The City of West University Place

*A Neighborhood City*

## Notice of Building & Standards Commission Meeting

Notice is hereby given that the Building & Standards Commission (BSC) and members of the City Council of the City of West University Place, Texas will hold a meeting on:

**August 6, 2020**

**Beginning at 6:00 P.M.**

**In the Municipal Building, Located at 3800 University Blvd.,**
**West University Place, Texas 77005**

**Notice** is hereby given of a **regular meeting of the Building and Standards Commission** to be held via teleconference on Thursday, August 6, 2020 beginning at 6:00 p.m. in the **Municipal Building** located at 3800 University Blvd., West University Place, Texas.

Due to the COVID-19 Disaster and CDC'S recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting. Building and Standards Commission will be meeting via teleconference and will be audible to members of the public and allow for two-way communications for those desiring to participate. To attend the meeting via telephonic means, please call 346-248-7799 and use **Meeting ID: 872 3049 5000** or follow the link:
https://us02web.zoom.us/j/87230495000

Any person interested in speaking on any item on the agenda must submit his/her request via email to the Building Official at **cchew@westutx.gov** at least one (1) hour prior to the start of the meeting. The request must include the speaker's name, address, the phone number that will be for the call and the agenda item number, if applicable.

The agenda packet is accessible to the public on the City's website. After the meeting, a recording of this meeting will be made available to the public.

*Note: The Commission reserves the right to convene in a closed session for any agenda item if the need arises pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.*

**The subjects of the meeting are as follows**:

***[Call to Order.]***

1. **Notices, Rules, Etc.** Matters relating to announcements, notices, introductions, rules, meeting procedures and identifying parties.
2. **Meeting Minutes.** Matters relating to discussion and approval of the meeting minutes of December 5, 2019.
3. **Docket 2020-0007 Property located at 6501 Westchester, West University Place, TX 77005 regarding a variance of Article VII Fences Section 18-202 Prohibition in Front or Side Yard.**
    a. Public hearing regarding matters relating to a variance request to place a fence in the front yard of the property which is prohibited by Sec. 18-202.
    b. Deliberation, decision, other action, etc. regarding the preceding matters.

4. **Future Agenda Items.** Discuss future agenda items
5. **Executive Session (if necessary).** The Commission reserves the right at any time during the session to convene in a closed session pursuant to Chapter 551 of the Texas Government Code, for reasons including but not limited to: Section 551.071 (consultation with legal counsel to seek or receive legal advice or consultation regarding pending or contemplated litigation); Section 551.087 (deliberation regarding economic development).
   **Convene into Open Session.** Take action, if any.

***ANYONE WITH A DISABILTY REQUIRING SPECIAL ARRANGEMENTS TO BE ABLE TO PARTICIPATE IN THE MEETING MAY CONTACT THE PERSON WHO SIGNS THIS NOTICE BELOW, IN ADVANCE OF THE MEETING, TO ALLOW TIME FOR ARRANGEMENTS TO BE MADE AS NECESSARY. THE MEETING PLACE MENTIONED ABOVE IS ACCESSIBLE BY WHEEL CHAIRS BY USING THE SLOPED RAMP LOCATED AT THE WEST ENTRANCE TO THE MUNICIPAL BUILDING. SPECIALLY MARKED PARKING SPACES ARE AVAILABLE IN THE PARKING LOT ADJOINING UNIVERSITY BOULEVARD.***

I CERTIFY THAT THIS NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE WEST UNIVERSITY PLACE BUILDING AND STANDARDS COMMISSION ON August 6, 2020 WAS POSTED ON THE MUNICIPAL BUILDING BULLENT BOARD ON OR BEFORE THE 3rd DAY OF August 2020, AT OR BEFORE 6:00 O'CLOCK PM.

*Clay Chew*, Chief Building Official, cchew@westutx.gov, 713-662-5830

# AGENDA ITEM #2

The City of West University Place

*A Neighborhood City*

# Building & Standards Commission

**Located in the Council Chambers,**

**3800 University Blvd,**
**West University Place, Texas 77005**
**Meeting Minutes**

**March 5, 2020**

| | |
|---|---|
| MEMBERS PRESENT: | Bruce Beneke, Mimi Tsai, James Craig, Charles Marshall, Eddie Mathews, Muddy McDaniel, and Gerry Spedale |
| MEMBERS ABSENT: | Johnathan Hance, Diana Pardo Rodriguez |
| STAFF PRESENT: | Chief Building Official Clay Chew, Legal Counsel Alan Petrov, Public Works Director Gerardo Barrera, and Permit Technician Lisa Ray |
| GUESTS PRESENT: | Alida Drewes, Hoyt Thomas, Galye King, J.D. Britton, Katinka Ralten |

**[Call to Order]** Bruce Beneke called the meeting to order at 6:01 p.m.

1. **Notices, Rules, Etc.** Bruce Beneke welcomed BSC members, staff and visitors to the meeting.

2. **Meeting Minutes.** James Craig made a motion to approve the January 16, 2020 meeting minutes as amended. Mimi Tsai seconded. **AYES:** Bruce Beneke, Charles Marshall, Eddie Mathews, Muddy McDaniel, and Gerry Spedale. **NOES:** None. **ABSTAIN:** None. Meeting minutes approved.

3. **Docket 2019-0010 property located at 4150 Bissonnet, West University Place, Texas 77005 regarding a variance of Article VII Fences Section 18-202 Prohibition in Front or Side Yard.** Clay Chew opened the meeting by clarifying the parameters of the variance and recommended referring to the findings of the traffic study that was submitted. Clay also stated that as long as a fence structure was built in accordance with the line of sight ordinance there would not be a problem issuing a permit if the variance was passed. Comments from that public were heard by the board in favor of the variance being granted. Board then discussed the findings of the traffic study and varying materials that the fence could be constructed. Gayle King, then stated, that the variance would be given to a new homeowner who would submit the material and specifications of the structure. Mimi Tsai started a motion to place a condition on the variance so that only certain materials could be used to construct the fence, no one seconded the motion. Gerry Spedale asked to make a decision on fence, as the Britton's submitted the traffic study previously requested. Bruce

Beneke made motion to pass variance requested. **AYES**: Bruce Beneke, Charles Marshall, Eddie Mathews, Muddy McDaniel, James Craig, and Gerry Spedale. **NOES**: Mimi Tsai. Variance request passed. **ABSTAIN**: None

Comments where again open to the public, at which time Mr. Hoyt Thomas shared his experience with a neighbor having open permits and prolonging construction. This prompted an agenda item to be added for the next meeting to discuss and refine ordinance language to ensure permits are closed.

James Craig made motion to adjourn. Charles Marshall seconded. **AYES**: Bruce Beneke, Mimi Tsai, Muddy McDaniels, Gerry Spedale, and Eddie Mathews. **NOES**: None. **ABSTAIN**: None.

Meeting adjourned at 7:06 p.m.

PASSED THIS _____DAY OF_____, 2020

_____

Bruce Beneke, Chairman

ATTEST: _____

Mrs. Lisa Ray, Permit Technician

# AGENDA ITEM #3

# STAFF REPORT

## Business of the Building and Standards Commission
## City of West University Place, Texas

| | |
|---|---|
| **AGENDA OF:** August 6, 2020<br><br>**DATE SUBMITTED:** August 3, 2020<br><br>**PREPARED BY:** Clay Chew, CBO, CFM<br>City Building Official<br><br>**SUBJECT:** Variance request to place a fence in the side yard of a rotated corner lot. | **DOCKET NO. :** 2020-0007<br><br>**DEPARTMENT OF ORIGIN:** Development Services<br><br>**PRESENTER:** Clay Chew, CBO, CFM<br>City Building Official<br><br>**STAFF PRESENTER:**<br>Clay Chew, CBO, CFM<br>Chief Building Official |
| **ATTACHMENTS:** Variance request, Ordinance section, Form survey April 2004, Correspondence relating to variance request. | |

## STAFF SUMMARY

The applicant at 6501 Westchester is requesting a variance to place a fence in the side yard of a rotated corner lot. Article VII Section 18-202 prohibits fences from being constructed in the front/side yard (setback) of any building site. This property was part of a larger corner site whose front street line was Pittsburg. When the lots were divided this properties address became 6501 Westchester.

# City of West University Place

## APPLICATION TO THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS ("CITY")

***Address of site:*** **6501 Westchester Ave, Houston, TX 77005**

***Legal description of the site:*** **Residence**

***Applicant:*** Walker Moody
***Address:*** 9 Shadder Way, Houston, TX 77019
***Contact:*** Walker Moody
***Phone:*** (713) 213-6303 ***Fax:*** (713) 804-7589
***Email Address:*** wmoody@xdrco.com

***Decision or Action Requested*** ***(check one or more and provide requested data):***

( ) **Appeal.** Hear and decide an appeal from an order, requirement, decision or determination made by the building official (or other administrative official) of the City.

- Name and title of the administrative official:
- Is the official's action in writing? ( ) Yes; ( ) copy is attached. ( ) No, but the action appealed is as follows:
- When was the action taken? Note: Appeals must be filed within a reasonable time. Please explain any delay below:
- Exact code of ordinance section(s) involved:
- Grounds for appeal:

( ) **Special Exception**.

- Exact code of ordinance section that authorizes the special exception:
- Exact wording of special exception requested:

(X) **Variance.**

- Exact code of ordinance section from which a variance is requested: Section 18-202 Prohibition in front or side
- Exact wording of variance requested: Requesting a variance to place a fence in the front yard. (Westchester)

***Other Data.*** Are there drawings or other data? ( )No (X)Yes *(list items here and attach them)*

State of Texas County of Harris

This instrument was acknowledged before me on June 12th 2020
by Reese Kreitz.

(Seal) REESE KREITZ
Notary Public, State of Texas
Comm. Expires 09-15-2022
Notary ID 129959422

My commission expires 09/15/2022 Reese Kreitz, Notary Public

*******$300 FILING FEE. PROVIDE ORIGINAL PLUS 15 COPIES (16 TOTAL) OF ALL SUBMITTALS*******

Signature of applicant: Walker Moody Date: 6/12/2020

**For Staff Use only Date filed:** 6-24-20 **Date heard:** 8-6-20 **Docket#:** P2-20-00007

Form BSC-102

# ARTICLE VII. - FENCES

## Sec. 18-200. - Maximum height limits.

a) Eight-foot limit. No fence higher than eight feet may be constructed, improved or structurally altered on any private property.

b) Six-foot limit. No fence higher than six feet may be constructed:

   1. Closer than six feet from a wall of an existing principal building used as a single-family residence on any adjacent building site, if the proximity of the fence to the building would significantly and adversely affect the beneficial circulation of air around or through the building or the beneficial exposure of the building to direct or reflected sunlight. To make these determinations, the building official shall take into account the type and design of the fence and the following (if existing or proposed in the immediate vicinity of the fence): trees, other plants and other buildings and structures.

   2. Between buildings on separate building sites where the eaves are less than two feet apart.

c) Height measurement. Fence height shall be measured along each fence line on the side with the lowest grade level. If the fence is within three feet of a property line, the adjacent grade level of the adjacent property is used to measure the height of the fence, if the adjacent grade level is lower than the grade level of the property where the fence is located.

d) Gate height. A gate may be no taller than may a fence at the same location, except that a gate which is not more than 40 percent opaque may extend to a height not greater than 12 inches above the maximum height of a fence at the same location.

(Code 2003, § 6.581)

## Sec. 18-201. - Property lines.

It shall be the responsibility of any person who constructs a fence, or causes it to be constructed, to locate the fence within the property lines.

(Code 2003, § 6.582)

# ARTICLE VII. - FENCES

## Sec. 18-202. - Prohibition in front or side.

a) Prohibition. No fence may be constructed, improved or structurally altered on the front yard (setback) of any building site. Exceptions: this restriction does not apply to low retaining walls, institutional security fences, fences owned by any governmental entity or fences or walls specifically required or allowed to be located in the front yard (setback) of a building site by this Code or the zoning ordinance.

1. Reserved.
2. Low retaining wall means a wall designed and used to hold earth or similar material in place, no part of which extends higher than the highest naturally occurring part of the ground in the front portion of the building site and no part of which is located outside of the building site.
3. Institutional security fence means a fence which meets all of the following criteria:
   i. The fence is located on a building site where there is a building or group of buildings specially constructed and used as an actual place of religious worship (including schools, parking lots, parsonages and other accessory buildings);
   ii. The fence is located along or generally parallel to a major thoroughfare, and only along side streets to the extent necessary to connect the main portion of the fence to side fences, rear fences or buildings; and
   iii. The fence is no more than 50 percent opaque.
4. Major thoroughfare means Kirby Drive, Bissonnet Street or Bellaire (West Holcombe) Boulevard.

b) Rotated corner lots. This subsection only applies to a corner lot carved out of a larger corner site originally established by the first plat or map of the subdivision in question, where the front street line of the corner lot is on a different street from the street where the larger corner site had its front street line. On such a corner lot, no fence may be constructed, improved or structurally altered along the side street line of the corner lot (this would have been the front street line of the original larger corner site) unless the fence is set back from the side street by at least one of the following two distances:

1. A distance equal to the depth of the front setback area of any adjacent building site which has a front setback area abutting the side street; or
2. A distance equal to the depth of the side setback area of the corner lot, measured from the side street. If the BSC is requested to issue a variance to permit a fence on the corner lot closer to the side street than prescribed above, and if a petition signed by 20 percent or more of the persons owning property along the side street within 200 feet of the rear lot line of the corner lot (and on the same side of the side street) is presented to the BSC before it acts on the request, the requested variances shall not take effect unless approved by all members of the BSC qualified and serving. Under no circumstances, with or without a variance, is a fence allowed within five feet of the side street line.

c) Street visibility at a major thoroughfare.This subsection only applies to a corner lot adjacent to a major thoroughfare or roadway marked for four lanes or more. Any fence constructed, improved or structurally altered on any such lot shall require prior approval from the building official and/or a traffic study submitted by a licensed traffic engineer. Visibility will be determined in accordance with the guidelines of the American Association of State Highway Transportation Officials (AASHTO). The standard is a 15-foot curb setback from the major thoroughfare for the assumed eye of the approaching driver. The building official may reduce this setback to a minimum of ten feet if there is a natural obstruction.

(Code 2003, § 6.583; Ord. No. 1979, § 1(Exh. A), 5-20-2013; Ord. No. 2001, § 1(App. A), 2-9-2015)

# ARTICLE VII. - FENCES

## Sec. 18-203. - Distance from property line; common fences.

A boundary fence shall be constructed immediately along the property line or as close as practicable to the property line. Common fences may be constructed along the property line, if the written consent of the owners of both properties is submitted.

(Code 2003, § 6.584)

## Sec. 18-204. - Easements.

No brick, masonry or similar type of fence may be constructed, improved or structurally altered if it would interfere with the installation and maintenance of utility lines in any easement reserved therefor.

(Code 2003, § 6.585)

## Sec. 18-205. - Removal of debris.

It shall be the responsibility of each person who constructs or reconstructs a fence, or causes it to be done, to clean up and remove from the premises all debris, dirt, scrap and broken pieces of concrete caused by the construction of the fence.

(Code 2003, § 6.586)

## Sec. 18-206. - Nonconforming fences.

In cases where an existing fence erected contrary to the provisions of this Code is to be removed, improved or structurally altered, each new fence must conform to this Code.

(Code 2003, § 6.587)

## Sec. 18-207. - Facing of fences.

All fences abutting on a street area shall be constructed so that all supporting members, including posts and horizontal runners, shall not face the street. This provision shall apply to such portions of a fence that face the street on which the lot faces as well as a side street.

(Code 2003, § 6.588)

# Sec. 18-20. - Variances.

## Sec. 18-20. - Variances.

a) *Generally* . The BSC has limited authority to issue variances from ordinances subject to its appellate authority or quasi judicial enforcement authority.

b) *Applications* . Any person who is restricted or regulated by a provision of the ordinance in question may apply for a variance. However, the application must either be signed by the owner of the property involved or must be accompanied by written proof that the person who does sign has specific authority from the owner to apply for the variance sought. Applications for variance must be made upon forms prescribed by the building official, must be complete, must be signed under oath, must be accompanied by the fee prescribed by the city and must be filed with the building official. The application must include the following:

1. The particular requirement, cited by section and paragraph number, from which a variance is sought.
2. The nature of the hardship imposed by the requirement.
3. Any proposed condition, alternative method or procedure to be followed in lieu of the requirement.
4. The effect of the requested variance, upon the city as a whole and upon nearby residents and properties.
5. The estimated cost, in dollars, of complying with the requirement.
6. Other items required by the building official or the BSC.

c) *Handling; notice* . The building official shall transmit applications to the BSC, which has sole authority to issue variances. If the building official determines that an application would possibly have a significant effect upon other properties or persons, the building official shall attempt to provide notice to such persons prior to the time when the BSC will consider the variance. Such notice may be given by publication, posting or mail, as the building official may determine.

d) *Permissive factors* . In considering a variance, the BSC may take the following into account:

1. Whether the variance will assist in the protection or preservation of historic structure or in the protection or preservation of old stock housing (as such housing then exists or as it may be proposed to be remodeled or expanded).
2. Whether the application involves remedial work necessary to bring a structure into compliance with applicable ordinances.
3. Whether there are other similar circumstances in existence.

e) *Mandatory factors* . In considering a variance, the BSC shall take the following into account:

1. Whether the applicant has made an earnest, good faith effort to comply with the requirement.
2. Whether the applicant brought the matter to the attention of the city on his own motion, without intervention or enforcement action by any city official.
3. Whether alternative methods or procedures will achieve the same, or substantially the same, result as literal compliance with the requirement.

# Sec. 18-20. - Variances. (cont'd)

## Sec. 18-20. - Variances.

*f)* *Required findings* . The BSC may not issue a variance unless it affirmatively finds all of the following:

1. The imposition of the requirement imposes an exceptional hardship upon the applicant. It is the general intent of this section that financial cost, alone, would not ordinarily constitute an exceptional hardship.
2. No reasonable and feasible method or procedure is currently available to comply with the requirement.
3. The imposition of the requirement is unjustified because of good and sufficient cause demonstrated to the BSC.
4. The variance will not introduce or increase any threat to public health or safety.
5. The variance is consistent with the purpose and intent of the ordinance in question.
6. The variance will not cause a nuisance and will not unreasonably interfere with the use of nearby property.
7. The variance will not cause a fraud to be worked upon the public or any individual.
8. The variance will not cause an increase in public expenditures or budgets.
9. The variance will not create an irreconcilable conflict with any other ordinance, law, rule or regulation.

*g)* *Form of variances; conditions; recordation* . No variance is effective unless it is in writing and signed by the duly authorized officers of the BSC. The BSC may impose restrictions or conditions upon any variance and may require that notice of a variance be recorded in the real property records of the county, at the expense of the applicant.

*h)* *Effect of variance* . Variances do not create any property right or vested right. Variances remain subject to the regulatory control of the city. When a variance has been issued, the building official may not deny a permit because of noncompliance with the requirement affected by the variance, provided that all conditions are complied with. It shall be an affirmative defense, in any proceeding to enforce the requirement, that a variance was issued to authorize the conduct in question, that the variance has not been modified or revoked and that all applicable conditions have been fully observed and complied with.

*i.* *Revocation; modification* . The BSC may revoke or modify any variance previously issued, provided that a good faith attempt is first made to notify the person who applied for the variance.

(Code 2003, § 6.206; Ord. No. 1798, § 1(ex. A), 5-23-2005; Ord. No. 1872, § 1(ex. A), 4-28-2008)

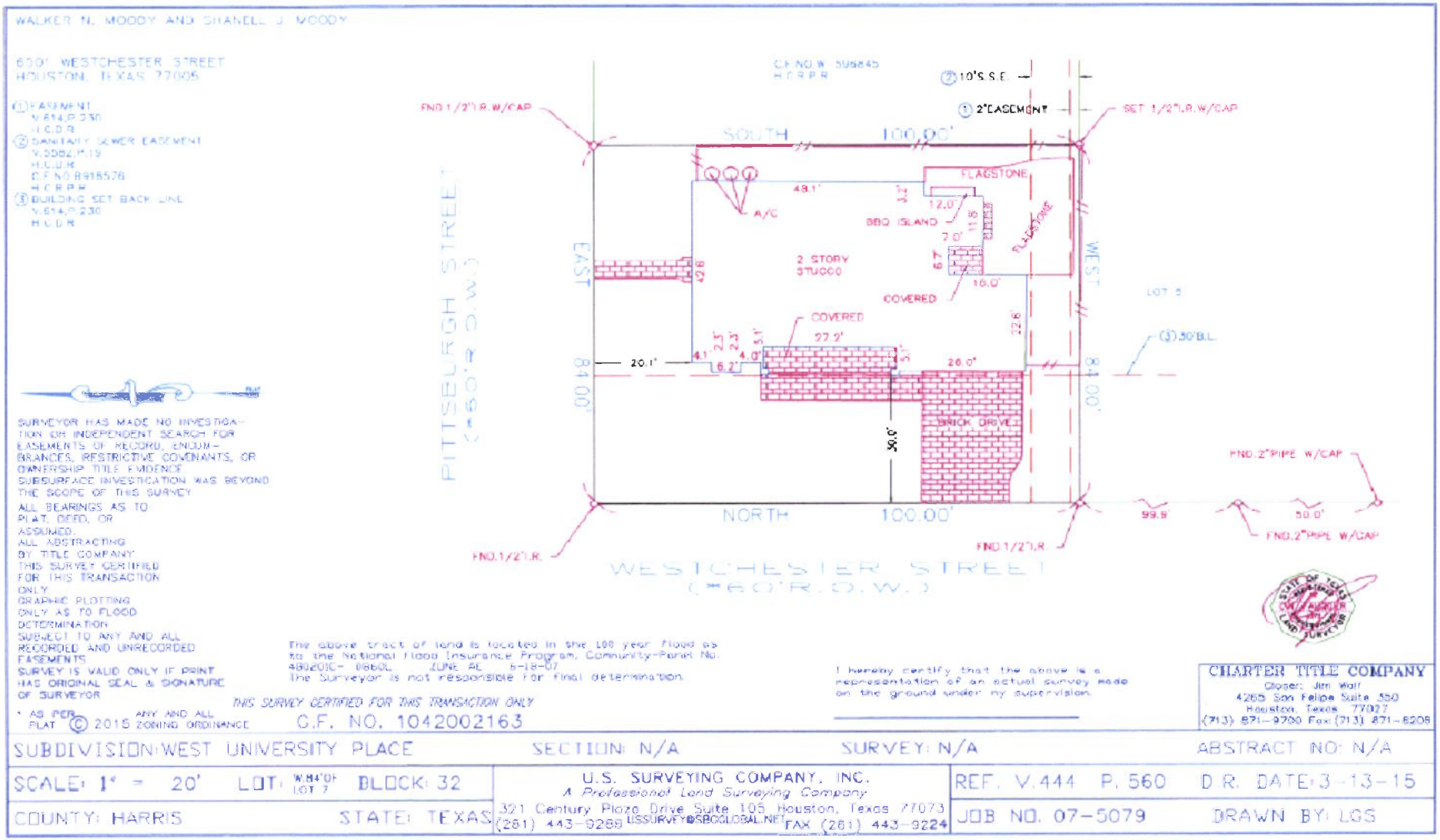
# Variance Request Summary

**6501 Westchester Ave, Houston, TX 77005**

- We are requesting a variance to place a fence along what is the "front yard" of our property on Pittsburgh, although due to the historical development of the corner lot (that predated our purchase of the home), it is currently the side yard of the home
  - The fence will be designed and installed by experienced West U fence contractor, Shane (Shane's Fence Co.) that has fabricated and installed fences in West U for over 25 years
- We are requesting this variance for safety and some quarantined induced reasons
  - Safety of Children and Pets: First and foremost we would like a safer yard for our children and dogs. Pittsburgh is a busy street and our corner at Westchester doesn't have a stop sign to slow traffic. We have already had our dog Elsa get run over by a car coming from Buffalo. We do not want to risk having a child be subject to the same dangerous through traffic. A fence along the side yard would provide a safe place for our pets and children.
  - Quarantine Sanity: With the risk of future stay at home orders, by putting up a side fence, it will increase the playable space by almost 2x, as also do to the development of the lot, the back of the house has a very small patch of yard. While we didn't purchase the home thinking of a quarantine, now we have to make that a consideration for us and future families.
  - Visually Appealing and Safe: The fence will be permeable (see through high quality designed iron) which will allow a safer view point (vs nearby fences that are wooden, blocking all visibility).
- We are asking for a fence that can be found throughout the neighborhood, including three houses within 250 yards from our home on the same street we are asking for the variance (Pittsburgh)
  - In fact, we have found over 36 different homes in our neighborhood with various types of fences (wood plank, iron, brick, stucco)
  - We have included some photos of the fences in the neighborhood as part of this packet
- We appreciate your consideration...we hope that we return to a world with West U Little League, free play with friends, but in the meantime, it would be a gift to allow us to enclose the side yard along Pittsburgh

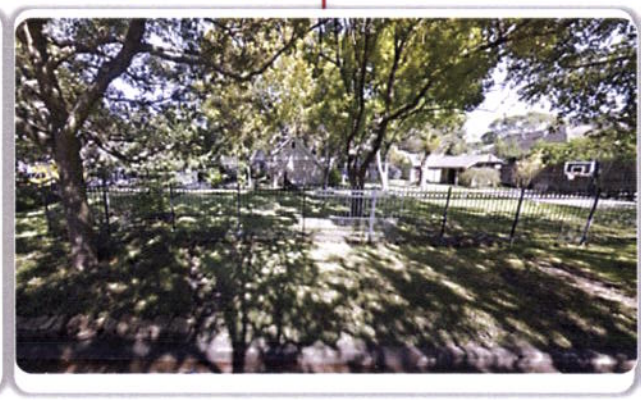
# Survey

**6501 Westchester Ave, Houston, TX 77005**



# Other Data

**6501 Westchester Ave, Houston, TX 77005**



# Other Data: West University Place Residential Fences

**6401 Brompton**

# Other Data: West University Place Residential Fences

**3001 Tangley**

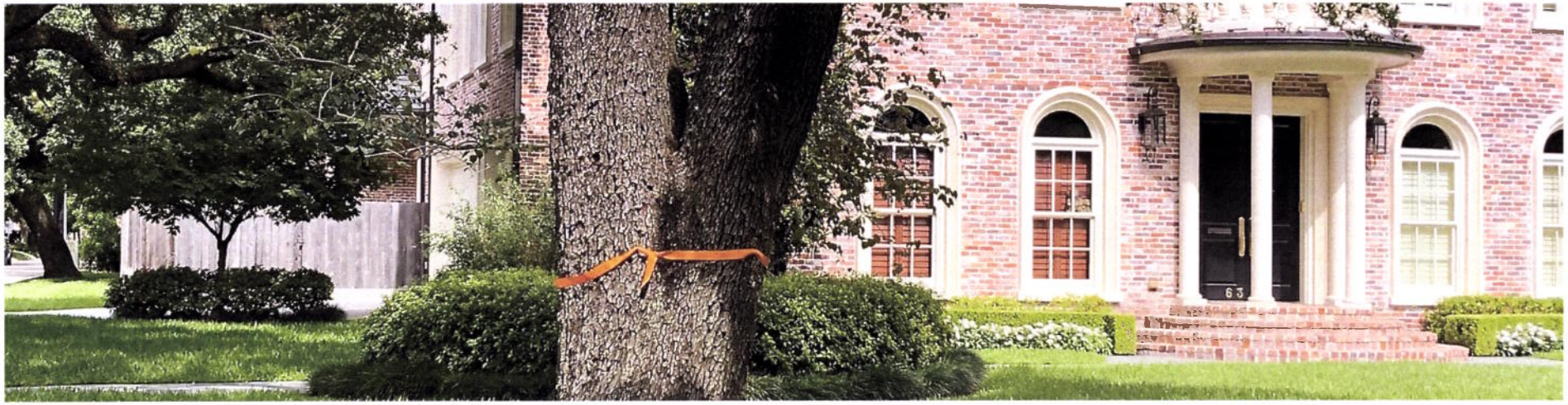
**2803 Amherst**

# Other Data: West University Place Residential Fences

**6349 Brompton**

# Other Data: West University Place Residential Fences

**6344 Brompton**



**6446 Wake Forest**

# Other Data: West University Place Residential Fences

**6401 Belmont**

Sec. 18-202. - Prohibition in front or side.

(a) *Prohibition.* No fence may be constructed, improved or structurally altered on the front yard (setback) of any building site. Exceptions: this restriction does not apply to low retaining walls, institutional security fences, fences owned by any governmental entity or fences or walls specifically required or allowed to be located in the front yard (setback) of a building site by this Code or the zoning ordinance.

(1) Reserved.

(2) *Low retaining wall* means a wall designed and used to hold earth or similar material in place, no part of which extends higher than the highest naturally occurring part of the ground in the front portion of the building site and no part of which is located outside of the building site.

(3) *Institutional security fence* means a fence which meets all of the following criteria:

a. The fence is located on a building site where there is a building or group of buildings specially constructed and used as an actual place of religious worship (including schools, parking lots, parsonages and other accessory buildings);

b. The fence is located along or generally parallel to a major thoroughfare, and only along side streets to the extent necessary to connect the main portion of the fence to side fences, rear fences or buildings; and

c. The fence is no more than 50 percent opaque.

(4) *Major thoroughfare* means Kirby Drive, Bissonnet Street or Bellaire (West Holcombe) Boulevard.

(b) *Rotated corner lots* . This subsection only applies to a corner lot carved out of a larger corner site originally established by the first plat or map of the subdivision in question, where the front street line of the corner lot is on a different street from the street where the larger corner site had its front street line. On such a corner lot, no fence may be constructed, improved or structurally altered along the side street line of the corner lot (this would have been the front street line of the original larger corner site) unless the fence is set back from the side street by at least one of the following two distances:

(1) A distance equal to the depth of the front setback area of any adjacent building site which has a front setback area abutting the side street; or

(2) A distance equal to the depth of the side setback area of the corner lot, measured from the side street. If the BSC is requested to issue a variance to permit a fence on the corner lot closer to the side street than prescribed above, and if a petition signed by 20 percent or more of the persons owning property along the side street within 200 feet of the rear lot line of the corner lot (and on the same side of the side street) is presented to the BSC before it acts on the request, the requested variances shall not take effect unless approved by all members of the BSC qualified and serving. Under no circumstances, with or without a variance, is a fence allowed within five feet of the side street line.

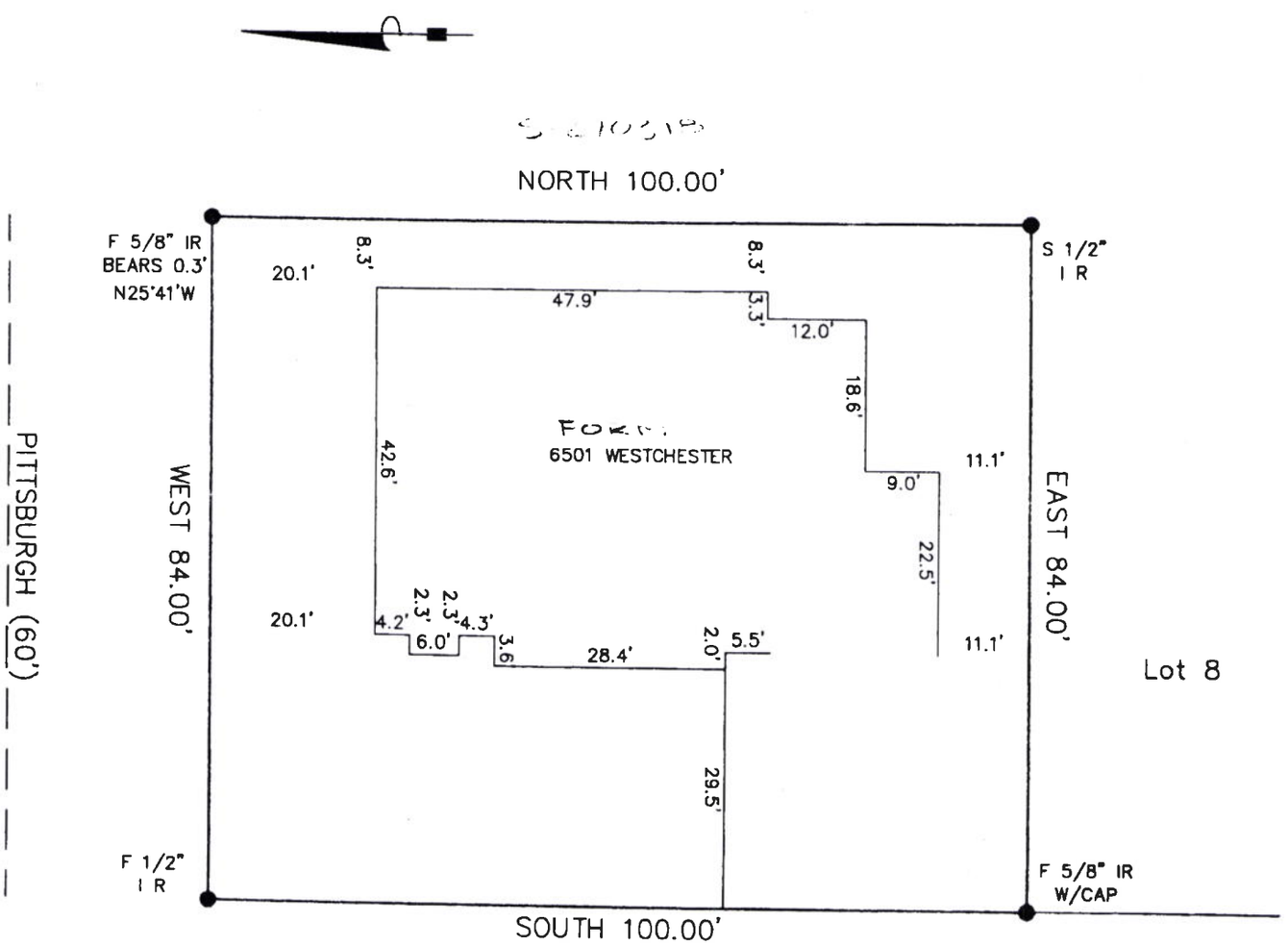
(c) *Street visibility at a major thoroughfare.* This subsection only applies to a corner lot adjacent to a major thoroughfare or roadway marked for four lanes or more. Any fence constructed, improved or structurally altered on any such lot shall require prior approval from the building official and/or a traffic study submitted by a licensed traffic engineer. Visibility will be determined in accordance with the guidelines of the American Association of State Highway Transportation Officials (AASHTO). The standard is a 15-foot curb setback from the major thoroughfare for the assumed eye of the approaching driver. The building official may reduce this setback to a minimum of ten feet if there is a natural obstruction.

(Code 2003, § 6.583; Ord. No. 1979, § 1(Exh. A), 5-20-2013; Ord. No. 2001 , § 1(App. A), 2-9-2015)

# H & M SURVEYING & ASSOCIATES, INC.

PHONE: (713) 524-1500
FAX: (713) 524-8860

P.O. BOX 980068
HOUSTON, TEXAS 77098-0068




SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY. THERE MAY BE ADTL. EASMTS./B.L.'S

I certify that the above plat is a true representation of a survey made on the ground under my supervision of

Lot 7 (W. 84' of) Block 32 in WEST UNIVERSITY PLACE

recorded in Vol. 444 Page 563 of the LEGL Records of HARRIS County, Texas

and out of the _____ Survey, Abstract No. _____

Purchaser _____

GF # _____ Date 4-21-04 FB # _____

Bearing Reference PLAT, Scale 1"=20', Job No. _____

This Property is located in flood insurance rate map zone X

as per map 48201C 0005K, dated 2-[illegible]

STATE OF TEXAS REGISTERED PAUL W. HURLEY 5576 PROFESSIONAL LAND SURVEYOR

*Note: This survey is provided to, and for the benefit of, . Any re-distribution, copying, or use for any other purpose or transaction is not authorized, and is a violation of federal copyright law. The certification placed hereon is void under any such unauthorized circumstances.*

## Clay Chew

**From:** Len Slusser <lenslusser@mac.com>
**Sent:** Friday, July 24, 2020 9:29 AM
**To:** Clay Chew
**Subject:** 6501 Westchester

Mr. Chew,
You were kind to give me information to register a strong protest against building a street-facing fence on this property.
I live at 6437 Rutgers and walk by the property daily. After living in West U almost 50 years I have never seen a fence that would be in a front yard.
Please keep the visual integrity of the neighborhood intact and not allow this.
Thank you,
Len Slusser
6437 Rutgers Ave.
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Sent from my iPhone

## Clay Chew

**From:** Mike Manley <mikemtx1941@swbell.net>
**Sent:** Thursday, July 23, 2020 7:02 PM
**To:** Clay Chew
**Subject:** August 6 hearing regarding 6501 Westchester

Dear Mr. Chew,

My wife and I have lived at 6517 Westchester, two doors down from 6501, for 25 years. We've reviewed the hearing notice and would like to make a few comments about the issue. I am not sure we can participate in the hearing, so I hope this will suffice.

It isn't clear what the owner's motive for the fencing is but, since they have already moved out, it would seem related to efforts to sell the house. While we can sympathize with that, we think there are several problems. One is that the proposed fencing would be out of keeping with the rest of the neighborhood, and detract from its appeal.

A second, and more significant one, is that the fencing, based on the flags I see, would put his neighbor to the east in what amounts to a tunnel. That family would have virtually no view of the street or sidewalk as they back out of their drive. That would be a significant safety issue for them, and for drivers on Pittsburgh, who tend to go relatively fast since it has no stop signs on Rutgers or Westchester. It would also be somewhat of a safety issue for anyone walking along the sidewalk, since there would be no warning of a car backing out.

We do not think that the variance should be approved.

Michael J. Manley
Paige M. Jackson

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