

Planning Department

823 Rosenberg, Room 401
Galveston, Texas 77550

Phone (409) 797-3660
Fax (409) 797-3604

planningcounter@cityofgalveston.org



AGENDA

ZONING BOARD OF ADJUSTMENT REGULAR MEETING

4:00 p.m., Wednesday, February 4, 2015
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

- A. Attendance
- B. Conflict of Interest
- C. Minutes: January 7, 2015
- D. New Business and associated Public Hearing:

15Z-03 (4116 Avenue N 1/2) Request for a variance from the Galveston Zoning Standards Section 29-82 (h) regarding illuminated signage and sign size requirements in a GR (General Residence) zoning district. Property is legally described as Lots 5 Through 10 & East Part of Lots 4 & 11 Northeast Block 33, Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: Paul Byers

Property Owner: Galveston Independent School District

15Z-04 (1315 Moody/21st Street) Request for a special exception from the Galveston Zoning Standards Section 29-67 (c)(8) regarding parking requirements. Property is legally described as the East 213 feet of Northeast Block 18 (1000-2), Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: Gregory Lewis, Lewis Design Group

Property Owner: Bryan Texana Foundation

15Z-05 (1827 Avenue N½) Request for a variance from the Galveston Zoning Standards Section 29-65(h)(1) regarding rear yard requirements in a GR (General Residence) zoning district. Property is legally described as Lot 1, SW Block 45, in the City and County of Galveston, Texas.

Applicant: Gregory Lewis, Lewis Design Group

Property Owner: Robert & Lee Glover

- F. Adjournment

Prepared By:

Athena Petty, Planning Staff Assistant

Date Prepared:

January 27, 2015

CONDITIONS FOR A VARIANCE

The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 14.401.C. in Article 14, Administrative Bodies, and if the Board makes a determination in writing that all of the following are demonstrated:

1. The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.
2. Due to said special conditions, the literal enforcement of the strict terms of these Land Development Regulations would impose an unnecessary hardship on the applicant.
3. The variance is not contrary to the public interest, in that:
 - i. It does not allow applicants to impair the application of these regulations for:
 - a. Self-imposed hardships;
 - b. Hardships based solely on financial considerations, convenience or inconvenience; or
 - c. Conditions that are alleged to be "special," but that are actually common to many properties within the same zoning district.
 - ii. The variance will not have a detrimental impact upon:
 - a. The current or future use of adjacent properties for purposes for which they are zoned;
 - b. Public infrastructure or services; and
 - c. Public health, safety, morals and general welfare of the community.
4. The degree of variance allowed from these Land Development Regulations is the least that is necessary to grant relief from the identified unnecessary hardship.
5. The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).
6. By granting the variance, the spirit of these Land Development Regulations is observed and substantial justice is done.

APPEAL FROM DECISION OF BOARD

In accordance with Section 29-112, any person aggrieved by any decision of the Board, or any officer, department or other Board of the City, may appeal the decision or action of the Board by filing a petition for the same in a court of competent jurisdiction, setting forth that such decision is illegal in whole or in part, and specifying the grounds for the alleged illegality. Such petition shall be filed with the Court within ten (10) days from the day the Board renders its decision, and not thereafter. The time period set forth herein shall be deemed jurisdictional.

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409 797-3510).

MEMBERS OF CITY COUNCIL MAY BE ATTENDING AND PARTICIPATING IN THIS MEETING.



15Z-003

STAFF REPORT

ADDRESS:

4116 Avenue N ½

LEGAL DESCRIPTION:

Property is legally described as Lots 5 Through 10 & East Part of Lots 4 & 11 Northeast Block 33, Galveston Outlots, in the City and County of Galveston, Texas

APPLICANT:

Paul Byers

PROPERTY OWNER :

Galveston Independent School District

ZONING:

General Residence (GR)

REQUEST:

Variance

APPLICABLE ZONING LAND USE

REGULATIONS:

Section 29-82 (i) of the Galveston Zoning Standards

EXHIBITS:

- A – Aerial Map
- B – Site Plan/Survey
- C – Sign Elevation/Rendering

STAFF:

Ian Knox, Urban Planner II
 409-797-3659
knoxian@cityofgalveston.org

City Department Notifications: No Objections

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
22				



Executive Summary:

The applicant is requesting to install an eight foot by four foot illuminated LED sign on the southeast face of the Scott Collegiate Academy. Due to the sign exceeding the allowed size requirements by 12 square feet and the request to illuminate the sign in a residential district, a variance is required.

Applicable Zoning Land Use Regulations

Section 29-82

(d) (1) Sign Devices Prohibited

Except as specifically listed in this section (1), it shall be unlawful for any person to erect, operate, or otherwise use any sign which is of a rotating nature or displays intermittent lights, or similar emergency vehicles.

(i) Signs In The GR, MF-1, MF-2, P, and O Districts

Flat sign, maximum of one (1) facing each street frontage. The sign area shall not exceed twenty (20) square feet, provided, however, that the permitted area of a flat sign may be increased by one percent (1%) for each interval of one foot (1') above the first ten feet (10') of building height above grade that the lowest point of the sign is placed upon the building.

Requested VariancesVariance #1 – Intermittent Lighting

Illuminated signs are not permitted in the GR, MF-1, MF-2, P, and O districts, therefore the proposed sign will require a variance to allow LED signage.

Variance #2 – Size

The proposed sign measurements are 4-feet by 8-feet. In the GR, MF-1, MF-2, P, and O districts, the maximum size for a non-residential Owner-Identification Sign is 20 square feet. A variance will be required for 32 square feet.

Zoning and Land Use

Location	Zoning	Land Use
Subject Site	General Residence (GR)	School
North	General Residence (GR)	Residential
South	General Residence (GR)	Parking
East	General Residence (GR)	Residential
West	General Residence (GR)	School

Applicant's Justification

"LED marquee 4' x 8' mounted on southeast corner of building. Will have timer to turn off marquee at night as need or required. Will display school information to inform public of events. It will provide alternate means of informing the students, parents and public of school events and important information."

Please see Agenda for Standard Conditions for a Variance and Appeal from Decision of Board Process



Planning Department

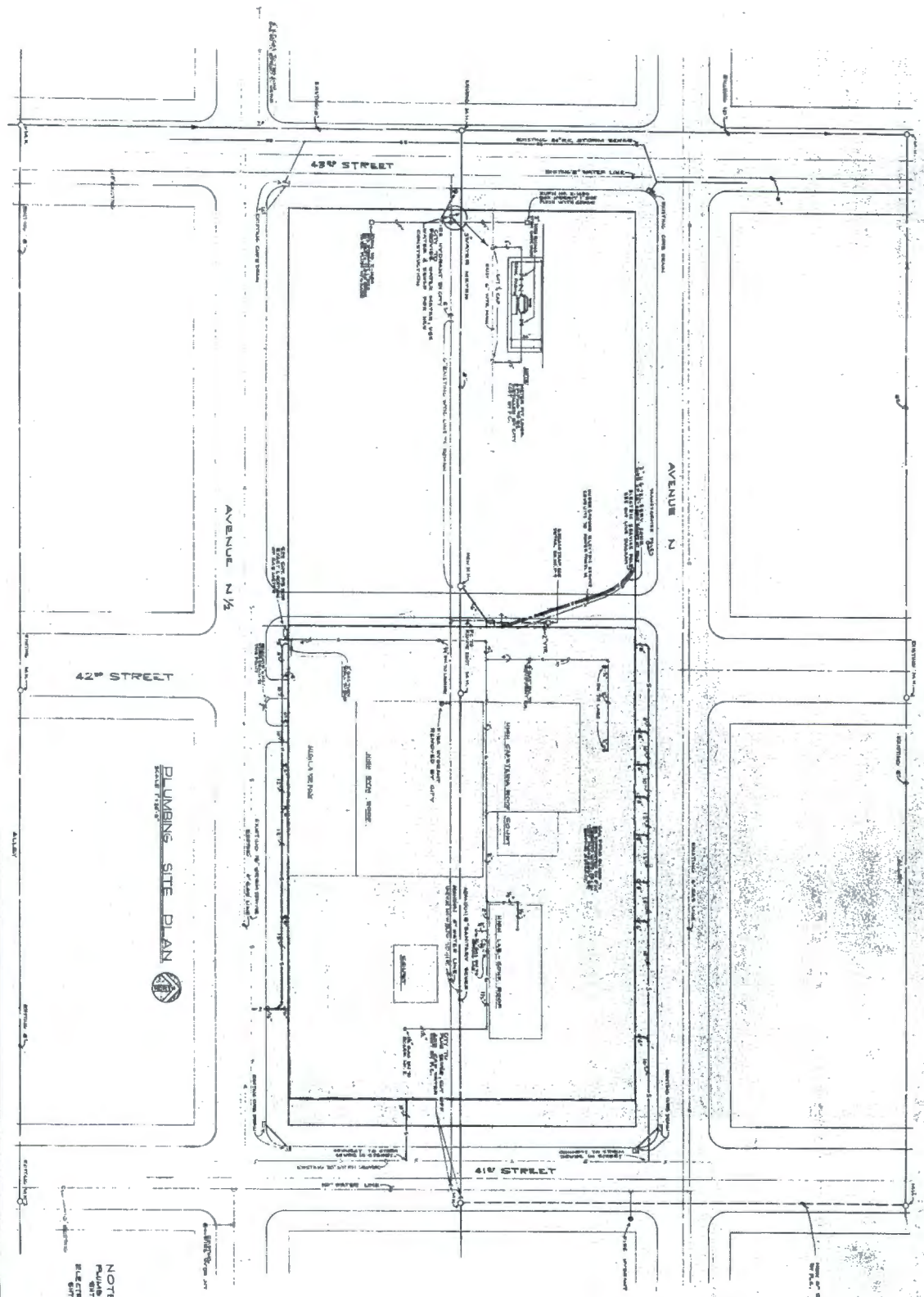
Map prepared by the City of Galveston Planning Department (knoxian) - 1/9/2015

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 70 140 280 Feet

The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.





NOTE:
 DRAWING SCALE:
 1" = 10'-0"
 ELECTRICAL DRAWINGS IN CONJUNCTION WITH MECHANICAL DRAWINGS

SALVESTON SCHOOL ARCHITECTS
 SALVESTON, TEXAS
 RAYMOND E. MARY JR. & ASSOCIATES
 THOMAS H. PRICE
 BEN J. KORTH & THOMAS BRENNAN
 CORPUS CHRISTI, TEXAS

A NEW JUNIOR HIGH SCHOOL
 41ST STREET AT AVENUE N
 SALVESTON, TEXAS
 SALVESTON INDEPENDENT SCHOOL DISTRICT
 SALVESTON, TEXAS

195-1
 SHEET NO. 6403



© 2015 Google
All rights reserved.

Google earth



15Z-004

STAFF REPORT

ADDRESS:

1315 Moody/21st Street

LEGAL DESCRIPTION:

Property is legally described as the East 213 feet of Northeast Block 18 (1000-2), Galveston Outlots, in the City and County of Galveston, Texas

APPLICANT:

Gregory Lewis, Lewis Design Group

PROPERTY OWNER :

Bryan Texana Foundation

ZONING:

Multiple Family-One Dwelling,
 Neighborhood Conservation District 1 (MF-1-NCD-1)

REQUEST:

Request for a special exception from the parking requirements

APPLICABLE ZONING LAND USE

REGULATIONS:

Galveston Zoning Standards Section 29-67 (c)(8)

EXHIBITS:

- A – Aerial Map
- B – Survey
- C – Site Plan

STAFF:

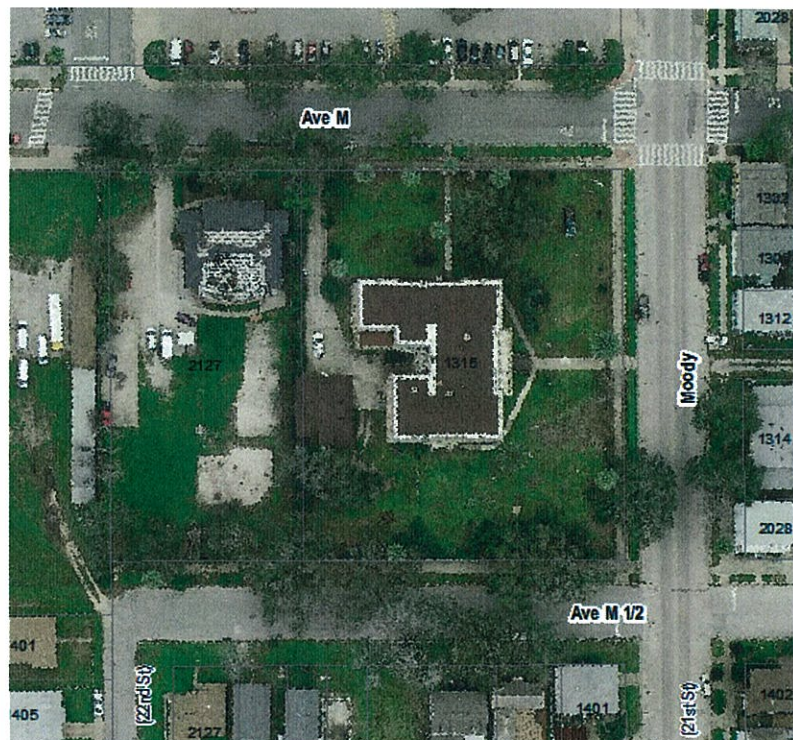
Catherine Gorman, AICP
 Assistant Director/HPO
 409-797-3665
 gormancat@cityofgalveston.org

City Department Notification:

No Objections

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
35				



Executive Summary:

The applicant is requesting a special exception in order to consider the availability of street parking towards the required parking.

The site is the former Galveston Orphans Home. The building is currently being restored and will be Bryan Museum, which houses the Torch Collection. The Torch Collection is considered the world's largest, private collection of Texana – the study of Texas history.

The required number parking spaces for the Bryan Museum is 30. The applicant is proposing to provide seven spaces on-site and is requesting approval to consider 23 street parking spaces towards the required parking.

Zoning and Land Use

Location	Zoning	Land Use
Subject Site	Multiple Family-One Dwelling, Neighborhood Conservation District 1 (MF-1-NCD-1)	Institutional
North	Multiple Family-Two Dwelling, Neighborhood Conservation District 1 (MF-2-NCD-1)	Residential
South	Multiple Family-One Dwelling, Neighborhood Conservation District 1 (MF-1-NCD-1)	Residential
East	Multiple Family-One Dwelling, Historic District (MF-1-H) and Neighborhood Services, Historic District (NS-H)	Residential and Commercial
West	Retail, Neighborhood Conservation District 1 (R-NCD-H)	Commercial

Zoning Board of Adjustments - General Powers

The Zoning Board of Adjustment may grant a special exception when the specific conditions for the special exception have been met. The special exception power is not an unlimited grant of authority to the Board, but is limited exclusively to those exceptions specifically enumerated in these Land Development Regulations. The Board shall grant a special exception only in the following instances, and then only when the Board finds that such special exception will not affect adversely the value and use of adjacent and neighboring property, or be contrary to the public interest:

- a. Waiver or reduction of parking and loading requirements when the Board finds that:
 - i. Such requirements are unnecessary for the proposed use of the building or structure to which the special exception applies.
 - ii. On-street parking is available and may be counted toward the parking requirement. Such special exception shall extend only to that linear street frontage of the property in question which is lawfully available for parking, and each 22 feet shall be counted as space for one car.

Applicable Zoning Land Use Regulations**29-67 (c) Parking Space Schedule for Non-Residential Uses:**

- Commercial Recreational and Amusement Establishments (other than listed) One (1) space for every two hundred (200) square feet involved in such use.
- Storage or Warehouse One (1) space for each one thousand (1,000) square feet of floor area.
- Office, General One (1) space for each five hundred (500) square feet of floor area.

The above requirements result in a total parking requirement of 30 spaces. Seven spaces have been provided on-site. The applicant is requesting a Special Exception in order to count 23 on-street parking spaces towards the parking requirement.

Applicant's Justification

Allow consideration for 25 off-site, adjacent existing street parking spaces to meet parking requirements. Parking Demand will be business hours only and will not be high due to use of the property.

Please see Agenda for Appeal from Decision of Board Process.

SITE PL
a propx
Outlot 1
Galveston

NOTES:
NO RECOI
FROM TITL
SOLELY O
EASEMENT
BUILDING
CLIENT AN
FROM RES

True g
Plat &
by Wm

File #E
:10' HI

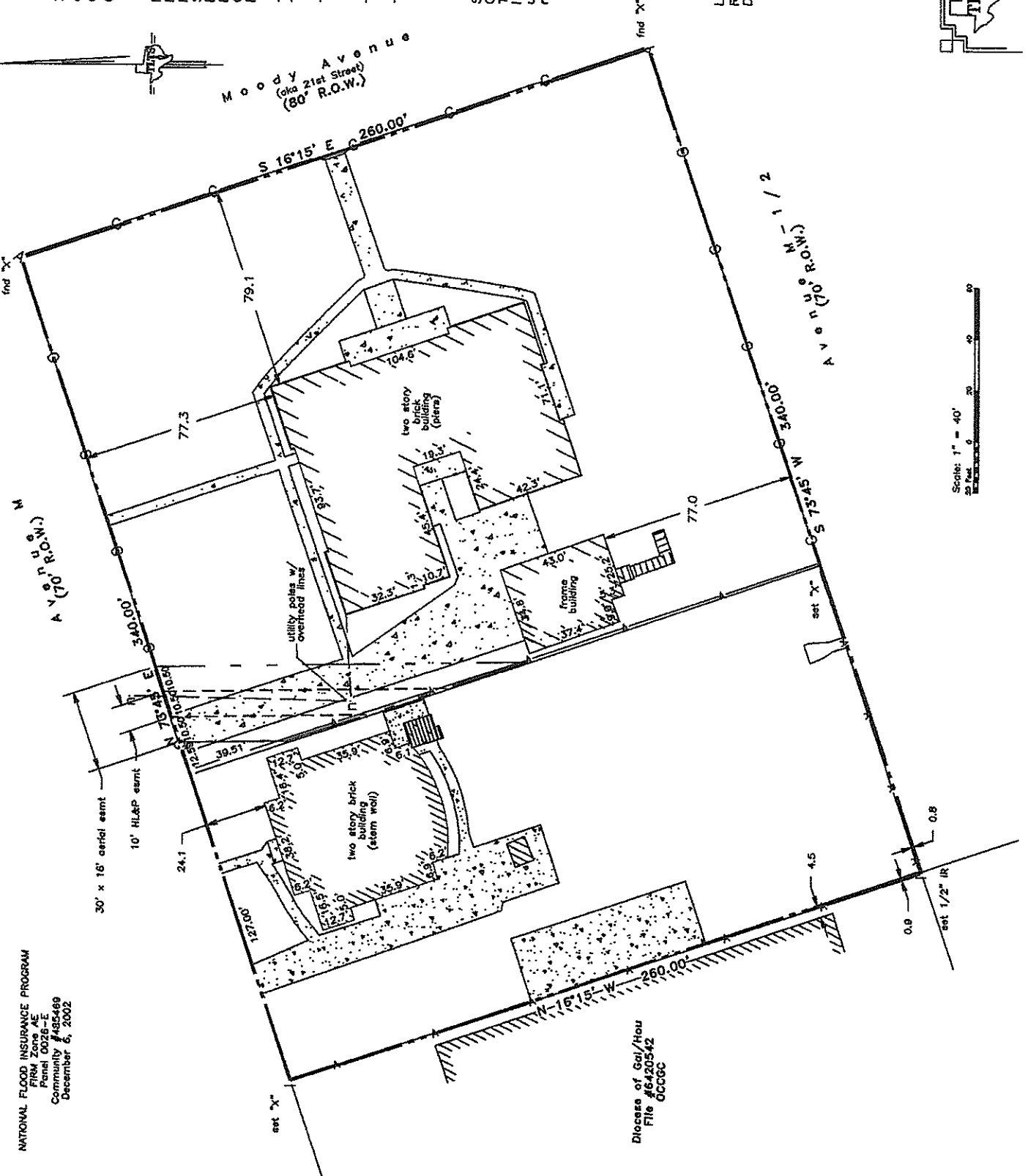
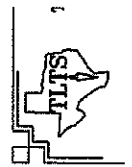
File #B
:10' x

COG 2
Survey

w/ nut

Subject p
Galveston
To J. P.
I hereby
under my
represents

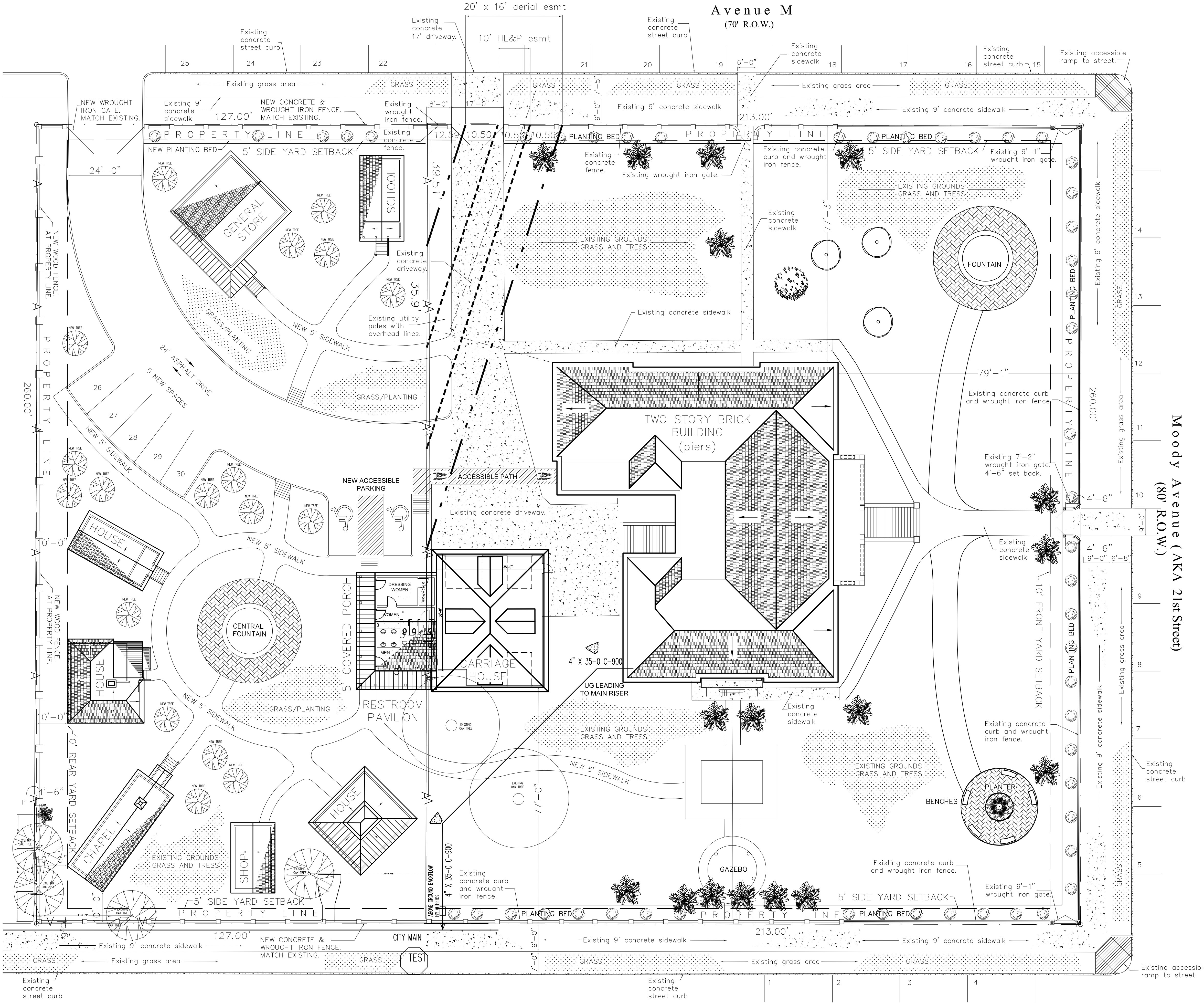
Laurence
RPLS #48
December



NATIONAL FLOOD INSURANCE PROGRAM
FIRM Zone AE
Panel 0026-E
Community #485469
December 6, 2002

Diocese of Gal/Hou
File #6430542
00000

Scale: 1" = 40'
0 20 40 60 80 100



CITY OF GALVESTON ORDINANCE REVIEW:

Parking Requirements:

Office, General	1 per 500	sf -	3,835 /	500	=	8
Storage	1 per 1,000	sf -	7,590 /	1,000	=	8
Museum, Commercial						
Amusement space	1 per 200	sf -	2,625 /	200	=	14

Total required parking spaces 30 spaces

Parking Provided:

On site spaces	=	5
On site Accessible spaces	=	2
Off site Street Parking	=	25

Total parking spaces provided 32 spaces

Project Narrative:

•This 1904 Historic Building, which was originally an Orphanage, then a private residence, will now be transformed into a facility of Business-Office and Assembly-Museum space for The Bryan Museum.

•The adjacent property to the west is proposed to be used as as Museum Park. Historic Texas structures shall be saved and relocated to the site for preservation and education of Texas history.

•The occupancy of the Museum Exhibit areas have been calculated based upon the net square footage remaining from the occupied floor space within the Exhibit areas. The remaining circulation areas are calculated at 15sf per person based upon the actual low concentrated use of the space.

•The Museum will be operated by guided tours with a maximum of 45 persons at a time with 1 guide.
•There are two Exhibit areas, one of the 2nd floor and one on the 3rd.
•There is a Library-Research room on the 3rd floor that will have restricted access by appointment and occupied only when accompanied by a chaperone for security of the archives and articles.

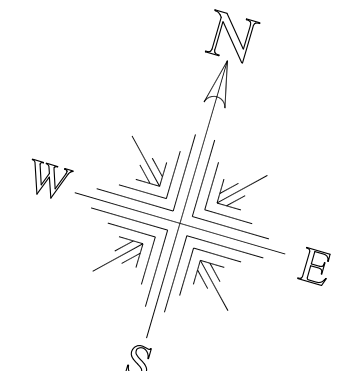
•The remaining areas are general circulation, office areas and storage. The associated occupancy loads are calculated per IBC tables.

•The total Occupancy load per these calculations is 204 persons. Although the actual occupancy is never expected to even be close to that figure, except perhaps during an occasional fundraising event.

•The Life Safety factors of the building have been enhanced by the installation of an automatic sprinkler system throughout the building along with a cap of the total occupancy load.

ZONED-MF1-NCD-1

Front yard setback = 10'-0"
Side yard setback = 5'-0"
Rear yard setback = 10'-0"



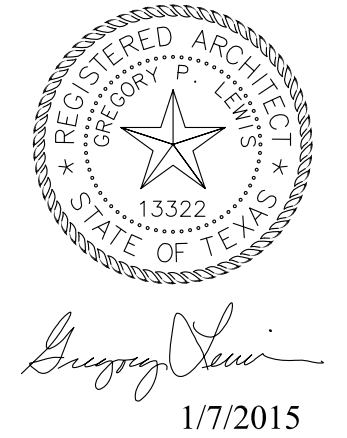
1 SITE PLAN
Scale: 1/16" = 1' 0"

Avenue M -1/2
(70' R.O.W.)

ZBA REVIEW
DRAWING
NOT FOR
CONSTRUCTION

The Bryan Museum
1315 21st Street
Galveston, Texas

These documents are the property of LEWIS DESIGN GROUP and shall not be reproduced without prior written consent. All copyright laws apply according to American Institute of Architects (AIA) and the Architectural Works Copyright Protection Act (AWCPA) Copyright © LDG 2015



LDG
LEWIS DESIGN GROUP
Architecture • Interior Designs
2928 Avenue P.
Galveston, Texas 77550
tel.409.762.3746
Belton, Texas 76513
tel.254.760.4774
www.lewisdesigngroup.biz

FILE NAME:

DRAWN BY:
GPL, SMC

DATE:
JANUARY 7, 2015

REVISIONS:

SHEET No.

A0.0



15Z-005

STAFF REPORT

ADDRESS:

1827 Avenue N ½

LEGAL DESCRIPTION:

Property is legally described as North 54-ft of Lot 1, SW Block 45, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Gregory Lewis, Lewis Design Group

PROPERTY OWNER:

Robert and Lee Glover

ZONING:

General Residence-Neighborhood
 Conservation District-One (GR-NCD-1)

REQUEST:

Variance to reduce the required rear yard setback from 10-ft to 1-ft.

APPLICABLE LAND USE REGULATIONS:

Section 29-65(h) of the Galveston Zoning Standards.

EXHIBITS:

- A – Survey
- B – Construction Plans
- C – Illustrations
- D – Site Photos

STAFF:

Bryce Johnson, Urban Planner
 (409) 797-3669
 johnsonbry@cityofgalveston.org

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
30	2	2		

City Department Notification Responses:

No objections with the following comments

Building Department:

“Any construction will have to comply with Section R302.1 of the 2009 IRC.”



Executive Summary:

The applicant is requesting a variance in order to extend the existing deck and roof, as well as construct a new exterior stairway. Please reference “Exhibit B” for the configuration of the proposed structure.

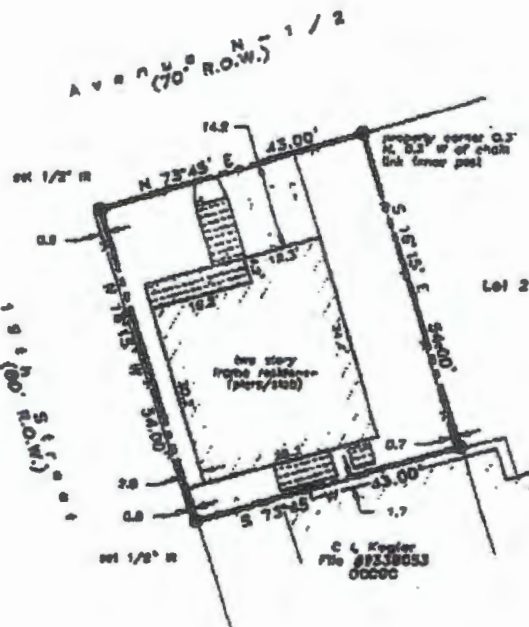
Background:

Case 14Z-43: Request for variance regarding rear and side yard setbacks. Action was denied.

Applicant’s Justification:

“New covered exterior stairs will provide partially protected access to utility room and garage. Currently no means of access to utility [room] without going outside and around the house. The lot size is half (½) the size of a standard lot and leaves minimal remaining building area.”

NATIONAL FLOOD INSURANCE PROGRAM
FIRM Zone A
Panel 3018-2
Community #48500
Effective 8, 2002



NOTES:
- Bearings & dist. references
- Plan of C.O.G. Boundary, 1815
- True ground distance shown
- Bearings acquired on Ave N-1/2
- Survey monuments rechecked
- Numerous previous surveys

Scale: 1" = 20'
0 10 20 30

LAND TITLE SURVEY OF A TRACT OF LAND being
the North 34 feet of Lot 1, in the Southwest
Block of Outlot 45, in the City and County of
Galveston, Texas.

Subject property: 1827 Avenue N-1/2
Galveston County, Texas
To Terry L. McCormick and

Commonwealth Land Title Co., of #2621003884A:

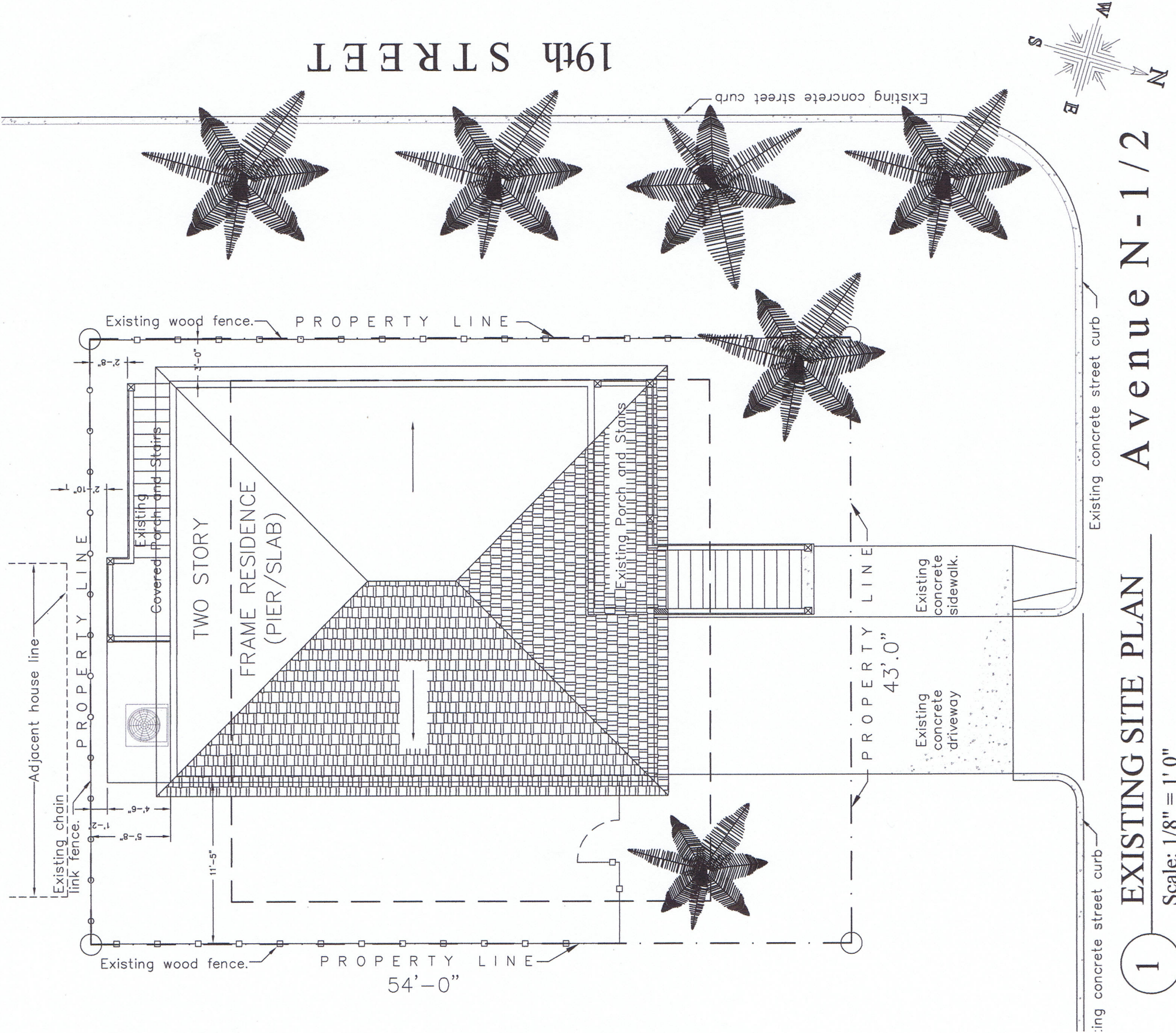
I hereby certify that this survey was made on the ground
under my direct supervision and that this plat correctly
represents the facts found at the time of the survey.



Lawrence C. Well
RPLS #4814
September 1, 2011



TLTS, Inc.
TEXAS LAND TITLE SURVEYORS
1061 Moody Avenue
Galveston, Texas 77550
(409) 765-8883



CITY OF GALVESTON, TEXAS
PLANNING DEPARTMENT COMPLIANCE NOTES:

ZONING OF SUBJECT PROPERTY:
GR - General Residential - No Proposed change in Zoning.
East End Historic District
Building setbacks:
Front - 10'0" - Complies
Rear - 10'0" - Existing encroachment
Sides - 3'-0" - Complies

Design Standards for Historic Properties in Galveston, if applicable.

CITY OF GALVESTON BUILDING DIVISION
COMPLIANCE NOTES:

All designs and construction shall meet or exceed the following codes:

2009 International Building Code, with local amendments (Chapter 10 of City Code)
2009 International Residential Code, with local amendments (Chapter 10 of City Code)
2009 International Energy Code (Chapter 10 of City Code)
2009 Mechanical Code, with local amendments (Chapter 21 of City Code)
2009 International Fire Code
2008 National Electrical Code
Zoning Ordinances, 1991 amended version
2001 Comprehensive Plan

Design Standards for Historic Properties in Galveston, if applicable.

SQUARE FOOTAGE CALCULATIONS:

Existing House (no change)	Total : 853 SF
Existing Decks:	Total : 113 SF
New Decks:	95 SF
	Total: 208 SF

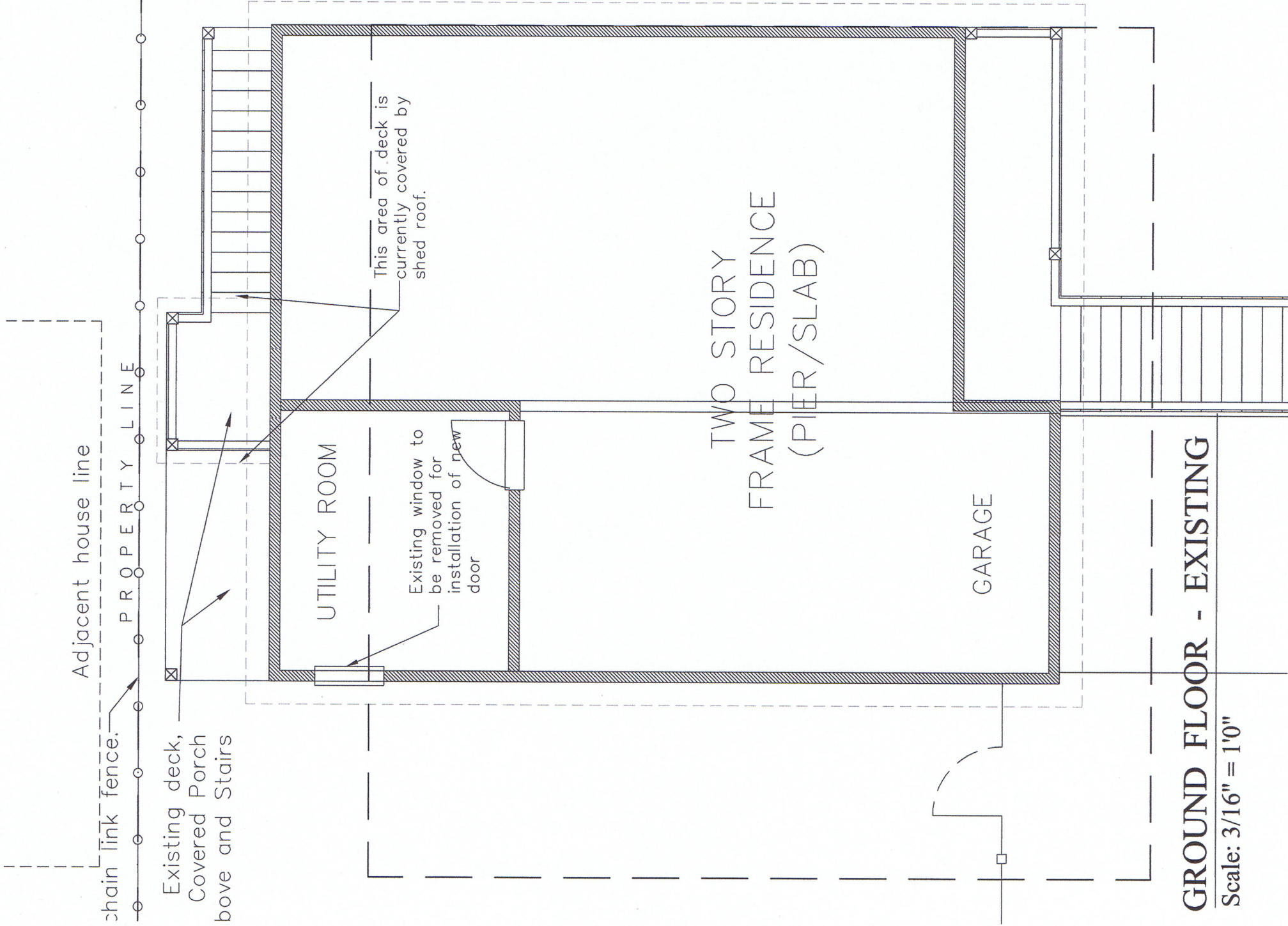
LDG

LEWIS DESIGN GROUP

Architecture • Design

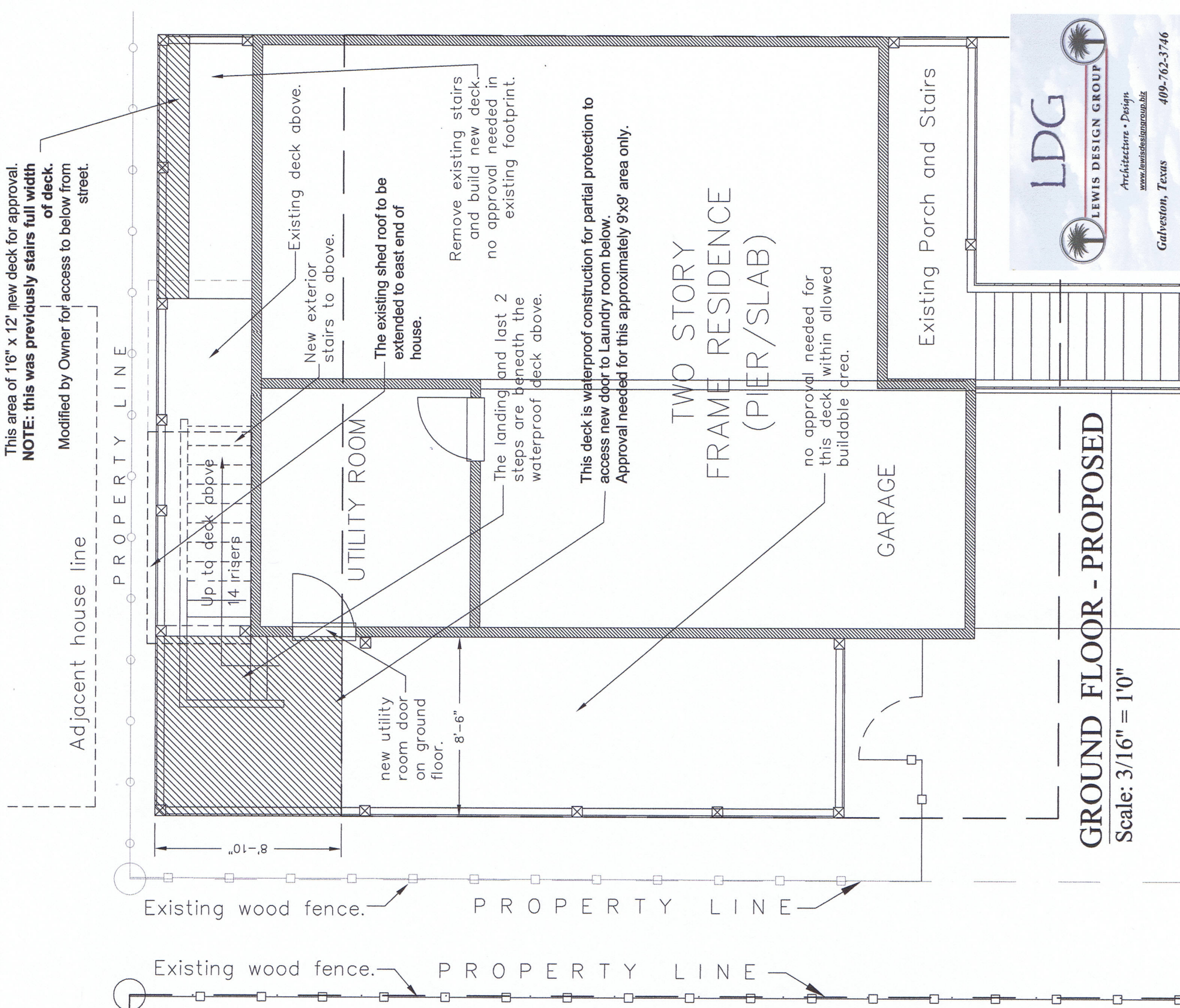
www.lewisdesigngroup.biz

Galveston, Texas 409-762-3746



GROUND FLOOR - EXISTING

Scale: 3/16" = 1'0"

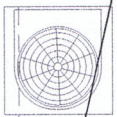


GROUND FLOOR - PROPOSED

Scale: 3/16" = 1'0"

Adjacent house line

Existing deck,
Covered Porch
and Stairs



existing
kitchen door

This area of deck is
currently covered by
existing shed roof.

TWO STORY
FRAME RESIDENCE
(PIER/SLAB)

Existing Porch and Stairs

Existing wood fence.

Existing wood fence.

AC unit moved to
corner of new deck
or below deck..

Adjacent house line

Down to ground
14 risers

New exterior
stairs to below.

The existing shed roof to be
extended to east end of
house.

This area of deck is
currently covered by
shed roof.

The landing and last
2 steps are beneath
the waterproof deck
above.

Remove existing stairs
and build new deck.
no approval needed in
existing footprint.

This deck is waterproof construction for
partial protection to access new door to
Laundry room below.
Approval needed for this approximately
9'x9' area only.

no approval needed for
this deck. within allowed
buildable area.

TWO STORY
FRAME RESIDENCE
(PIER/SLAB)

Existing Porch and Stairs

FIRST FLOOR - PROPOSED

Scale: 3/16" = 1'0"

FIRST FLOOR - EXISTING

Scale: 3/16" = 1'0"

