

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
4:00 p.m. Wednesday, August, 4 2021
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

Members of the public may participate in the meeting in the following ways:

1. Attend the Zoom meeting by registering in advance. Click here to register:

https://us02web.zoom.us/webinar/register/WN_DplWxyYeQkqCqHz7_e0eEw

2. Attend the meeting in person at the above address.

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes
- A. June 9, 2021

Documents:

[06-09-2021 ZBA MINUTES.PDF](#)

5. Meeting Format (Staff)
6. Request To Address Board On Agenda Items Without Public Hearings And Non-Agenda Items (Three-Minute Maximum Per Speaker. If Speaking Through A Translator, Six-Minute Maximum Per Speaker)
7. New Business And Associated Public Hearings
- A. 21Z-009 (4235 Las Palmas) Request For A Special Exception From The Galveston Land Development Regulations, Article 3, District Yard, Lot And Setback Addendum, For The Residential, Single-Family (R-1) Zoning District, To Reduce The Front Yard Setback. Property Is Legally Described As Lot 81, Block 1, Palm Beach Subdivision, In The City And County Of Galveston, Texas. Applicant And Property Owner: Bendel Rushing

Documents:

[21Z-009 - STF PKT.PDF](#)

- B. 21Z-010 (23107 Marina) Request For A Variance From The Galveston Land Development Regulations, Article 3, District Yard, Lot And Setback Addendum, For The Residential, Single-Family (R-1) Zoning District, To Reduce The Rear Yard Setback. Property Is Legally Described As Lot 3, Acres 0.119, Terramar Cove (2009), In The City And County Of Galveston, Texas. Applicant: Gust George Property Owner: Maxim Construction

Documents:

[21Z-010 - STF PKT.PDF](#)

8. Discussion Items

- A. Change Meeting Start Time To 3:30pm (Staff)
- B. Discussion Of Reconsideration Procedures (Staff)

9. 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 July 29, 2021 at 9:30 A.M.

Prepared by: Patrick Collins, 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 – June 9, 2021

CALL MEETING TO ORDER

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

ATTENDANCE

Members Present:	Lidija Bikova, Bill Clement, Barbara Railey, Susan Syler (Alternate), CM Bill Quiroga (Ex-Officio)
Members Present via Videoconference:	Alice Watford (Alternate)
Members Absent:	Andrew Galletti, Robert Girndt
Staff Present:	Catherine Gorman, AICP, Assistant Director/Historic Preservation Officer; Donna Fairweather, Assistant City Attorney; Patrick Collins, Planning Technician
Staff Present via Telephone:	Adriel Montalvan, Planning Manager

CONFLICT OF INTEREST

None.

APPROVAL OF MINUTES

The May 5, 2021 minutes were approved as presented.

MEETING FORMAT

Staff explained the adjusted meeting format to the Board and the public.

PUBLIC COMMENT

None.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

21Z-008 (1811 61st Street) Request for a variance from the Galveston Land Development Regulations, Article 3, Commercial (C) Addendum, District Yard, Lot and Setback Standards, to reduce the required side yard setback in a Commercial zoning district. Property is legally described as part of Lot 45 (45-2), Section 1 of Trimble and Lindsey, in the City and County of Galveston, Texas.
Applicant and Property Owner: Jason Reuter

Staff presented the staff report and reported that of 6 notices sent, none were returned.

Acting-Chairperson Bill Clement opened the public hearing on the case. Jason Reuter, applicant, presented to the Board. For a list of presentations to the Board, please refer to the attached sign-in sheet. The public hearing was closed, and the Chairperson called for a motion.

Susan Syler made a motion for approval. Barbara Railey seconded.

Acting-Chairperson Bill Clement called for questions or comments from the Board, and the following votes were cast:

In favor:	Railey, Syler (Alternate), Watford (Alternate)
Opposed:	Clement
Abstain:	Bikova
Absent:	Galletti, Girndt
Non-voting participant:	CM Quiroga (Ex-Officio)

The motion failed due to a lack of four affirmative votes.

THE MEETING ADJOURNED AT 4:44 PM





21Z-009

STAFF REPORT

ADDRESS:

4235 Las Palmas

LEGAL DESCRIPTION:

Property is legally described as Lot 81, Block 1, Palm Beach, a Subdivision in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Bendel Rushing

PROPERTY OWNER:

Bendel Rushing

ZONING:

Residential, Single-Family (R-1)

SPECIAL EXCEPTION REQUEST:

Front Setback

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single-Family District, Setbacks

EXHIBITS:

A – Applicant's Submittal

STAFF:

Daniel Lunsford

Planner

409-797-3659

dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
25				

City Department Notification Responses: None



Executive Summary:

The applicant is requesting a special exception from Article 3, Addendum in order to reduce the required front setback facing Las Palmas Street from twenty feet to ten feet in order to have more buildable area. The lot is approximately 100 feet wide and 80 feet deep, with dune systems and associated buffer requiring approximately 70 to 75 feet of width (see Attachment A).

The applicant previously made a variance request on April 7, 2021 under case 21Z-003; however, the motion failed due to lack of four affirmative votes (no action taken). The applicant has submitted a new request for a special exception.

Setback Requirements **Article 3, District Yard, Lot and Setback Standards, Addendum for Single-Family Residential (R-1):**
Front: 20 feet
Side: 3 feet
Rear: 10 feet

Special Exception

Setback	Regulation	Proposed Setback
Front (facing Las Palmas)	20 feet	10 feet

Land Development Requirements

SEC. 12.401(2)(a) Special Exceptions

1. 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 Zoning Board of Adjustment but is limited exclusively to those exceptions specifically enumerated in these regulations. The Zoning Board of Adjustment shall grant a special exception only in the following instances and then only when the Zoning Board of Adjustment 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. Front and rear yard requirements in the following circumstances:
 - i. A front yard exception where the front yard setback of the adjacent lot does not meet the front yard requirements of these regulations;
 - ii. A rear yard exception where the rear yard setback of any two or more lots in the same block do not meet the rear yard requirements of these regulations;
 - iii. A yard exception on corner lots, or lots opposite or adjoining permanent open spaces, including parks and playgrounds; and
 - iv. An exception where the existing front yard setbacks of the various lots in the same block are not uniform, so that any one of the existing front yard setbacks shall, for a building hereafter constructed or extended, be the required minimum front yard depth.

Approval Standards. The Board of Adjustment may grant a special exception as provided in Section 12.401(2)(a) and when the Zoning Board of Adjustment 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.

Applicants' Justification

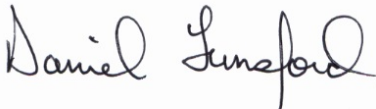
The Applicant's Justification is as follows:

The adjacent lots have setbacks less than 20 feet. The home to the east sits 5.4 feet from the property line. The home to the north sits 12' from the property lines. The home that is 3 homes to the north on the same block is 10 ft from the property line as well as the adjacent home to the east being at less than 6 feet from the property line. Both of those homes are on the same block.

By granting this special exception, it will allow me to build a home and at the same time minimize the footprint that will be directly in front of the home directly adjacent to the north. The homes in this neighborhood were staggered so as not to sit directly in front of the ones next door. With the special exception, it allows me to do the same and not totally block the view of that home.

Please see Agenda for Appeal from Decision of Board Process.

Respectfully submitted,



Daniel Lunsford
Planner

07/23/2021

Date

07/23/2021

Catherine Gorman, AICP
Assistant Director/HPO

Date

4235 Las Palmas

The property being addressed has been in our family since it was purchased in 1977. In addition, we own 2 beach homes in Palm Beach on Las Palmas and have been a part of this community since 1960. Having paid taxes on this lot for over 40 years, it has always been our intent to build on it but financial circumstances prevented that until the past few years.

In 1990 or so, Pirates Beach installed a sand sock to help with beach dune erosion. It had a gap between their 2 neighborhoods where the neighborhood of Palm Beach lies. As members of this neighborhood, we paid to have it installed along our stretch of the beach so that it would be one solid barrier. In 2008, Hurricane Ike destroyed the dunes on the beach and all that was left was an exposed sand sock. All of the surrounding sand as well as a great deal of sand from under the surrounding homes was washed inland, covering the roads.

Prior to Hurricane Ike, Las Palmas Street turned east and ran in front of the property in question and connected with Vista Road, the parallel road in Palm Beach. It was not uncommon to have multiple cars parking off that part of the street and on the vacant lot. As owners of the property, we had posts installed marking the property to help keep people from parking on the lot while visiting the beach. Those posts are still there today.

After the storm, the asphalt was washed away and the road was not visible. The city/county/state began using front-end loaders and bulldozers to remove the sand from the roads including Las Palmas and pushed it back towards the previous dune system. In doing so, they ensured that Las Palmas Street would no longer join with Vista Street but would dead end into the dunes. They also pushed sand onto this lot at the end of Las Palmas. We were not concerned at the time because we felt it would help keep people from parking at the end of the street. There was no sand pushed on any of the surrounding beachfront lots in the neighborhood because they all had homes already and the owners would not have wanted that.

A birds-eye view of the "dune line" along the beach is pretty straight and the depth is fairly constant except when it comes to this lot. That is because they pushed sand on to the lot after Hurricane Ike that should never have been put there.

I began making plans to build a home on the lot in the Spring of 2019 and decided to push the sand off of the lot and into the "dune system" where it should have been all along. I hired a guy to push it to the edge of the posts that mark the southerly property line. My plan was then to hire an architect and a builder to design a house that complied with the building restrictions. I was in the process of doing that when I was stopped and informed that I would need to have these permits approved.

I am asking for an allowance of 10' to build closer to Las Palmas Street than the 20' building offset. Because of the placement of sand and the creation of a man made dune on the property, roughly 60% of the property is encumbered in some way by either the GLO or City of Galveston Land Use Regulations. In order to build a home with pavement under it sufficient for a garage, outdoor shower, and the entry way under the house, the house placement needs to be further West than the 20' offset. It also lessens the impact to the adjacent home to the North by not totally obstructing it's view. This will be the last house on the street prior to the beach and I also feel it is in the best interest of everyone to put as little driveway and paving materials down as possible. That way the area is more natural and in the event of a storm, there will be less debris to clean up. The home directly adjacent to this lot to the East that is beachfront, was built 5.4 feet from the property line to the south along Las Palmas when the road existed. The adjacent property to the North sits 12 feet from the existing property line. Numerous other homes on Las Palmas lie well inside of the 20' BL because they were constructed before that line existed, including 3 of the 5 homes immediately North of the property. 4227 Las Palmas, 3 homes to the North sits 10' from the BL.

The Galveston Land Development Regulations state in 12.401:

Special Exceptions. 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 Zoning Board of Adjustment but is limited exclusively to those exceptions specifically enumerated in these regulations. The Zoning Board of Adjustment shall grant a special exception only in the following instances and then only when the Zoning Board of Adjustment 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. Front and rear yard requirements in the following circumstances:

i. A front yard exception where the front yard setback of the adjacent lot does not meet the front yard requirements of these regulations;

ii. A rear yard exception where the rear yard setback of any two or more lots in the same block do not meet the rear yard requirements of these regulations;

iii. A yard exception on corner lots, or lots opposite or adjoining permanent open spaces, including parks and playgrounds; and

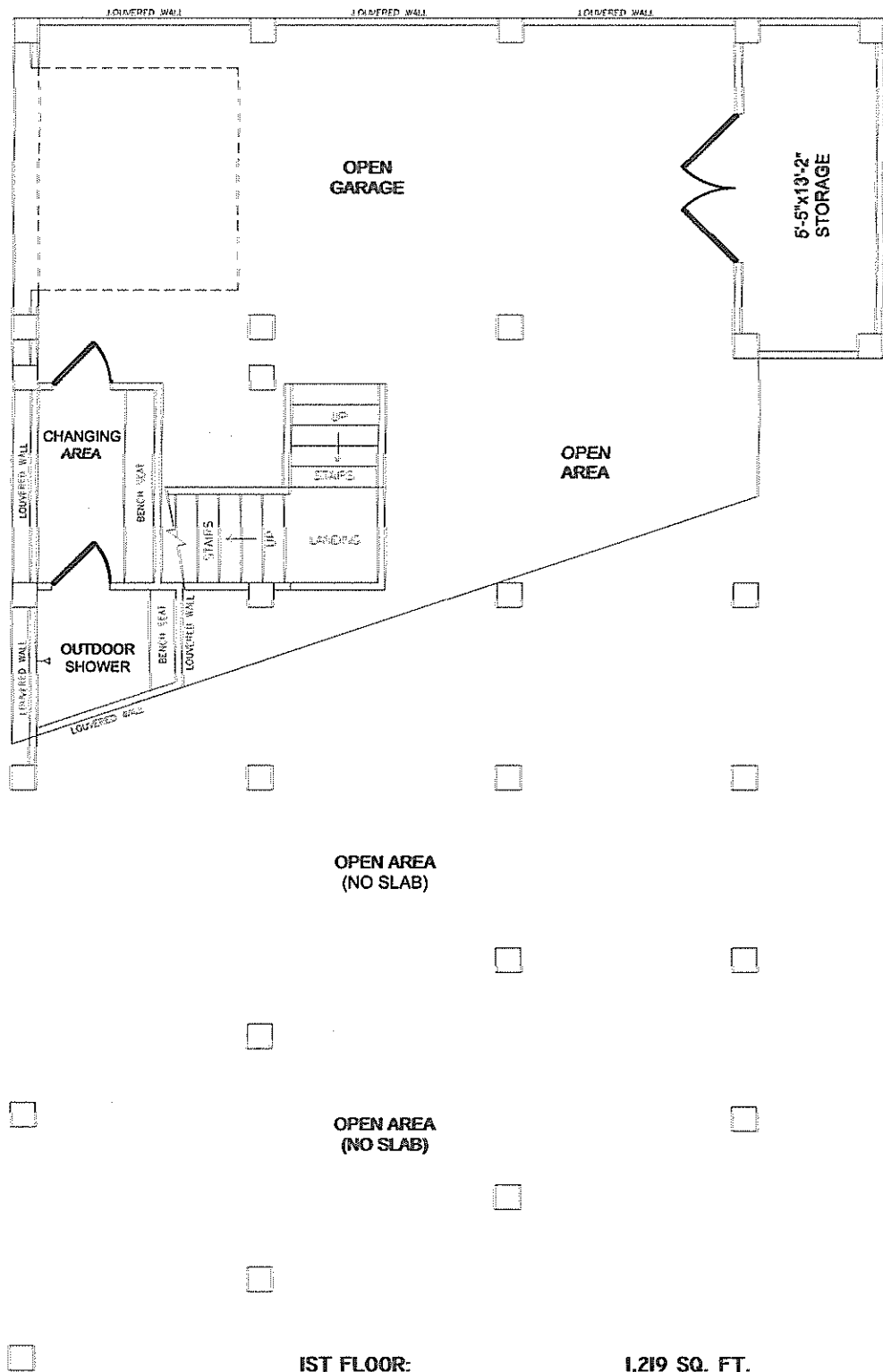
iv. An exception where the existing front yard setbacks of the various lots in the same block are not uniform, so that any one of the existing front yard setbacks shall, for a building hereafter constructed or extended, be the required minimum front yard depth.

I appreciate your time and consideration and look forward to working with the necessary agencies to make this happen ASAP.

Thanks,

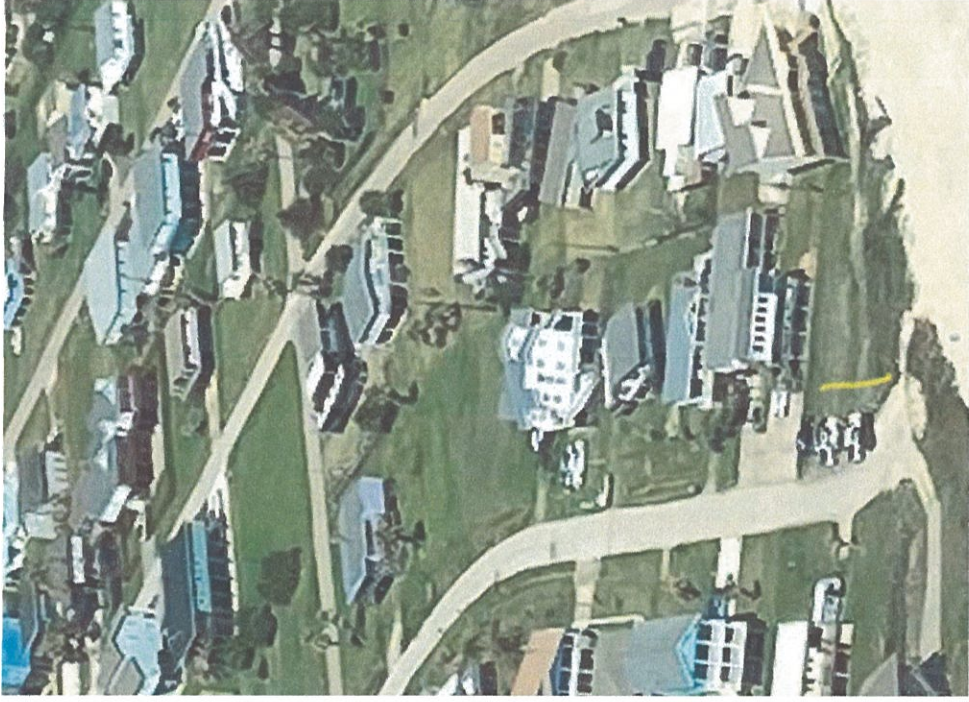
Bendel Rushing
303 Meadow Trail Ct
Friendswood, TX 77546
832-567-8757

GROUND FLOOR PLAN



IST FLOOR:	1,219 SQ. FT.
2ND FLOOR:	1,134 SQ. FT.
TOTAL LIVING AREA:	2,353 SQ. FT.
IST FL. FRONT COV. DECK:	281 SQ. FT.
2ND FL. REAR COV. DECK:	281 SQ. FT.





10' from Property Line



10' from Property Line



Zoom in Looking North



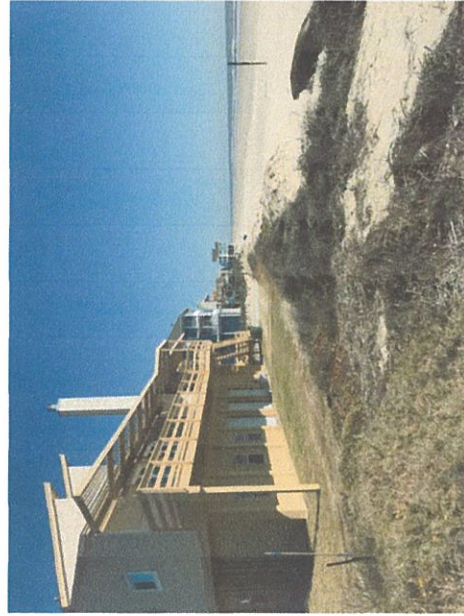
Full View Looking North



Properties North with Variances



Standing on Property Line Looking North



East Neighbor with Variance

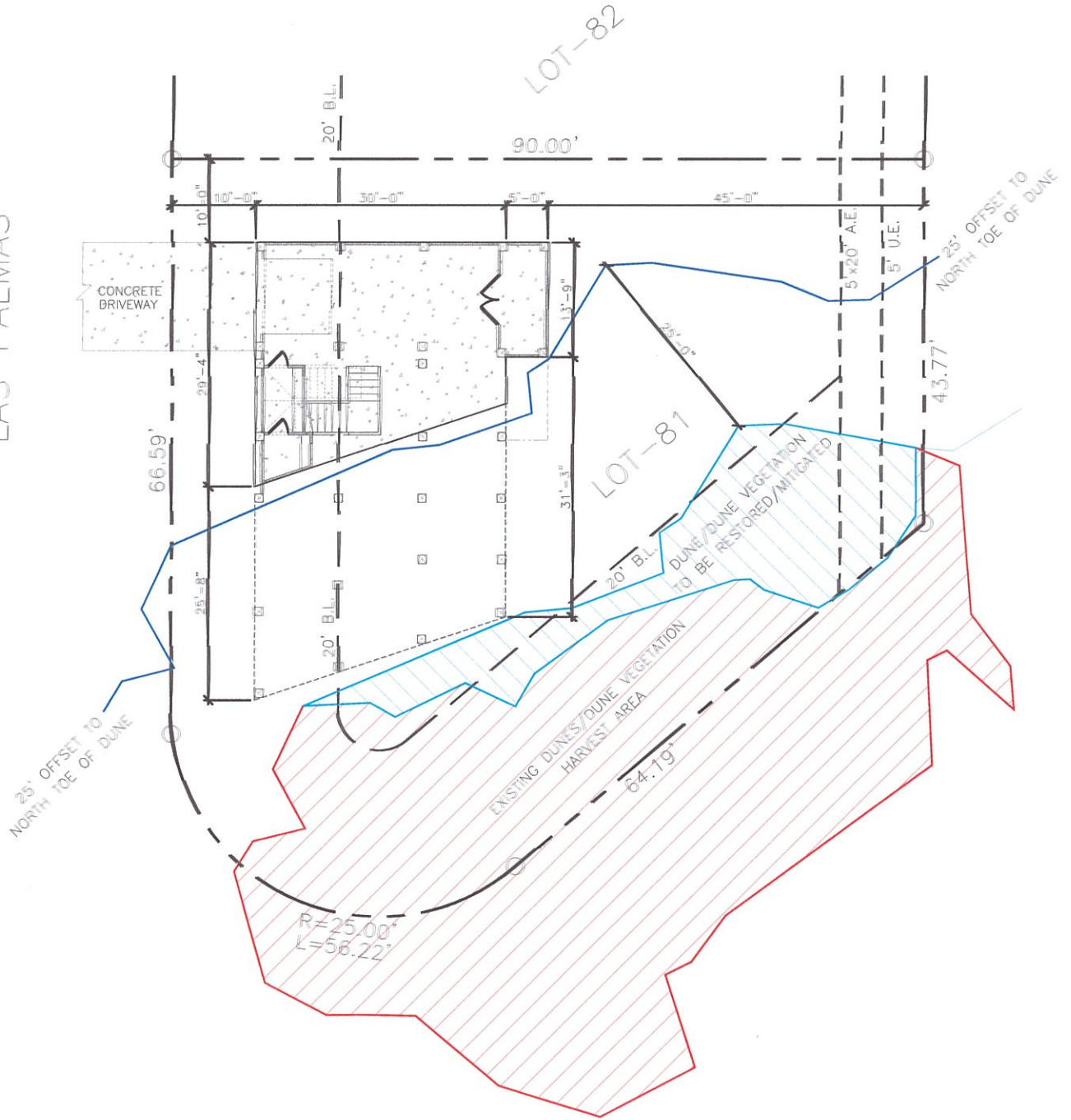


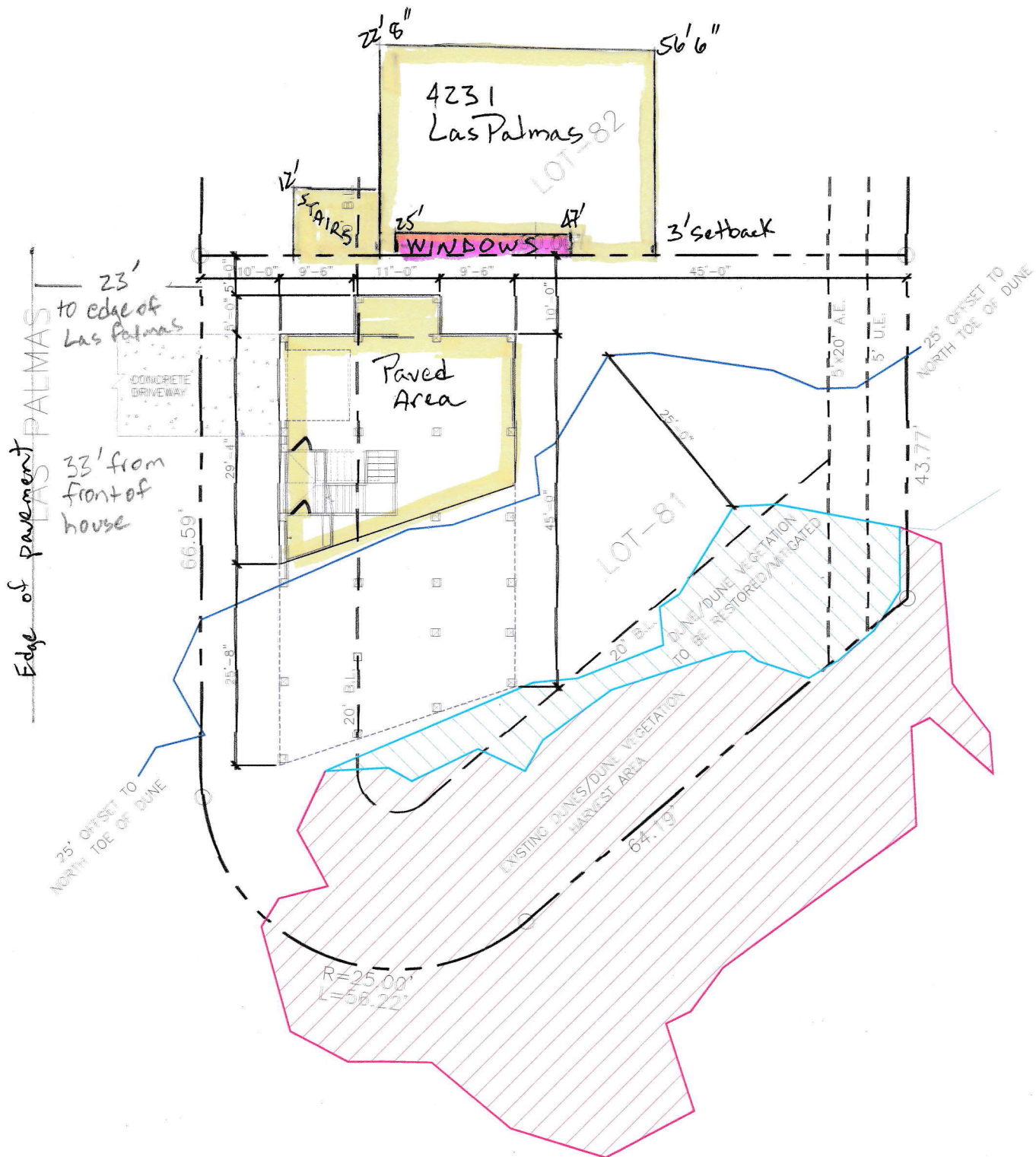
Stake at Property Line



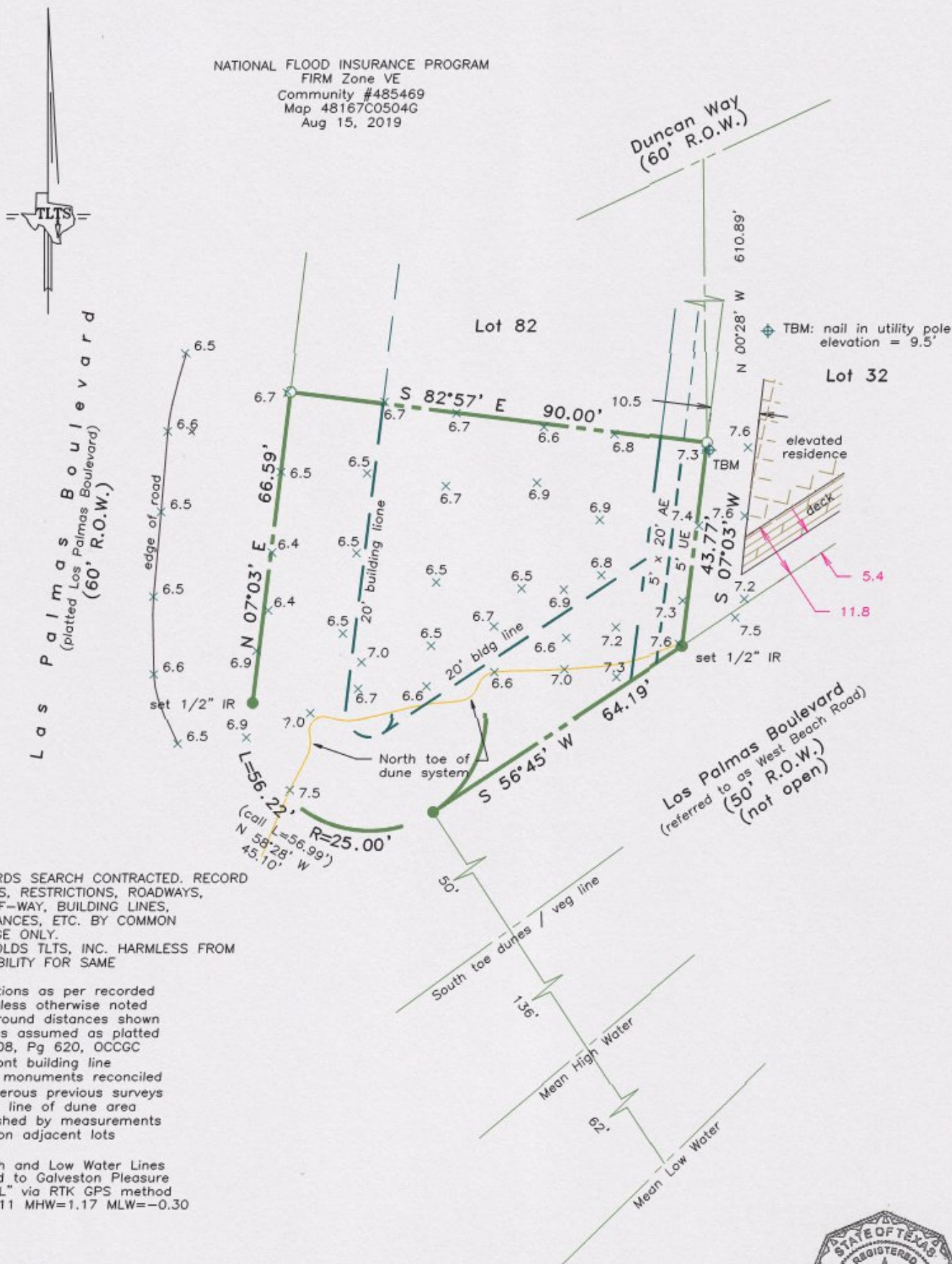
Looking South From Adjacent Property

LAS PALMAS





The site plan illustrates the layout for Lot 82 and Lot 81. Lot 82, located at the top, contains a proposed building footprint with a concrete driveway to the left. The building is surrounded by a 20-foot buffer (B.L.). The lot dimensions are 90.00' wide and 66.59' deep. A 25-foot offset to the north toe of the dune is indicated. Lot 81, located below Lot 82, is divided into two main areas: 'EXISTING DUNES/DUNE VEGETATION HARVEST AREA' (shaded in red) and 'DUNE/DUNE VEGETATION TO BE RESTORED/MITIGATED' (shaded in cyan). The boundary between the two areas is a dashed line. The restored area is further defined by a solid line. The lot dimensions for Lot 81 are 43.77' wide and 64.19' deep. A 20-foot buffer (B.L.) is shown along the boundary between the two lots. A curved boundary with a radius of R=25.00' and a length of L=56.22' is shown at the bottom left. A 25-foot offset to the north toe of the dune is also indicated on the right side.

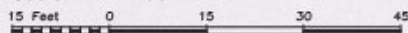


NOTES:
NO RECORDS SEARCH CONTRACTED. RECORD EASEMENTS, RESTRICTIONS, ROADWAYS, RIGHTS-OF-WAY, BUILDING LINES, ENCUMBRANCES, ETC. BY COMMON KNOWLEDGE ONLY.
CLIENT HOLDS TLTS, INC. HARMLESS FROM RESPONSIBILITY FOR SAME

- Restrictions as per recorded plat unless otherwise noted
- True ground distances shown
- Bearings assumed as platted
- Vol 1408, Pg 620, OCCGC
- :20' front building line
- Survey monuments reconciled w/numerous previous surveys
- Natural line of dune area established by measurements taken on adjacent lots

Mean High and Low Water Lines referenced to Galveston Pleasure Pier "WALL" via RTK GPS method
WALL=14.11 MHW=1.17 MLW=-0.30

Scale: 1" = 30'



Vacant property: 4235 Los Palmas Boulevard
Galveston County, Texas

This survey is certified for this transaction only and may only be relied on by and Bendel Sevil Rushing, Jr. and D E Custom Homes, Inc.. This survey is only valid if print has original seal and signature of surveyor.

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.



Laurence C. Wall

Laurence C. Wall
RPLS #4814
September 8, 2020

LAND TITLE SURVEY OF A TRACT OF LAND being Lot 81, in Block 1, of PALM BEACH, TEXAS, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 79, in the Office of the County Clerk of Galveston County, Texas.



TLTS, Inc.
TEXAS LAND TITLE SURVEYORS
1801 Moody Avenue
Galveston, Texas 77550
(409) 765-8883

SUBJECT SITE LOOKING NORTH





LAS PALMAS LOOKING NORTH

SUBJECT SITE LOOKING EAST





Full View Looking North



Properties North with Variances



Standing on Property Line Looking North



East Neighbor with Variance



Stake at Property Line



Looking South From Adjacent Property



View Along Las Palmas Looking North



Adjacent Properties on Las Palmas



10' from Property Line



10' from Property Line



Zoom in Looking North

ZBA Motion Guide – Special Exceptions

Setbacks

The Zoning Board of Adjustment (ZBA) may grant a Special Exception to reduce the required front or rear setback in the following circumstances:

- A front yard exception where the front yard setback of the adjacent lot does not meet the front yard requirements of these regulations;
- A rear yard exception where the rear yard setback of any two or more lots in the same block do not meet the rear yard requirements of these regulations;
- A yard exception on corner lots, or lots opposite or adjoining permanent open spaces, including parks and playgrounds; and
- An exception where the existing front yard setbacks of the various lots in the same block are not uniform, so that any one of the existing front yard setbacks shall, for a building hereafter constructed or extended, be the required minimum front yard depth.

In order to approved, the ZBA must find the following:

- such special exception will not affect adversely the value and use of adjacent and neighboring property; or
- be contrary to the public interest.

Motion Guides:

I make a motion for **Approval** due to the fact that the request *(state one of more of the following)*:

- will not affect adversely the value and use of adjacent and neighboring property; or
- will not be contrary to the public interest.

I make a motion for **Denial** due to the fact that the request *(state one of more of the following)*:

- will affect adversely the value and use of adjacent and neighboring property; or
- is contrary to the public interest.

I make a motion for **Deferral** to the *Meeting Date* in order for *Reason for Deferral*.

Examples: I make a motion for deferral to the October 9, 2019 meeting in order for more board members to be in attendance.

I make a motion for deferral to the October 9, 2019 meeting in order for the applicant to provide additional information.

Zoning Board of Adjustment

Planning Department

City of Galveston

August 4, 2021



21Z-010

STAFF REPORT

ADDRESS:

23107 Marina

LEGAL DESCRIPTION:

Property is legally described as Lot 3, Acres 0.119, Terramar Cove (2009), in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Gust George

PROPERTY OWNER:

Maxim Construction

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Encroachment of rear yard setback

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single-Family District, Setbacks

EXHIBITS:

A - Aerial Map

B - As-Built Survey

B - Approved Site Plan/Survey

STAFF:

Adriel Montalvan

Planning Manager

409-797-3645

amontalvan@yahoo.com

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
22				

City Department Notification Responses:

No objections



Background:

A building permit for the new construction at the subject address was issued in November 2020. In July 2021, during the Certificate of Occupancy process, an as-built survey submitted shows that the house was built 1.3 feet into the required rear yard setback, as shown in Exhibit B.

Executive Summary:

The applicant is requesting a variance from Article 3, Residential, Single-Family (R-1) Addendum to retain a portion of the main house which encroaches 1.3 feet into the required rear setback of 10 feet.

Setback Requirements **Article 3, District Yard, Lot and Setback Standards, Addendum for Single-Family Residential (R-1)**
Front: 20 feet
Side: 3 feet
Rear: 10 feet

Requested Variance	Setback Location	Required Setback	Proposed Variance (Encroachment)
	Rear	10 feet	1.3 feet

Land Development Requirements

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:
 - 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.
 - b. 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 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.

Applicants' Justification

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.**

Lots in this area are generally smaller with less room to build on, thus, leaving very little wiggle room for errors. A previous build I did in the same zoning district I did a few blocks over did not have a rear build line.

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.**

If I had to cut the roof line or remove a wall, it would compromise the structural integrity of the entire house.

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

The public interest would not be affected as the view of the adjacent lot would remain the same.

- 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.**

The pins for the property lines could not be located, so we used the stakes that were provided by the surveyor, only to find out the stakes were 10 to 12 inches away from the actual pins. As mentioned before, our previous lot on Buena (Lot 25, sec. 2, Terramar) did not have a rear build line, only a utility easement.

- 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.**

The variance cannot be viewed or seen with the naked eye and special instrumentation must be used. Adjacent properties will not be affected and all morals and general welfare of the community will remain intact. There will be no detrimental impact on any of the above.

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.**

The permanent structure will be absolutely compromised and will cause the entire structural integrity to be diminished.

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).

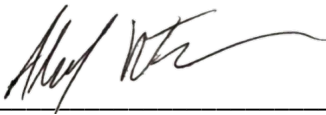
If the variance is granted, we will no longer use stakes as a place hold for the lot line. We will pay to have build lines marked on the lot.

6. By granting the variance, the spirit of these Land Development Regulations is observed and substantial justice is done.

Yes, as there are no impacts on the public infrastructure or public health.

Please see Agenda for Appeal from Decision of Board Process.

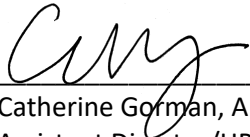
Respectfully submitted,



Adriel Montalvan
Planning Manager

07/19/2021

Date



Catherine Gorman, AICP
Assistant Director/HPO

07/19/2021

Date

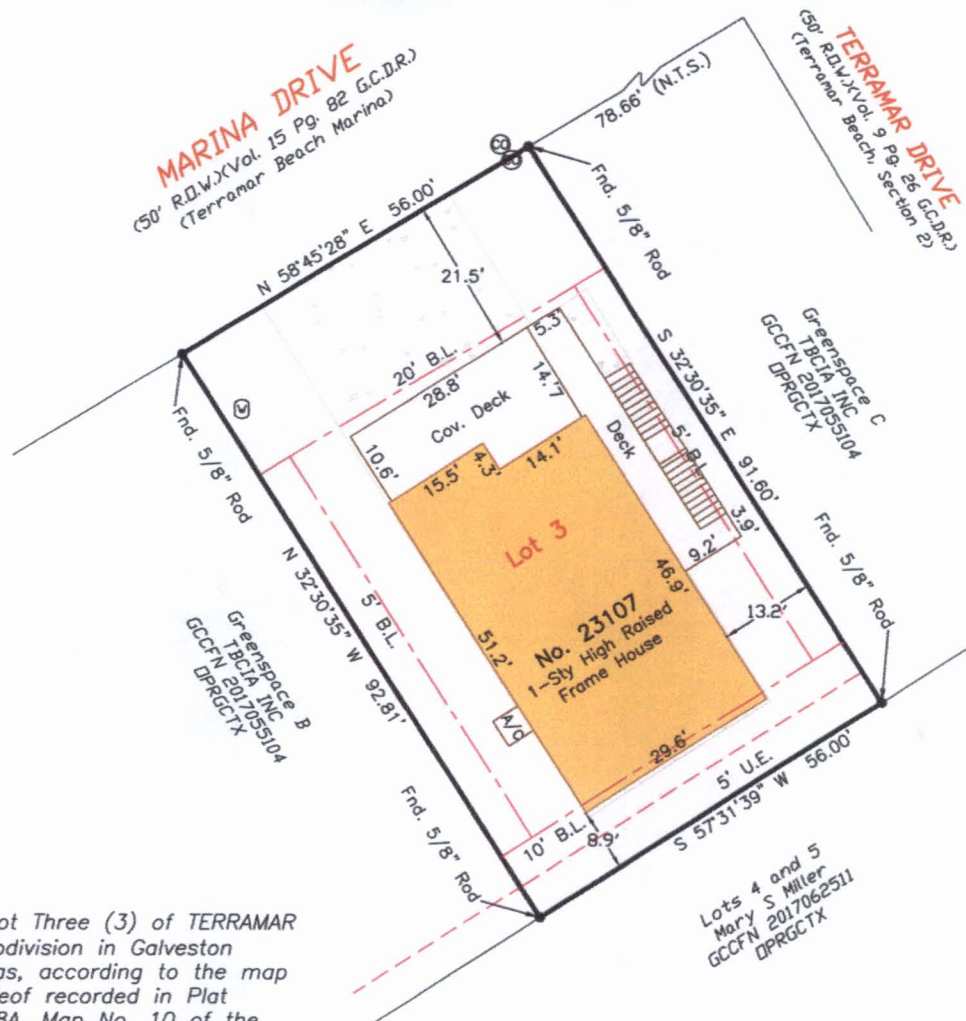


This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages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

Legend

Parcels

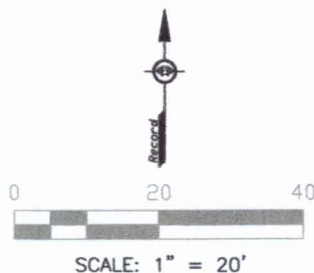




Survey of Lot Three (3) of TERRAMAR COVE, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2008A, Map No. 10 of the Map Records of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brene Addison
Brene Addison
Registered Professional
Land Surveyor No. 6598



NOTES:

- 1) This property is subject to the building and zoning ordinances of the City of Galveston.
- 2) This property lies within Zone VE (EL 14) as established by the FEMA Flood Insurance Rate Map No. 48167C0493G, Dated August 15, 2019.
- 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA and/or the local power company.
- 4) Bearings are based on the monumentation of the Southeast right-of-way line of Miramar Drive.

Surveyed without the benefit of a title commitment. This property may be subject to matters of record not shown hereon that might be revealed by title report or title commitment.

Legend:

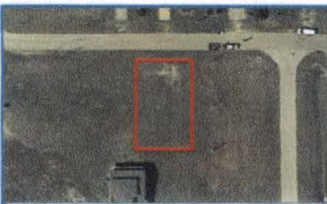
- Asphalt
- (N.T.S.) Not to Scale
- B.L. Building Setback Line
- U.E. Utility Easement
- Building Line
- Easement Line
- Clean-out
- Water Meter

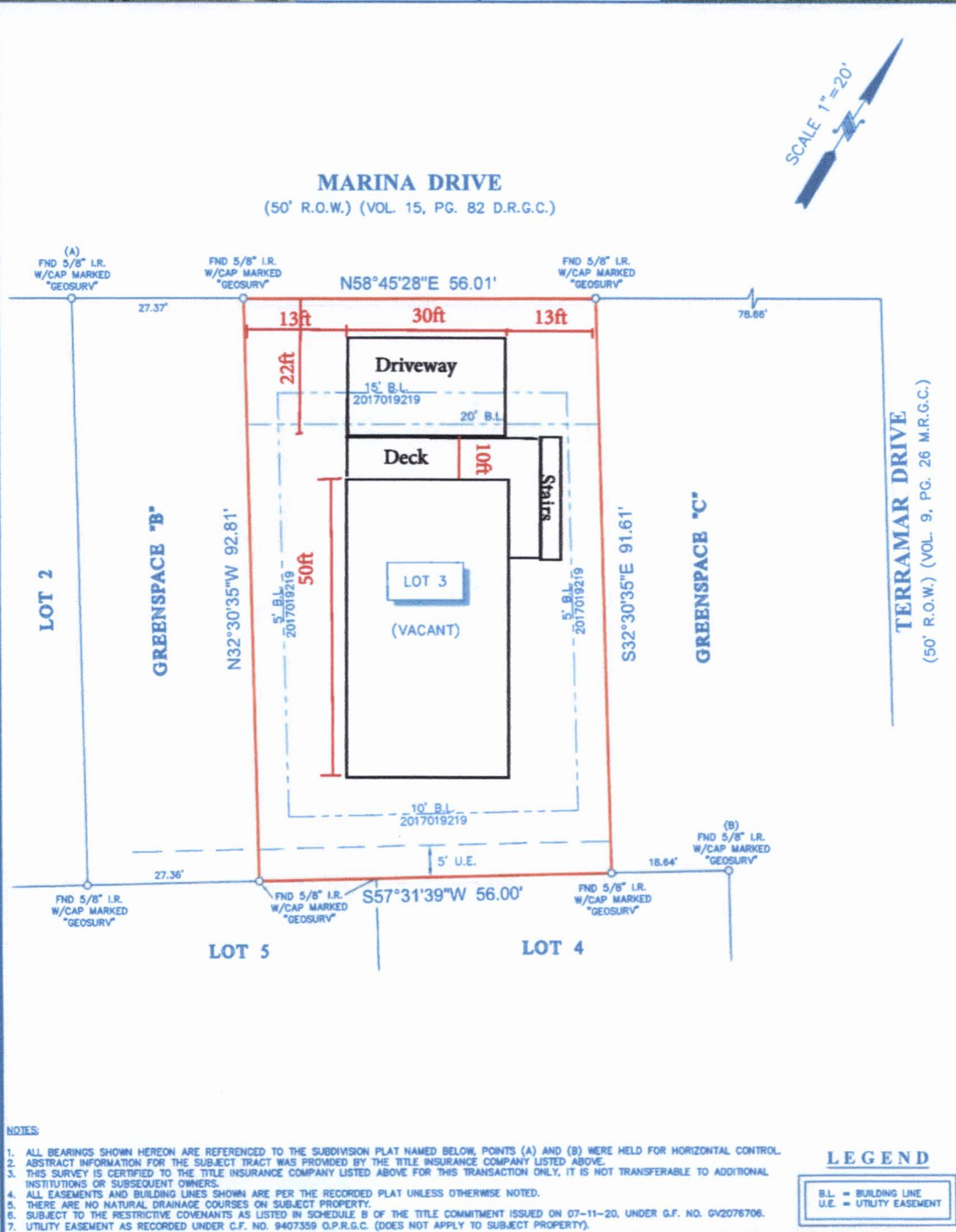
TRICON LAND SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Physical: 2011 59th Street
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309

Drafting: JA

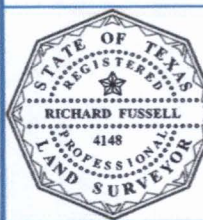
Parcel No. 515645

Surveyed for: Gust George

		TITLE COMPANY:  DEANNA JONES 409-744-0727 G.F. #: GV2076706 ISSUE DATE: 07-11-20	
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LEGAL DESCRIPTION: LOT 3, OF TERRAMAR COVE, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT RECORD 2008A, MAP NO. 10, OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS.

	SURVEYOR'S CERTIFICATE: IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON JULY 15, 2020 AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND THAT THERE ARE NO ENCROACHMENTS OR PROTRUSIONS EXCEPT AS SHOWN.	CLIENT: MAXIM CONSTRUCTION, LLC ADDRESS: 23107 MARINA DRIVE www.survey1inc.com survey1@survey1inc.com									
	 RICHARD FUSSELL 4148	Survey 1, Inc. Your Land Survey Company Firm Registration No. 100758-00 P.O. Box 2543 Alvin, TX 77512 (281)393-1362									
		<table border="1"> <tr> <td>FIELD CREW: JJ</td> <td>TECH: SF</td> </tr> <tr> <td>DRAFTER: JB</td> <td>FINAL CHECK: EF</td> </tr> <tr> <td colspan="2">DATE: 07-17-20</td> </tr> <tr> <td colspan="2">JOB# 7-85990-20</td> </tr> </table>		FIELD CREW: JJ	TECH: SF	DRAFTER: JB	FINAL CHECK: EF	DATE: 07-17-20		JOB# 7-85990-20	
		FIELD CREW: JJ	TECH: SF								
DRAFTER: JB	FINAL CHECK: EF										
DATE: 07-17-20											
JOB# 7-85990-20											

ZBA Motion Guide – Variances

I make a motion for **Approval** due to the following *(state all of the following, including the special condition)*:

- The special condition/s that exist on the property that does not generally exist of other properties in the same zoning district. That special condition is:

- Due to that special condition, the enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.
- The variance is not contrary to the public interest in that:
 - The hardship is not self-imposed,
 - The hardship is not based solely on financial considerations, convenience, or inconvenience,
 - There are not conditions that are alleged to be special but are actually common to many properties within the same zoning district,
- The requested variance does not have a detrimental impact upon:
 - The current or future use of the adjacent properties for purposes for which they are zoned,
 - Public infrastructure or services, and
 - Public health, safety, morals, and general welfare of the community,
- The degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship,
- The variance will not be used to circumvent other procedures and standards of these regulations that could be used for the same or comparable effect, and
- By granting the variance, the spirit of these regulations is observed and substantial justice is done.

I make a motion for **Denial** due to the following *(state one of more of the following)*:

- There is not a special condition on the property,
- The hardship is self-imposed,
- The hardship is based solely on financial considerations, convenience, or inconvenience,
- The requested variance would have a detrimental impact upon:
 - The current or future use of the adjacent properties for purposes for which they are zoned,
 - Public infrastructure or services, and/or
 - Public health, safety, morals, and general welfare of the community,
- The degree of variance requested is greater than is necessary to grant relief from the hardship, and/or
- The variance is being used to circumvent other procedures and standards of the regulations that could be used for the same or comparable effect.

I make a motion for **Deferral** to the *Meeting Date* in order for *Reason for Deferral*.

Examples: I make a motion for deferral to the October 9, 2019 meeting in order for more board members to be in attendance.

I make a motion for deferral to the October 9, 2019 meeting in order for the applicant to provide additional information.