AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
4:00 P.M., Wednesday, January 9, 2019
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

1. Call Meeting To Order

2. Attendance

3. Conflict Of Interest

4. Approval Of Minutes: November 7, 2018

   Documents:

   110718 ZBA MINUTES.PDF

5. Request To Address Commission On Agenda Items And Non-Agenda Items (Three Minutes Maximum Per Speaker)

6. New Business And Associated Public Hearings

   A. 19Z-001 (4302 Seawall Boulevard) Request For A Variance From The Galveston Land Development Regulations, Article 10.300 Height And Density Development Zone Regarding Wall Plane Articulation And Transition Area 1a Setback, In A Commercial, Height And Density Development Zone, Zone-3 (C-HDDZ-3). Property Is Legally Described As The East 2.8591 Acres Of Lot 2 (2-2), Fort Crockett Juan-HIJO/Bowen Replat (2017), In The City And County Of Galveston. Applicant: Matt Roesler, MCS Architects Property Owner: SRI Seawall Resorts LLC.

      Documents:

      19Z-001 STF PKT.PDF

   B. 19Z-002 (2428 Bernardo De Galvez/Avenue P) Request For A Variance From The Galveston Land Development Regulations, Article 3, Addendum For Urban Neighborhood, Minimum Lot Standards Regarding Lot Area. Property Is Legally Described As Lots 5 Through 7 And The South 19 Feet Of Lot 4, In Southwest Block 67, Galveston Outlets, In The City And County Of Galveston, Texas. Applicant And Property Owner: Galveston 1.0 LLC., Clay Conrad

      Documents:

      19Z-002 STF PKT.PDF

7. Discussion Items

   - Vision Galveston (Staff)

8. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on January 4, 2019 at 2:00 P.M.

Prepared by: Karen White, Planning Technician

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.

City of Galveston

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GALVESTON
REGULAR MEETING – November 7, 2018

CALL MEETING TO ORDER

The meeting was called to order at 4:00 p.m.

ATTENDANCE

Members Present:	James Bangle, Louis Fuchs (ALT), Andrew Galletti, Robert Girndt, Lyssa Graham Reynolds, Jeff Patterson (ALT), CM David Collins
Members Absent:	None
Staff Present:	Tim Tietjens, Development Services Director; Adriel Montalvan, Senior Project Manager; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

None.

APPROVAL OF MINUTES

The September 5, 2018 minutes were approved as presented.

REQUEST TO ADDRESS COMMISSION ON AGENDA ITEMS WITHOUT PUBLIC HEARINGS AND NON-AGENDA ITEMS (THREE MINUTE MAXIMUM PER SPEAKER)

None.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

18Z-016 (14102 West Beach) Request for a variance from Article 3 of the Galveston Land Development Regulations Residential, Single-Family (R-1) Addendum, regarding minimum lot area requirements in a Residential, Single-Family (R-1) zoning district. Property is legally described as the East 62 Feet of Lot 92 (92-2), Block 3, Palm Beach Subdivision, in the City and County of Galveston, Texas.
Applicant: Christopher Brice
Property Owners: Christopher and Lauren Brice

Staff presented the Staff Report and noted that of twenty-two (22) notices of public hearing sent, five (5) had been returned in favor and five (5) had been returned in opposition.

Chairperson Lyssa Graham Reynolds opened the public hearing on case 18Z-016. Applicant Christopher Brice presented to the Commission. For additional presentations to the Commission, please refer to the attached sign-in sheet. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

James Bangle made a motion to approve case 18Z-016. Chairperson Lyssa Graham Reynolds seconded, and the following votes were cast:

In favor:	Bangle, Galletti, Graham Reynolds, Girndt, Fuchs, Patterson
Opposed:	None
Abstain:	None

Non-voting participant: CM Collins

The motion passed.

EXECUTIVE SESSION - HELD IN ROOM 204

Pursuant To Texas Gov't Code 551.071- Consultation With Attorney, An Executive Session Will Be Conducted To Discuss And Receive Legal Advice Concerning Pending Litigation And/Or A Settlement Offer, Or On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With This Chapter, Related To The Following:

1. Noble Capital Servicing, LLC (Kim Trigo) v. Zoning Board of Adjustment

THE MEETING ADJOURNED AT 4:40 PM

Zoning Board of Adjustment
Planning Department
City of Galveston
January 9, 2019

19Z-001 STAFF REPORT

ADDRESS:
4302 Seawall Boulevard

LEGAL DESCRIPTION:
Property is legally described as the East 2.8591 Acres of Lot 2 (2-2), Fort Crockett Juan-HIJO/Bowen Replat (2017), in the City and County of Galveston.

APPLICANT/REPRESENTATIVE:
Matt Roesler, MCS Architects

PROPERTY OWNER:
SRI Seawall Resorts, LLC.

ZONING:
Commercial, Height and Density Development Zone, Zone – 3 (C-HDDZ-3)

REQUEST:
Variance from the Land Development Regulations, Article 10, Section 10.307

APPLICABLE ZONING LAND USE
Commercial Lodging (Hotel)

REGULATIONS:
Article 10, Section 10.307
Article 10, Section 10.311

EXHIBITS:
A – Aerial Map
B – Elevations
C – Applicants Justification

STAFF:
Janice Norman, Planning Manager
409-797-3670
Jnorman@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
22				

City Department Notification Responses:
No objection from any City department

Executive Summary:
The applicant is requesting variances from the Galveston Land Development Regulations regarding Wall Plane Articulation and Transition Zone 1a setback.

Wall Plane Articulation:
There are several places on the north, south, east and west elevations that the applicant will exceed the required 30-foot wall length maximum from Grade to 35-feet. Additionally, the offset depth will be exceeded in one place on the east, south and west elevations. The offset depth is on the entire height of the structure. Please reference Exhibit C.

Land Development Regulations Article 10, Table 10.307, Wall Plane Articulation:

Table 10.307				
Vertical Building Section				
From	To	Building Wall Length (max.)	Offset Depth (min.)	Offset Length (min.)
Grade	3 Stories or 35 feet	30 feet	5 feet	10 feet
3 stories or 35 feet	Max. Height Limit	50 feet	5 feet	10 feet

Requested Variance:
From grade to 35-feet: Wall Plane Articulation from 30-feet to 51-feet 5-inches.
Offset depth on the entire structure: from 5-feet to 3-feet 1-inch.

Land Development Regulations Transition Zone:
The HDDZ regulations call for Transitions Zones when a development site is adjacent to residential zoning. Within these zones, heights are limited to maintain compatibility with adjacent residential uses.

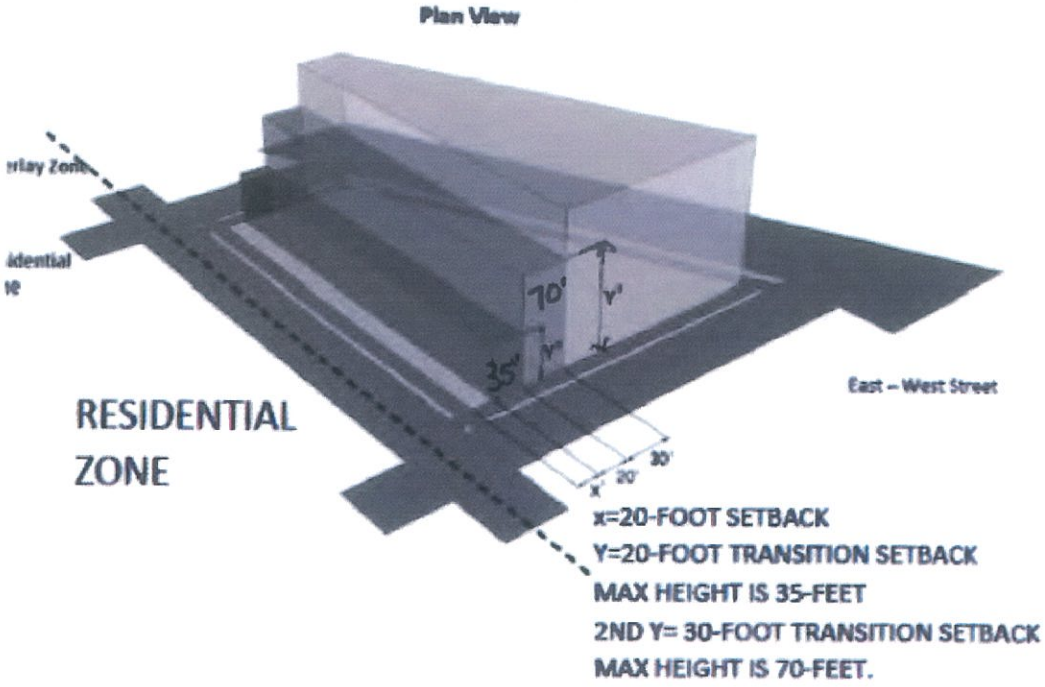
Since the hotel is adjacent to a residential zone across Avenue U, the rear of the property must meet the requirements of Transition Zone 1a:

- Within 20 feet of the required rear setback the building height is restricted to 35 feet or three stories.

Outside of the Transition Zone, the building may be constructed at the maximum allowed height of 70 feet or five stories.

The applicant is requesting to reduce the width of the Transition Zone from 20 feet to five feet in order to construct to the maximum height of 70 feet or five stories.

The graphic below illustrates the Transition Zone requirements.



Requested Variance: Transition Zone 1a to reduce the width from 20-feet to 5-feet allowing the height to 70-feet in the remaining 15-feet of Transition Zone 1a.

SEC. 13.401.B VARIANCES FROM DEVELOPMENT STANDARDS

Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment 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 enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.

3. The variance is not contrary to the public interest, in that:

   a. It does not allow applicants to impair the application of these regulations for:
      i. Self-imposed hardships;
      ii. Hardships based solely on financial considerations, convenience, or inconvenience; or
      iii. Conditions that are alleged to be "special" but that are actually common to many properties within the same zoning district.

   b. The variance will not have a detrimental impact upon:
      i. The current or future use of adjacent properties for purposes for which they are zoned;
      ii. Public infrastructure or services; and
      iii. Public health, safety, morals, and general welfare of the community.

4. The degree of variance allowed from these 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 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 regulations is observed and substantial justice is done.

Zoning and Land Use Table

Location	Zoning	Land Use
Subject Site	Commercial, Height Density Development Zone, Zone – 3 (C-HDDZ-3)	Commercial
North	Residential, Single Family (R-1)	Residential
South	Water (R-1)	Gulf of Mexico
East	Commercial, Height Density Development Zone, Zone – 3 (C-HDDZ-3)	Commercial
West	Commercial, Height Density Development Zone, Zone – 3 (C-HDDZ-3)	Commercial

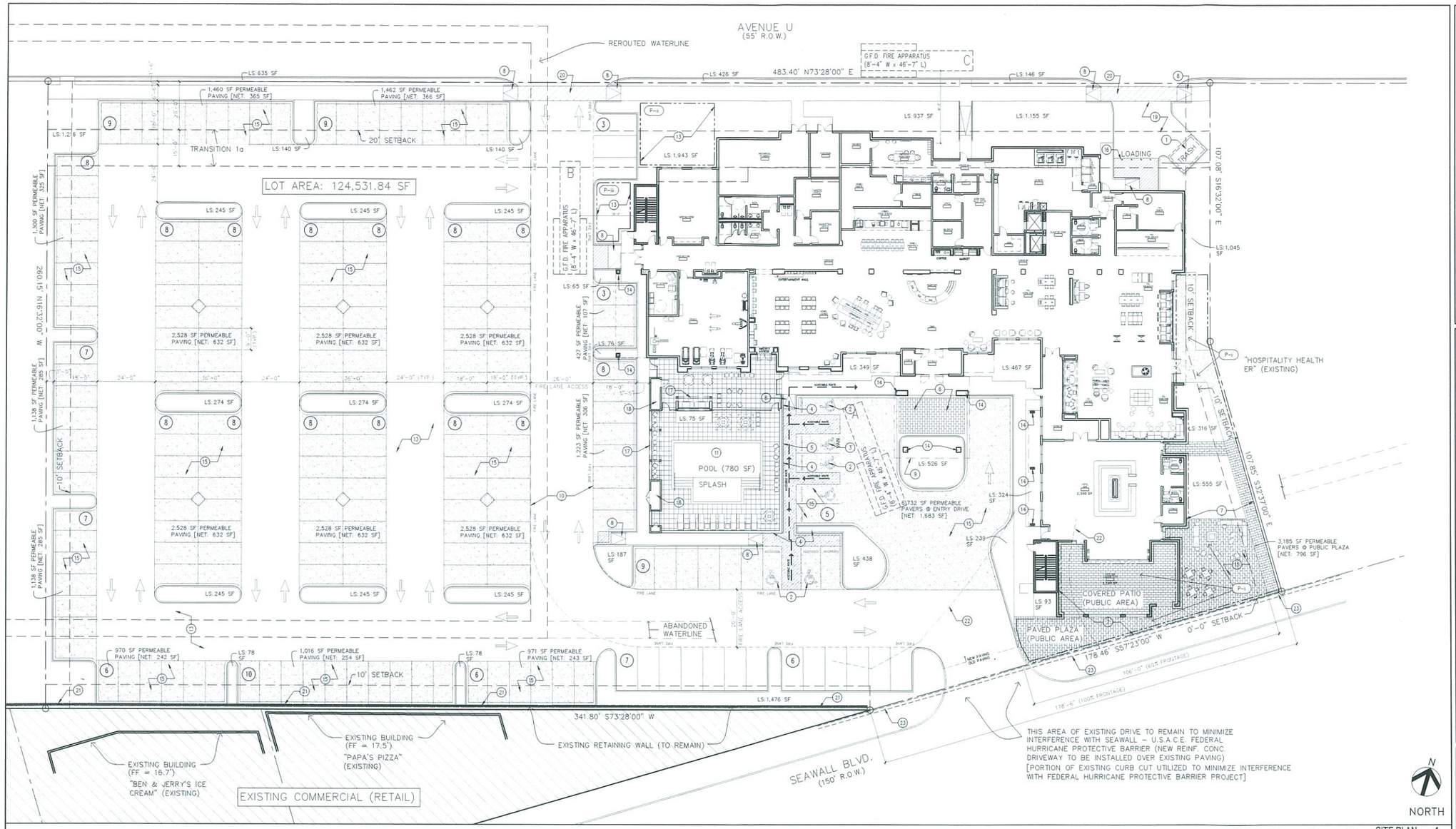
Applicant's Justification:
Please see attached Exhibit C.

Please see Agenda for Appeal from Decision of Board Process.

Respectfully submitted,

Janice Norman, Planning Manager — Date: 1/2/19

Catherine Gorman, AICP
Assistant Director/HPO — Date: 1-2-19



SCALE: 1/16" = 1'-0"

SITE PLAN 1
1/16" = 1'-0"

PARKING: [MEETS CODE]
1:1 PARKING SPACES/GUESTROOMS REQUIRED
199 TOTAL PARKING SPACES
(196 SPACES REQUIRED)
[188 STANDARD PARKING SPACES;
8 ADA COMPLIANT SPACES
1 VAN ACCESSIBLE ADA COMPLIANT SPACE]

LOT COVERAGE: [MEETS CODE]
20% OPEN SPACE REQUIRED
– 124,531 SF TOTAL LOT SIZE
– 124,531 x 0.2 = 24,906 SF OF PERMEABLE COVER REQUIRED or 20% OPEN SPACE
– PERMEABLE COVER: 15,295 (LANDSCAPE) + 9,049 (PERVIOUS PAVERS) = 24,344 SF (20 % OF LOT TOTAL)
– IMPERVIOUS COVER: 124,531 – 24,344 = 100,187 SF (80 % OF LOT TOTAL)

[* NOTE: CITY OF GALVESTON ALLOWS ONLY 25% OF PERMEABLE PAVER SURFACE FOR USE IN CALCULATIONS OF TOTAL PERMEABLE AREAS. THIS PERCENTAGE USED FOR CALCULATIONS WITHIN THIS SITE PLAN*]

PUBLIC USE AREA: P–i [MEETS CODE]
– 124,532 SF TOTAL LOT SIZE REQUIRES 6,226 SF OF PUBLIC OPEN SPACE or 5% OF LOT FOR PUBLIC USE AREAS.
– P–i = 5,661 SF PROVIDED AT SEAWALL BLVD.
– P–ii = 900 SF PROVIDED AT AVE. U
– P–iii = 398 SF PROVIDED AT AVE. U
– 1,208 SF PROVIDED AT AVENUE U SIDE
TOTAL OPEN SPACE PROVIDED: 5,661 + 900 + 398 = 6,959 SF (5.6% OF TOTAL LOT SIZE)

FLOOR AREA RATIO: [MEETS CODE]
– 0.98
122,291 (ENCLOSED SPACES) / 124,531 (LOT) = 0.98

CITY of GALVESTON PLANNING TABULATIONS C
LDR: HDDZ REQUIREMENTS

1. TRASH ENCLOSURE – SEE SITE DETAILS SHEET. MATERIAL TO MATCH FINISHES ON BUILDING
2. ACCESSIBLE PARKING SPACE
3. ACCESSIBLE VAN PARKING SPACE
4. PROVIDE POLE-MOUNTED 12"x18" SIGN WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND NOMENCLATURE "RESERVED PARKING". INSTALL SO THAT BOTTOM OF SIGN IS +60" ABOVE PARKING SURFACE.
5. PROVIDE POLE-MOUNTED 12"x18" SIGN WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND NOMENCLATURE "RESERVED PARKING" & "VAN ACCESSIBLE". INSTALL SO THAT BOTTOM OF SIGN IS +60" ABOVE PARKING SURFACE.
6. ACCESSIBLE PASSENGER DROP-OFF AREA WITH ADJACENT CLEAR ACCESS AISLE – DROP-OFF & ACCESS AISLE SHALL BE AT THE SAME LEVEL & HAVE A SLOPE NOT TO EXCEED 1:48 (1:64 RECOMMENDED)
7. PUBLIC OPEN SPACE – REQUIRED BY LAND DEVELOPMENT REGULATIONS – SEE CALCULATIONS THIS SHEET
8. CURB RAMP: TO MEET ALL ACCESSIBILITY REQUIREMENTS, MAXIMUM SLOP OF RUN 1:12 (1:14 RECOMMENDED), MAXIMUM CROSS SLOPE OF 1:48 (1:64 RECOMMENDED).
9. LINE OF CANOPY ABOVE
10. FIRE LANE – REQUIRED PER LOCAL JURISDICTION
    CURB PAINTING: ALL CURBS ALONG FIRE LANES SHALL BE PAINTED RED WITH 3" HIGH (MIN.) WHITE LETTERS STATING "FIRE LANE NO PARKING" PAINTED AT INTERVALS NOT TO EXCEED EVERY 50'-0"
    FLAT SURFACE: A RED 6" STRIPE WITH MARKINGS LISTED ABOVE (CURB PAINTING) SHALL BE PLACED ALONG THE OUTER EDGES OF THE PAVEMENT ALONG THE FIRE LANE
11. POOL – TO BE PERMITTED SEPARATELY
12. SLOPE POOL DECK SURFACES TOWARDS AREA DRAINS – SEE PLUMBING. EXTEND WATERPROOFING OVER SLAB & INTO LOWER BODY OF DRAIN. SLOPE NOT TO EXCEED 1:48 IN EITHER DIRECTION PER ACCESSIBILITY STANDARDS (1:64 RECOMMENDED).
13. DRIVE AISLE – 24'-0" MINIMUM (TYPICAL).
14. COLUMN – REFER TO FLOOR PLANS
15. DECORATIVE PERVIOUS PAVERS – SEE DETAILS
16. 6" ø CONCRETE FILLED STEEL BOLLARDS – SEE DETAILS
17. POOL PLAZA FREE-STANDING CANOPY – SEE ENLARGED POOL PLAN FOR DETAILS
18. POOL EQUIPMENT OUTBUILDING – SEE ENLARGED POOL PLAN FOR DETAILS
19. SERVICE ENTRY
20. CROSSWALK – AS REQUIRED PER LOCAL JURISDICTION
21. EXISTING RETAINING WALL – TO REMAIN
22. LIMIT OF ORIGINAL EXISTING DRIVE
23. EXISTING CONCRETE SHEET PILING (AT GRADE) – NO WORK TO OCCUR – SEE GENERAL NOTES

PLAN KEY NOTES B

A. COORDINATE LIGHTING LOCATIONS WITH LANDSCAPE PLANTINGS. BUILDING UPLIGHTING SHALL NOT BE OBSTRUCTED BY LANDSCAPE PLANTINGS
B. SITE LIGHTING MUST CONFORM TO THE LOCAL JURISDICTION REQUIREMENTS FOR LIGHTING LEVELS
C. ELECTRICAL FOR BUILDING SIGNAGE AND MONUMENT SIGNAGE SHALL BE PROVIDED AND CONNECTED BY THE CONTRACTOR
D. IRRIGATE ALL LANDSCAPED AREAS WITH AUTOMATIC UNDERGROUND SPRINKLER SYSTEM
E. SOD ALL AREAS NOT WITHIN PLANTING BEDS
F. BUILDING TO HAVE A NON-COMBUSTIBLE INORGANIC "BED" NOT LESS THAN 3'-0" IN WIDTH AROUND ALL SIDES OF PERIMETER
G. INSTALL ACCENT PLANTINGS OF ANNUALS AND PERENNIALS AT MAIN ENTRANCE, BUILDING ENTRY, AND SIGNAGE AREAS
H. MAINTAIN APPROPRIATE SIGHT-LINES AT DRIVEWAY ENTRANCE AND EXITS.
J. PROVIDE DENSE LANDSCAPE SCREENING AT EMERGENCY GENERATOR & TRANSFORMER PAD PER LOCAL UTILITY COMPANY STANDARDS
K. ALL EQUIPMENT (INCLUDING DRYER VENTS) MUST BE SCREENED WITH LANDSCAPING OR OTHER MEANS
L. REFER TO IHG BRAND STANDARDS FOR ADDITIONAL INFORMATION
M. CATCH BASINS ARE TO BE PLACED SO AS NOT TO INTERFERE WITH CLEARANCES AND MAXIMUM SLOPES ALONG DESIGNATED ACCESSIBLE ROUTES
N. SURFACE CONDITIONS AT ACCESSIBLE WALKWAYS AND ACCESSIBLE AREAS (PAVER SYSTEMS AND/OR CONC. SURFACES) SHALL NOT INCLUDE GAPS GREATER THAN 1/2" OR VERTICAL LEVEL CHANGES AT JOINTS OR BETWEEN UNITS GREATER THAN 1/4" – UNLESS THE OVERALL LEVEL CHANGE DOES NOT EXCEED 1/2" AND THE LEVEL CHANGE IS BEVELED AT 1:2
P. POOL & POOL EQUIPMENT ROOM TO BE SUBMITTED UNDER A SEPARATE PERMIT.
Q. POOL TO HAVE CODE COMPLIANT DRAINS W/ DRAIN COVERS. ALL DRAINS MUST MEET ASME/ANSI STANDARDS, AND MEET ANTI-ENTRAPMENT LAWS & REGULATIONS.
R. POOL TO BE MAXIMUM OF 5'-0" DEEP. REFER TO IHG POOL DESIGN GUIDELINES.
S. PROVIDE EMERGENCY LIGHTING AS REQUIRED PER LOCAL CODE.
T. SEAWALL PROTECTIVE HURRICANE BARRIER OVERSEEN BY THE DEPARTMENT OF DEFENSE, U.S. ARMY CORPS OF ENGINEERS. CONTACT U.S.A.C.E. FOR ADDITIONAL INFORMATION. THE FEDERAL PROJECT BUILDING CODES AND STANDARDS SUPERSEDES LOCAL REGULATIONS WHERE OCCURS.

GENERAL NOTES A

MCS ARCHITECTS LLC

DISCLAIMER
THESE REVIEW DRAWINGS WERE PREPARED BY MCS ARCHITECTS (KEITH E. CARLSON NO. 001-016490) FOR REFERENCE ONLY, AND ARE NOT TO BE USED FOR PERMITTING, CONSTRUCTION, BIDDING, OR REGULATORY APPROVAL.

ARCHITECTURE
PLANNING
INTERIORS

3221 WEST ALABAMA
HOUSTON, TEXAS 77098
713/522-1054
713/522-4496 FAX

Home2-Tru Dual Brand Hotel
4302 Seawall Boulevard
Galveston, Texas 77550

SITE PLAN – OVERALL

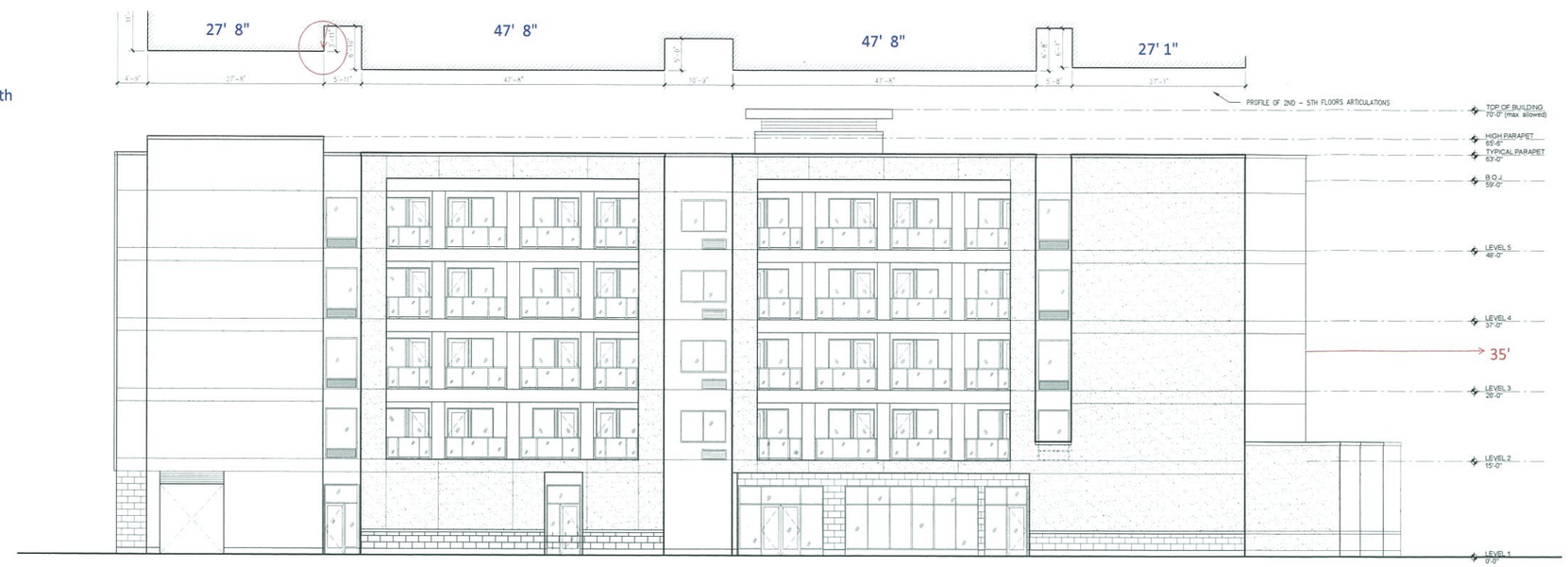
DATE
10/25/18 PLANNING REVIEW
10/26/18 USACE SUBMITTAL #01
11/30/18 PLANNING REVIEW – 2

PROJECT NUMBER: 1811

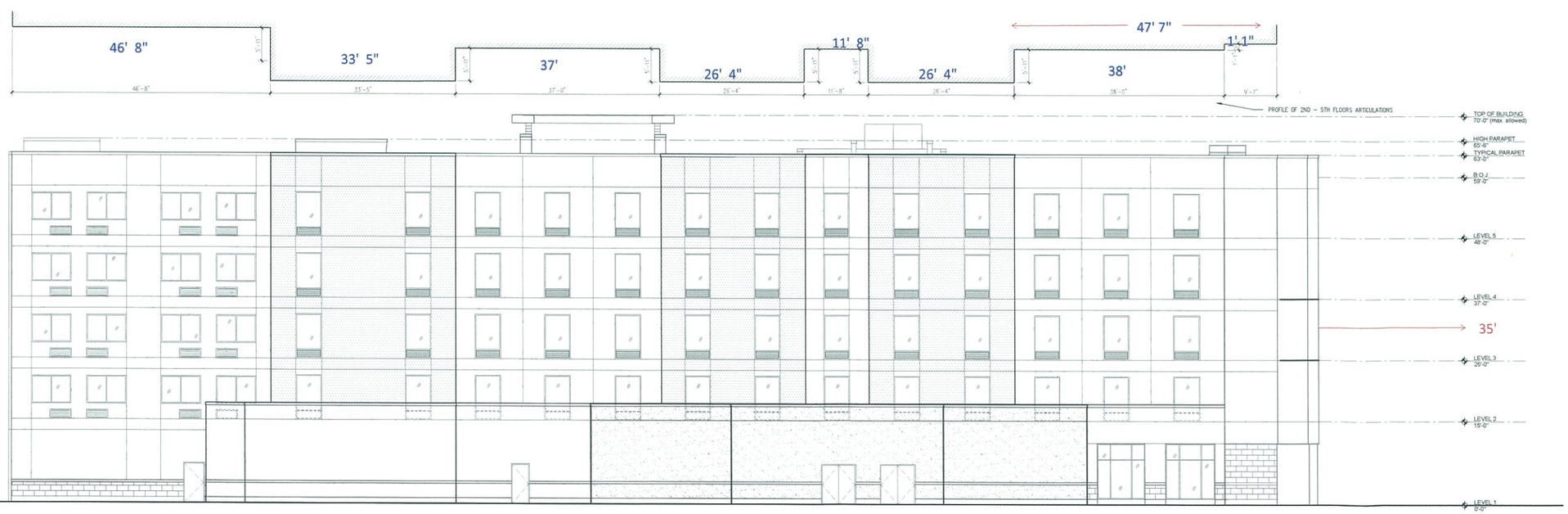
SHEET NUMBER: A1–1

Circles are offset depth

Blue numbers are wall length



EAST ELEVATION 1/8" = 1'-0" 2



SCALE 1/8" = 1'-0"

NORTH ELEVATION 1/8" = 1'-0" 1

MCS ARCHITECTS LLC

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ARCHITECTURE
PLANNING
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3221 WEST ALABAMA
HOUSTON, TEXAS 77098
713/522-1054
713/522-4496 FAX

Home2-Tru Dual Brand Hotel
4302 Seawall Boulevard
Galveston, Texas 77550

EXTERIOR ELEVATIONS:
NORTH & EAST

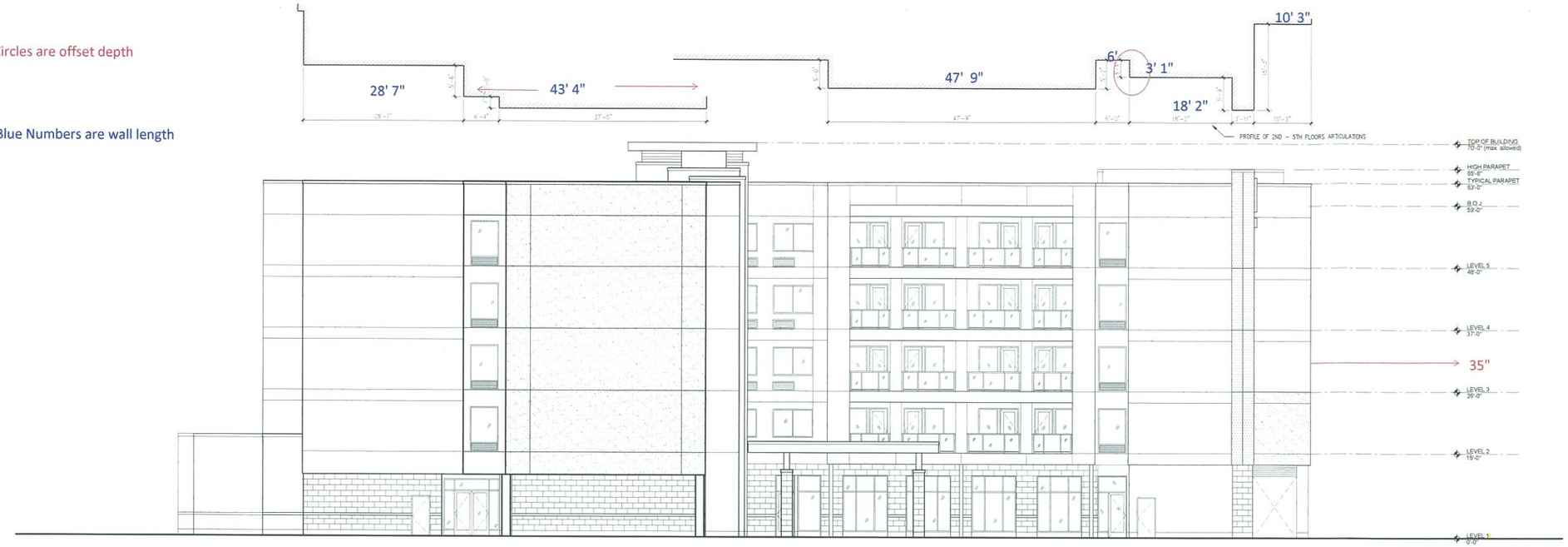
DATE
10/25/18 PLANNING REVIEW
12/05/18 PLANNING REVIEW – #2
12/12/18 ZBA REQUEST FOR VARIANCE

PROJECT NUMBER:
1811

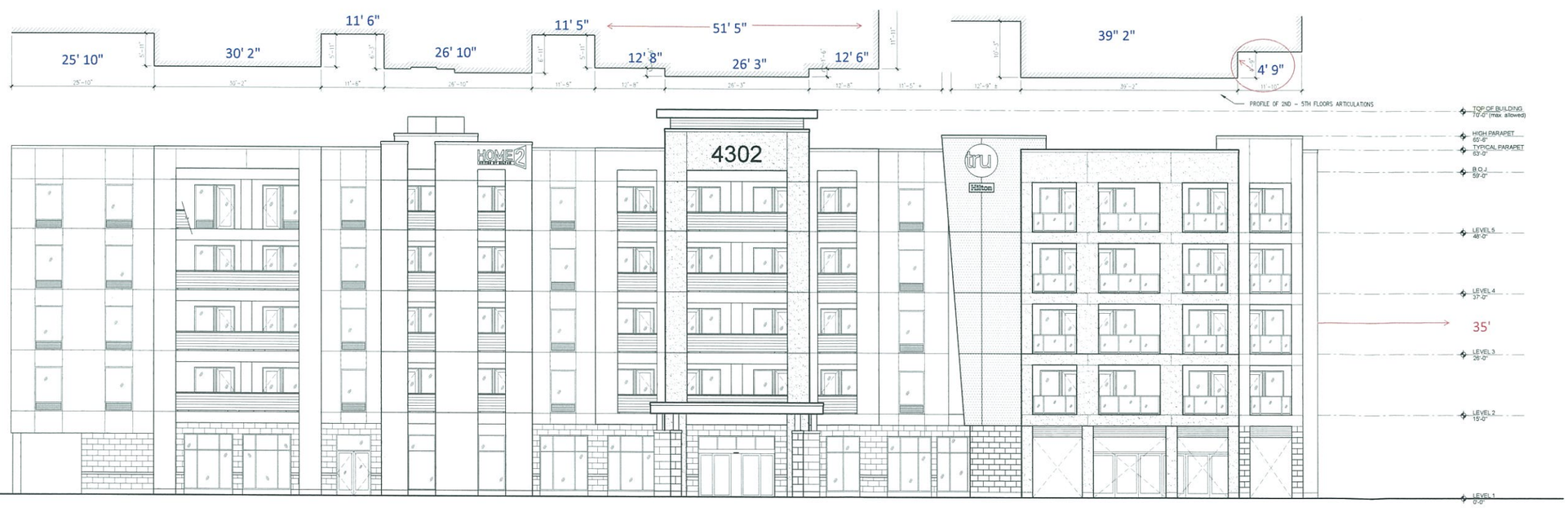
SHEET NUMBER:
A7–2

Circles are offset depth

Blue Numbers are wall length



WEST ELEVATION 1/8" = 1'-0" 2



SCALE: 1/8" = 1'-0"

SOUTH ELEVATION 1/8" = 1'-0" 1

MCS ARCHITECTS LLC

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ARCHITECTURE
PLANNING
INTERIORS

3221 WEST ALABAMA
HOUSTON, TEXAS 77098
713/522-1054
713/522-4496 FAX

Home2-Tru Dual Brand Hotel
4302 Seawall Boulevard
Galveston, Texas 77550

EXTERIOR ELEVATIONS: SOUTH & WEST

DATE
10/25/18 PLANNING REVIEW
12/05/18 PLANNING REVIEW – #2
12/12/18 ZBA REQUEST FOR VARIANCE

PROJECT NUMBER: 1811

SHEET NUMBER: A7–1

Zoning Board of Adjustment
Planning Department
City of Galveston
January 9, 2019

19Z-002 STAFF REPORT

ADDRESS:
2428 Bernardo De Galvez/Avenue P

LEGAL DESCRIPTION:
Property is legally described as Lots 5 through 7 and the South 19-feet of Lot 4, Southwest Block 67, Galveston Outlots, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:
Galveston Condos 1.0 LLC., Clay Conrad

PROPERTY OWNER:
Galveston Condos 1.0 LLC., Clay Conrad

ZONING:
Urban Neighborhood (UN)

REQUEST:
Variance from the Land Development Regulations, Article 3 Addendum for Urban Neighborhood (UN) Lot Area from 2,500 to 2,300.

APPLICABLE ZONING LAND USE
Townhouse

REGULATIONS:
Article 3 Addendum for Urban Neighborhood (UN)

EXHIBITS:
A – Aerial Map
B – Survey
C – Article 3, Addendum for UN
D – Applicants Justification

STAFF:
Janice Norman, Planning Manager
409-797-3670
Jnorman@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
19				

City Department Notification Responses:
No objection from any City department

Executive Summary:
The applicant is requesting a variance from the Galveston Land Development Regulations, Article 3 Addendum for the Urban Neighborhood (UN) regarding minimum lot area. The applicant is converting the existing apartments into townhouses and in order to divide the property into individual lots for each townhouse the applicant can only get 2,300 square foot per lot. The regulations require 2,500 square foot per lot.

Land Development Regulations Article 3 Addendum for Urban Neighborhood (UN):

Minimum Lot Standards
Area: 2,500 square feet

Requested Variance: Lot Area from 2,500 to 2,300 square feet.

SEC. 13.401.B VARIANCES FROM DEVELOPMENT STANDARDS

Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment 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 enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.

3. The variance is not contrary to the public interest, in that:

   a. It does not allow applicants to impair the application of these regulations for:
      i. Self-imposed hardships;
      ii. Hardships based solely on financial considerations, convenience, or inconvenience; or
      iii. Conditions that are alleged to be "special" but that are actually common to many properties within the same zoning district.

   b. The variance will not have a detrimental impact upon:
      i. The current or future use of adjacent properties for purposes for which they are zoned;
      ii. Public infrastructure or services; and
      iii. Public health, safety, morals, and general welfare of the community.

4. The degree of variance allowed from these 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 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 regulations is observed and substantial justice is done.

Zoning and Land Use Table

Location	Zoning	Land Use
Subject Site	Urban Neighborhood (UN)	Townhomes
North	Residential, Single Family (R-3-H)	Residential
South	Commercial (C)	Commercial
East	Residential, Single Family (R-3-H)	Residential
West	Urban Neighborhood (UN)	Residential

Applicant's Justification:
Please see attached Exhibit C.

Please see Agenda for Appeal from Decision of Board Process.

Respectfully submitted,

Janice Norman, Planning Manager — Date: 12/21/18

Catherine Gorman, AICP
Assistant Director/HPO — Date: 1/2/19

Development Services: Planning and Development Division

December 18, 2018

Parcels

1:1,000

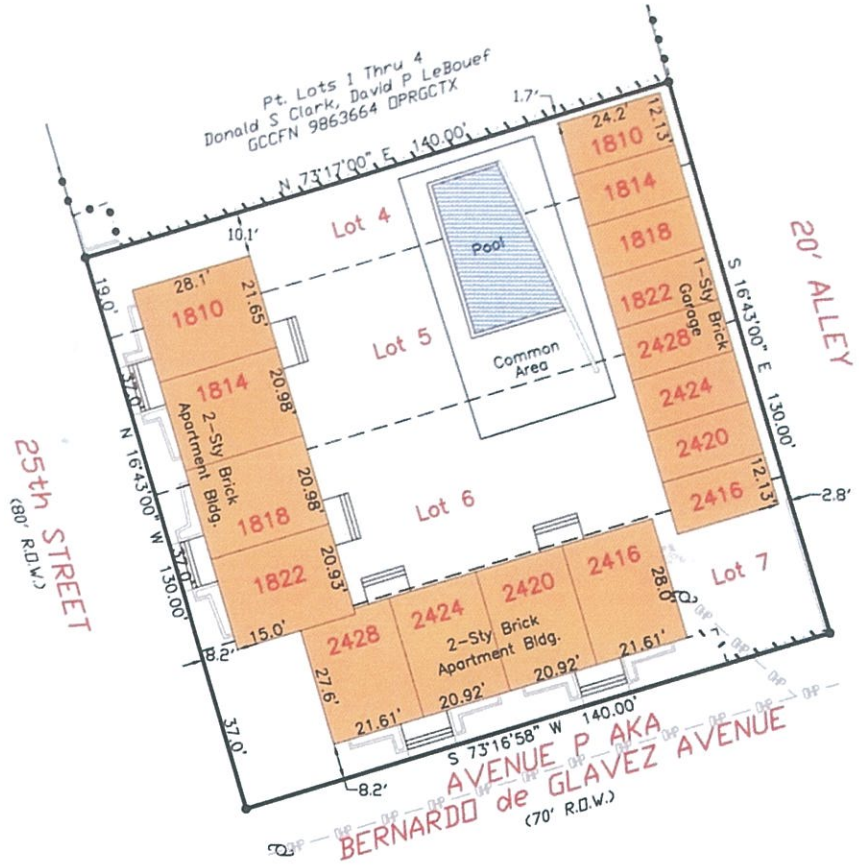
0 0.0075 0.015 0.03 mi

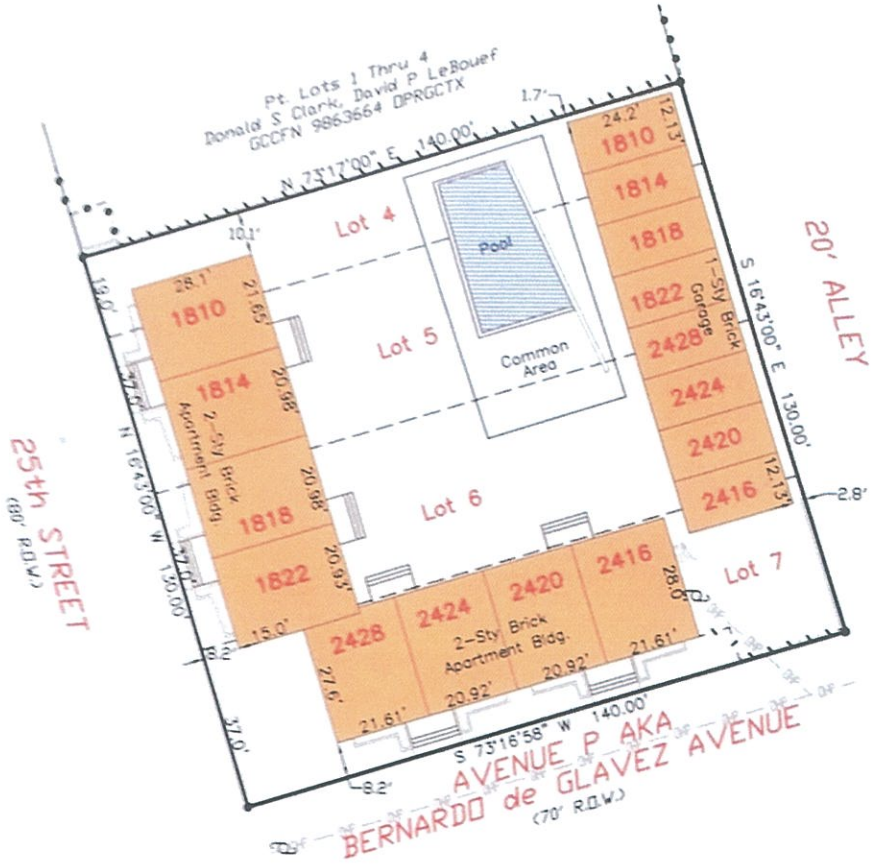
0 40 80 160 Feet

Galveston Central Appraisal District
This data is for informational purposes only 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. Any use of the information, therefore,

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. 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.

Planning and Development Division
City of Galveston


Pt. Lots 1 Thru 4
Donald S Clark, David P LeBouef
GCCFN 9863664 OPRGCTX
N 73°17'00" E 140.00'
S 73°16'58" W 140.00'
N 16°43'00" W 130.00'
S 16°43'00" E 130.00'
Lot 4
Lot 5
Lot 6
Lot 7
Pool
Common Area
1810
1814
1818
1822
2428
2424
2420
2416
2-Sty Brick Apartment Bldg.
1-Sty Brick Garage
25th STREET
(80' R.O.W.)
20' ALLEY
AVENUE P AKA
BERNARDO de GLAVEZ AVENUE
(70' R.O.W.)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URBAN NEIGHBORHOOD (UN)

Notes:

1. A site plan is required prior to the issuance of a building permit.
2. No side or rear yard required when adjacent to a canal or body of water or to an alley or rights-of-way.
3. New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm.
4. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
5. Building facades shall include appropriate architectural details and ornament to create variety and interest.
6. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.
7. Encroachments: Canopies, signs, awnings, balconies and similar overhangs may encroach over any required setback, build-to-line or the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over any side or rear property line.
8. Average Front Yard Setback: Where 30 percent of buildings on one side of a street, on a single block, are built with 10 feet or less front yard setback, the average setback of the structures shall be the required setback.
9. Zoning setbacks may be inconsistent with Building Code. Refer to Building Division to determine final building and fire code setbacks.
10. Any outdoor storage areas accessory to the main use shall be enclosed by a solid masonry or concrete wall, or a wood fence, and shall not be less than 6 feet nor more than 8 feet in height.

Minimum Lot Standards

Area:	2,500 square feet
Width:	0 feet
Depth:	0 feet

Setbacks

Front:	0 feet
Side:	0 feet
Rear:	0 feet

Building Height

Maximum:	50 feet, measured from base flood elevation

Parking

Residential:	None required; Maximum 1.5 spaces per unit
Non-Residential:	Minimum 1 space per 1,500 square feet of floor area
Lodging:	1 space per unit

Landscaping

Refer to Article 9, Landscaping of the City Land Development Regulations

14th Street Corridor

The table on Page 3-15 will govern land uses within the 14th Street UN corridor.

Parking Structure/Lot Incidental to Main Use = Permitted Use; Home Based Occupation/Business = Permitted Use

Application for Zoning Board of Adjustments on 2428 Bernardo De Galvez

Exhibit "A"

To whom it may concern.

We are requesting a variance for 2428 Bernardo De Galvez. The mandated square footage for a townhome community in Galveston is 2,500 square feet per individual parcel. The lot total lot size for all 8 units is 18,445 square feet. Allotting 2,300 square feet lots; a mere 200 square feet short of the mandated 2500. The units have shared firewalls and roof. Typical for a townhouse.

The lot size can only be divided up 8 ways because the property only has 8 homes.

We feel a Townhome community is more cohesive with the neighborhood, which currently doesn't contain condominiums. We feel a divided interest of a condominium would create an investor atmosphere rather than a place where a Galvestonian could make their home. The surrounding properties are single family in nature. Granting this variance would help maintain that neighborhood culture. The property's characteristics favor that of a townhome more than that of condominiums, with front porches, individual entrances to each home, yards, pool and detached individual garages. The front of the homes has planters and green space. There is very little shared interest in property. Further, the lots fall a mere 200 square feet below the 2,500 square foot lot requirement.

We hope you agree that granting townhomes to this site is a better fit for this neighborhood and the characteristics of these properties.

Sincerely,

Clay Conrad