid impacting by placing the generator closer to the back wall of our garage and further from our rear property line.

- The only other possible placement of the generator would be along the north side of our house. However, this location would be on the opposite side of the house from the current gas line to the house (and the electrical fuse boxes in the garage which will be tied into the generator) and would be facing the bedrooms of our neighbor immediately to the north of our property (such house is a large house that is currently under construction and is being built up to the building setback lines).

We have notified eight of our neighbors who are immediately behind and across the street from our house giving them notice of our request for this variance request. Attached as Exhibit D is a copy of the letter that was sent to our neighbors. As of today we have not received any questions or comments from any of the neighbors.

For these reasons, we request that the Board grant a variance from the building setback requirements for the placement of a generator on our property.

Thank you for your consideration, and we look forward to discussing this with you at the Board's meeting on September 12, 2024, at 6:00 p.m.

Dan and Allyson Mark

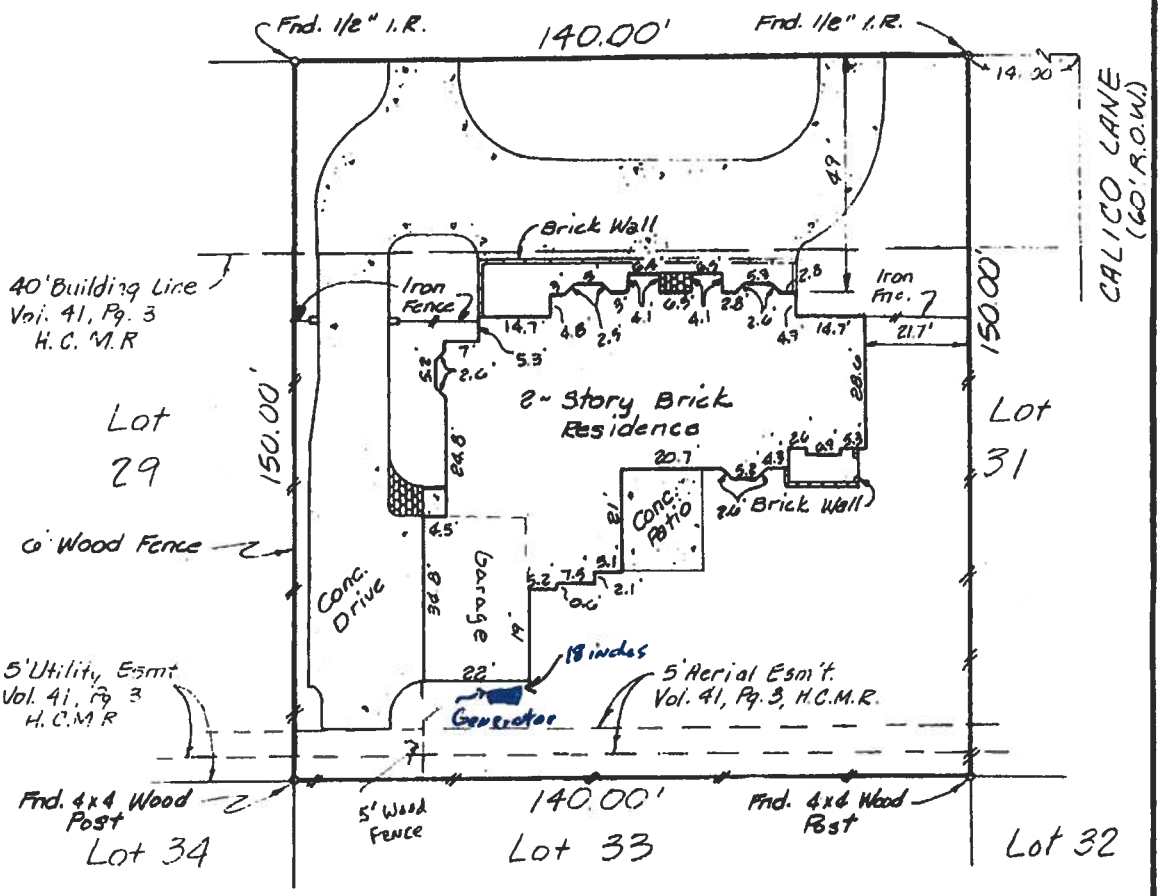
Exhibits:

Exhibit A- Proposed location of generator on survey
Exhibit B - Pictures of the proposed location and surrounding areas
Exhibit C - Generator specifications
Exhibit D- Copy of form letter sent to neighbors describing the variance request

PARTNERS TITLE COMPANY
G.F. # 8943167

GINGHAM DRIVE
(60' R.O.W.)

Key Map # 490-L



PLAT OF

LOT 30 BLOCK C OF PINEY POINT MANOR

ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 41 PAGE 3
OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS
KNOWN AS 510 GINGHAM DRIVE LENDER DEPOSIT GUARANTY BANK
PROPERTY OF DANIEL L MARK AND WIFE, ALLYSON C. MARK

I hereby certify that this survey was made on the ground and that this plat correctly represents the facts found at the time of survey. There are no encroachments except as shown.

NOTE: THIS PROPERTY IS NOT IN THE 100-YEAR FLOOD ZONE PER F.I.R.M. MAP COMMUNITY PANEL No. 480308-0001 J DATED 12/02/90 AND IS DESIGNATED TO BE IN ZONE "C"

STATE OF TEXAS
WALTER P. SASS
4410
REGISTERED PUBLIC SURVEYOR

Walter P. Sass
Registered Public Surveyor
State of Texas, No. 4410

Date: November 6, 1989

WEISSER ENGINEERING COMPANY
11211 RICHMOND AVENUE, SUITE #109
HOUSTON, TEXAS 77082

DATE: 11/06/89 SCALE: 1"=30' JOB # 397-115

Exhibit B
Pictures of Proposed Location

[see attached]

Exhibit C
Generator Specifications

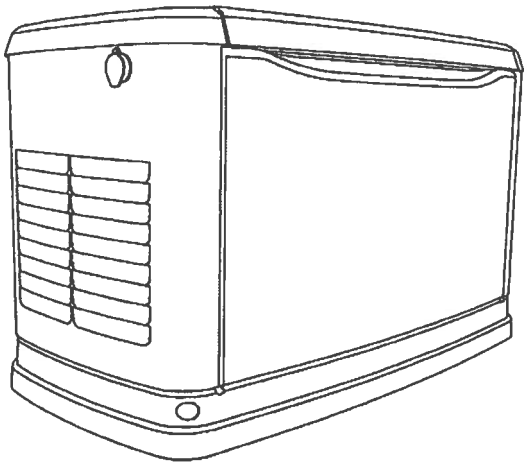
[see attached]

GENERAC®

Installation Guidelines

60 Hz Air-Cooled Generators

10 kW to 24 kW



⚠WARNING

Loss of life. This product is not intended to be used in a critical life support application. Failure to adhere to this warning could result in death or serious injury. (000209b)

Register your Generac product at:
WWW.GENERAC.COM
1-888-GENERAC
(888-436-3722)

Para español, visita: http://www.generac.com/service-support/product-support-lookup
Pour le français, visiter : http://www.generac.com/service-support/product-support-lookup

SAVE THIS MANUAL FOR FUTURE REFERENCE

Fire Prevention

The generator must be installed at a safe distance away from combustible materials. Engine, alternator, and exhaust system components become very hot during operation. Fire risk increases if unit is not correctly ventilated, is not correctly maintained, operates too close to combustible materials, or if fuel leaks exist. Also, accumulations of flammable debris within or outside the generator enclosure may ignite.

Distance Requirements

See ***Figure 3-2***. Minimum clearances must be maintained around the generator enclosure. These clearances are primarily for fire prevention, but also to provide sufficient room for removing front and end panels for maintenance purposes.

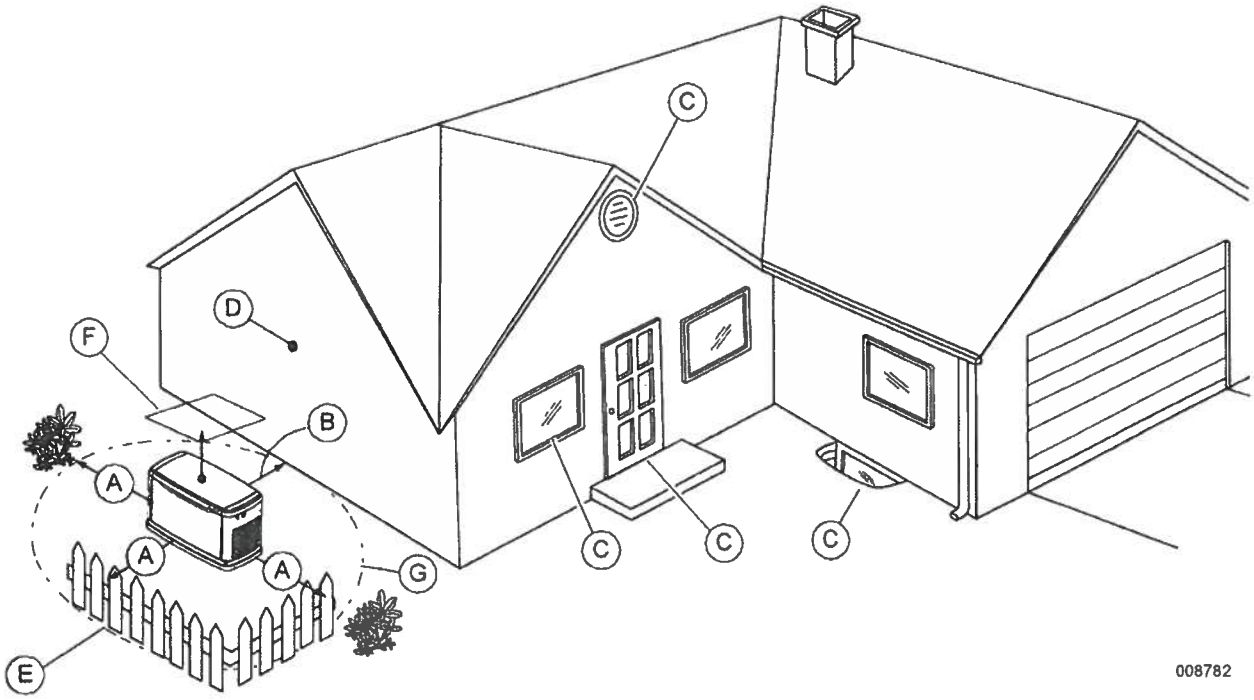


Figure 3-2. Generator Distance Requirements

ID	Description	Definition
A	Front and end clearance	Minimum clearance from the front and ends of generator must be 3 ft (0.91 m). This includes shrubs, bushes, and trees.
B	Rear clearance	Fuel and electrical connections are made here. 18 in (457 mm) minimum clearance per SwRI testing, labeling, and listing, unless state or local codes dictate otherwise.
C	Windows, vents, and openings	No operable windows, doors, vents, window wells, or openings in the wall are permitted near any point of the generator. See ***Potential CO Entry Points*** for more information.
D	Existing wall	The generator should not be placed closer than 18 in (457 mm) from existing walls.
E	Removable fence	A removable barrier (non-permanent; without footings) installed as a visual surround. Removable fence panels for servicing cannot be placed less than 3 ft (0.91 m) in front of the generator.
F	Overhead clearance	5 ft (1.52 m) minimum distance from any structure, overhang, or projections from wall.
G	Maintenance and servicing	Maneuvering space around generator for performing routine maintenance tasks such as battery replacement and engine service. Do not attempt to conceal generator with shrubs, bushes, or plants. See NEC Article 110.26 for more information.

[redacted]

20/22/24 kW

[redacted]

GENERAC®

GUARDIAN® SERIES
Residential Standby Generators
Air-Cooled Gas Engine

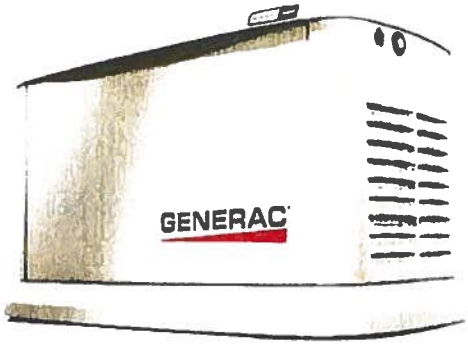
INCLUDES:

- True Power™ Electrical Technology
- Two-line multilingual digital LCD Evolution™ controller (English/Spanish/French/Portuguese)
- 200 amp service rated transfer switch available
- Electronic governor
- Standard Wi-Fi® connectivity
- System status & maintenance interval LED indicators
- Sound attenuated enclosure
- Flexible fuel line connector
- Natural gas or LP gas operation
- 5 Year limited warranty
- Listed and labeled for installation as close as 18 in (457 mm) to a structure.*

**Must be located away from doors, windows, and fresh air intakes and in accordance with local codes.*

Standby Power Rating

G007038-1, G007039-1, G007038-3, G007039-3 (Aluminum - Bisque) - 20 kW 60 Hz
G007042-10, G007042-11, G007043-10, G007043-11(Aluminum - Bisque) - 22 kW 60 Hz
G007209-10, G007210-10 (Aluminum - Bisque) - 24 kW 60 Hz



Product shown with optional fascia kit

Note: CETL or CUL certification only applies to unbundled units and units packaged with limited circuit switches. Units packaged with the Smart Switch are ETL or UL certified in the USA only

FEATURES

- **INNOVATIVE ENGINE DESIGN & RIGOROUS TESTING** are at the heart of Generac's success in providing the most reliable generators possible. Generac's G-Force engine lineup offers added peace of mind and reliability for when it's needed the most. The G-Force series engines are purpose built and designed to handle the rigors of extended run times in high temperatures and extreme operating conditions.
- **TRUE POWER™ ELECTRICAL TECHNOLOGY:** Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances, such as variable speed HVAC systems.
- **TEST CRITERIA:**
  - ✓ PROTOTYPE TESTED
  - ✓ SYSTEM TORSIONAL TESTED
  - ✓ NEMA MG1-22 EVALUATION
  - ✓ MOTOR STARTING ABILITY
- **MOBILE LINK® CONNECTIVITY:** FREE with select Guardian Series Home standby generators, Mobile Link Wi-Fi allows users to monitor generator status from anywhere in the world using a smartphone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Users can connect an account to an authorized service dealer for fast, friendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION:** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at ±1%.
- **SINGLE SOURCE SERVICE RESPONSE** from Generac's extensive dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component.
- **GENERAC TRANSFER SWITCHES:** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line is offered with its own transfer systems and controls for total system compatibility.

THE GENERAC PROMISE

GENERAC

20/22/24 kW

Features and Benefits

Engine

Generac G-Force design	Maximizes engine "breathing" for increased fuel efficiency. Plateau honed cylinder walls and plasma moly rings help the engine run cooler, reducing oil consumption and resulting in longer engine life.
"Spiny-lok" cast iron cylinder walls	Rigid construction and added durability provide long engine life.
Electronic ignition/spark advance	These features combine to assure smooth, quick starting every time
Full pressure lubrication system	Pressurized lubrication to all vital bearings means better performance, less maintenance, and longer engine life. Now featuring up to a 2 year/200 hour oil change interval.
Low oil pressure shutdown system	Shutdown protection prevents catastrophic engine damage due to low oil.
EPA Certified for non-emergency applications	Allows unit to be used for demand response applications (excluding 20 kW units)
High temperature shutdown	Prevents damage due to overheating

Generator

Revolving field	Allows for a smaller, light weight unit that operates 25% more efficiently than a revolving armature generator
Skewed stator	Produces a smooth output waveform for compatibility with electronic equipment. (22kW -10 models only.)
Displaced phase excitation	Maximizes motor starting capability
Automatic voltage regulation	Regulating output voltage to ±1% prevents damaging voltage spikes.
UL 2200 listed	For your safety.

Transfer Switch (if applicable)

Fully automatic	Transfers vital electrical loads to the energized source of power.
NEMA 3R	Can be installed inside or outside for maximum flexibility.
Integrated load management technology	Capability to manage additional loads for efficient power management.
Remote mounting	Mounts near an existing distribution panel for simple, low-cost installation.

Evolution™ Controls

AUTO/MANUAL/OFF illuminated buttons	Selects the operating mode and provides easy, at-a-glance status indication in any condition.
Two-line multilingual LCD	Provides homeowners easily visible logs of history, maintenance, and events up to 50 occurrences
Sealed, raised buttons	Smooth, weather-resistant user interface for programming and operations.
Utility voltage sensing	Constantly monitors utility voltage, setpoints 65% dropout, 80% pick-up, of standard voltage.
Generator voltage sensing	Constantly monitors generator voltage to verify the cleanest power delivered to the home.
Utility interrupt delay	Prevents nuisance start-ups of the engine. adjustable 2-1500 seconds from the factory default setting of 5 seconds by a qualified dealer.
Engine warm-up	Verifies engine is ready to assume the load, setpoint approximately 5 seconds.
Engine cool-down	Allows engine to cool prior to shutdown, setpoint approximately 1 minute.
Programmable exercise	Operates engine to prevent oil seal drying and damage between power outages by running the generator for 5 minutes every other week. Also offers a selectable setting for weekly or monthly operation providing flexibility and potentially lower fuel costs to the owner.
Smart battery charger	Delivers charge to the battery only when needed at varying rates depending on outdoor air temperature. Compatible with lead acid and AGM-style batteries.
Main line circuit breaker	Protects generator from overload
Electronic governor	Maintains constant 60 Hz frequency.

Unit

SAE weather protective enclosure	Sound attenuated enclosures ensure quiet operation and protection against mother nature, withstanding winds up to 150 mph (241 km/h). Hinged key locking roof panel for security. Lift-out front for easy access to all routine maintenance items. Electrostatically applied textured epoxy paint for added durability.
Enclosed critical grade muffler	Quiet, critical grade muffler is mounted inside the unit to prevent injuries.
Small, compact, attractive	Makes for an easy, eye appealing installation, as close as 18 in (457 mm) away from a structure.

GENERAC

20/22/24 kW

Features and Benefits

Installation System

● 14 in (35.6 cm) flexible fuel line connector	Listed ANSI Z21.75/CSA 6.27 outdoor appliance connector for the required connection to the gas supply piping
● Integral sediment trap	Meets IFGC and NFPA 54 installation requirements.

Connectivity (Wi-Fi equipped models only)

● Ability to view generator status	Monitor generator with a smartphone, tablet, or computer at any time via the Mobile Link application for complete peace of mind.
● Ability to view generator Exercise/Run and Total Hours	Review the generator's complete protection profile for exercise hours and total hours.
● Ability to view generator maintenance information	Provides maintenance information for the specific model generator when scheduled maintenance is due.
● Monthly report with previous month's activity	Detailed monthly reports provide historical generator information.
● Ability to view generator battery information	Built in battery diagnostics displaying current state of the battery.
● Weather information	Provides detailed local ambient weather conditions for generator location.

GENERAC

20/22/24 kW

Specifications

Generator

Model	G007038-1 G007039-1 (20 kW)	G007042-10 G007043-10 (22 kW)	G007038-3 G007039-3 (20 kW)	G007042-11 G007043-11 (22 kW)	G007209-10 G007210-10 (24 kW)
Rated maximum continuous power capacity (LP)	20 000 Watts*	22,000 Watts*	20,000 Watts*	22,000 Watts*	24,000 Watts*
Rated maximum continuous power capacity (NG)	18,000 Watts*	19,500 Watts*	18,000 Watts*	19,500 Watts*	21 000 Watts*
Rated voltage			240		
Rated maximum continuous load current – 240 volts (LP/NG)	83 3 / 75 0	91 7 / 81 3	83 3 / 75 0	91 7 / 81 3	100 / 87 5
Total Harmonic Distortion			Less than 5%		
Main line circuit breaker	90 amp	100 amp	90 amp	100 amp	100 amp
Phase			1		
Number of rotor poles			2		
Rated AC frequency			60 Hz		
Power factor			1.0		
Battery requirement (not included)			12 Volts, Group 26R 540 CCA minimum or Group 35AGM 650 CCA minimum		
Unit weight (lb / kg)	448 / 203	466 / 211	436 / 198	445 / 202	455 / 206
Dimensions (L x W x H) in / cm			48 x 25 x 29 / 121.9 x 63.5 x 73.7		
Sound output in dB(A) at 23 ft (7 m) with generator operating at normal load**	67	67	67	67	67
Sound output in dB(A) at 23 ft (7 m) with generator in Quiet-Test™ low-speed exercise mode**	55	57	55	57	57
Exercise duration			5 min		

Engine

Engine type			GENERAC G-Force 1000 Series		
Number of cylinders			2		
Displacement			999 cc		
Cylinder block			Aluminum w/ cast iron sleeve		
Valve arrangement			Overhead valve		
Ignition system			Solid-state w/ magneto		
Governor system			Electronic		
Compression ratio			9.5:1		
Starter			12 VDC		
Oil capacity including filter			Approx. 1.9 qt / 1.8 L		
Operating rpm			3,600		
Fuel consumption					
Natural gas	ft^3/hr (m^3/hr)				
	1/2 Load	204 (5 78)	228 (6.46)	164 (4.64)	203 (5 75)
	Full Load	301 (8.52)	327 (9.26)	287 (8.13)	306 (8.66)
Liquid propane	ft^3/hr (gal/hr) [L/hr]				
	1/2 Load	87 (2 37) [8.99]	92 (2.53) [9.57]	86 (2 36) [8 95]	92 (2 53) [9.57]
	Full Load	130 (3 56) [13.48]	142 (3.90) [14.77]	136 (3 74) [14.15]	142 (3.90) [14.77]

Note: **Fuel pipe must be sized for full load.** Required fuel pressure to generator fuel inlet at all load ranges - 3 5–7 in water column (0 87–1 74 kPa) for NG, 10–12 in water column (2.49–2.99 kPa) for LP gas. For BTU content, multiply ft^3/hr x 2500 (LP) or ft^3/hr x 1000 (NG). For Megajoule content, multiply m^3/hr x 93.15 (LP) or m^3/hr x 37 26 (NG).

Controls

Two-line plain text multilingual LCD	Simple user interface for ease of operation
Mode buttons: AUTO	Automatic start on utility failure. Weekly, Bi-weekly, or Monthly selectable exerciser.
MANUAL	Start with starter control, unit stays on. If utility fails, transfer to load takes place
OFF	Stops unit. Power is removed. Control and charger still operate.
Ready to Run/Maintenance messages	Standard
Engine run hours indication	Standard
Programmable start delay between 2–1500 seconds	Standard (programmable by dealer only)
Utility Voltage Loss/Return to Utility adjustable (brownout setting)	From 140-171 V / 190-216 V
Future Set Capable Exerciser/Exercise Set Error warning	Standard
Run/Alarm/Maintenance logs	50 events each
Engine start sequence	Cyclic cranking: 16 sec on, 7 rest (90 sec maximum duration).
Starter lock-out	Starter cannot re-engage until 5 sec after engine has stopped.
Smart Battery Charger	Standard
Charger Fault/Missing AC warning	Standard
Low Battery/Battery Problem Protection and Battery Condition indication	Standard
Automatic Voltage Regulation with Over and Under Voltage Protection	Standard
Under-Frequency/Overload/Stepper Overcurrent Protection	Standard
Safety Fused/Fuse Problem Protection	Standard
Automatic Low Oil Pressure/High Oil Temperature Shutdown	Standard
Overcrank/Overspeed (@ 72 Hz)/rpm Sense Loss Shutdown	Standard
High Engine Temperature Shutdown	Standard
Internal Fault/Incorrect Wiring protection	Standard
Common external fault capability	Standard
Field upgradable firmware	Standard

Rating definitions - Optional Standby: Applicable for supplying backup power for the duration of the utility power outage with correct maintenance performed. No overload capability is available for this rating. (All ratings in accordance with BS5514, ISO3046, UL2200, and DIN6271)

* Maximum kilovolt amps and current are subject to and limited by such factors as fuel BTU/megajoule content, ambient temperature, altitude, engine power and condition, etc. Maximum power decreases approximately 3 5% for each 1,000 ft (304 8 m) above sea level; and also will decrease approximately 1% for each 10 °F (6 °C) above 60 °F (16 °C)

**Sound levels are taken from the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters.

Exhibit D
Form of Letter to Neighbors

[see attached]

Dan and Allyson Mark
510 Gingham Drive
Houston, TX 77024

September 3, 2024

Piney Point Neighbor
Houston, TX 77024

Dear Piney Point Neighbor,

We are writing to let you know that we will be meeting with the Piney Point Village Board of Adjustment (the "***Board***") on Thursday, September 12, 2024, to ask for a variance from the generator ordinance as described below for a generator to be installed in our back yard. We would like to install an emergency standby generator to provide our family with electricity during emergency situations such as the recent weather events. We are requesting that the generator be placed 18 inches from the solid brick wall of our garage on the back side of our house. The generator is 48 inches long, 25 inches wide, and 29 inches high. It will be secured on a concrete pad and will not be seen from the street or by neighboring properties due to existing fencing. The location we are requesting is the most feasible spot on our property due to the proximity to both our gas line and electricity entering the house. Please see the attached Exhibit A for the proposed location.

We are seeking a variance from the Board from the ordinance located in Chapter 74, Section 244, Regulations (4) Generator, which states that a "generator may only be located: (a) On the ground; (b) No less than ten feet from the property line; and (c) at last five feet from the building. No generator shall be located in front of the main structure. The generator must be screened from the public view by shrubbery and be fueled only by natural gas." We are requesting to be authorized to install the generator 18 inches from the solid brick wall of our garage as opposed to being required to install the generator at least 5 feet from the back of our garage. Our proposed location would place the generator closer to our house and further from our rear property line.

The Board meeting will be at its temporary meeting place in Ecclesia Church at 325 Piney Point Road, Houston, Texas 77024. The meeting will be in the meeting room next to the church and will start at 6:00 pm on September 12, 2024. 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 in advance of the September 12 meeting.

If you have any questions or concerns, please contact me at 713.256.3260 or dlmark@sbcglobal.net.

Thank you for your consideration.

Dan and Allyson Mark