

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
3:30 p.m. Wednesday, December 7, 2022
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. Submit public comment in advance of the
meeting: <https://forms.galvestontx.gov/Forms/PublicComment>
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. October 5, 2022 And November 9, 2022

Documents:

[10-05-2022 ZBA MINUTES.PDF](#)

[11-09-2022 ZBA MINUTES.PDF](#)

5. Public Comment

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)

6. New Business And Associated Public Hearings

- A. 22Z-011 (4502 Avenue R) Request For A Variance From The Galveston Land Development Regulations, Article 3, District Yard, Lot And Setback Addendum, For The Commercial (C) Zoning District, To Reduce The Minimum Lot Area, Width, And Depth. Property Is Legally Described As M.B. Menard Survey, Lot 8, Southeast Block 106, Galveston Outlots, In The City And County Of Galveston, Texas. Applicant: Josh Doll, NASA House Buyers, LLC. Property Owner: NASA House Buyers, LLC.

Documents:

[22Z-011 - STF PKT.PDF](#)

- B. 22Z-012 (21227 Gulf Drive) Request For A Special Exception In Accordance With The Galveston Land Development Regulations, Article 12, Section 12.401, To Reduce The Required Front Yard Setback In A Residential, Single-Family (R-1) Zoning District. Property Is Legally Described As Lot 17, Section 22, Sea Isle, In The City And County Of Galveston, Texas. Applicant: Dennie Teer Property Owners: Denver Roopchand

Documents:

[22Z-012 - STF PKT.PDF](#)

7. 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 December 1, 2022 at 8:30AM.

Prepared by:

A handwritten signature in black ink that reads "Patrick Collins". The signature is written in a cursive, flowing style.

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 – October 5, 2022

CALL MEETING TO ORDER

The meeting was called to order at 3:31 p.m.

ATTENDANCE

Members Present:	Lidija Bikova, Bill Clement, Andrew Galletti, Robert Girndt, Carol Hollaway (Alternate), Barbara Railey, Susan Syler (Alternate)
Members Absent:	Council Member William Schuster
Staff Present:	Catherine Gorman, AICP, Assistant Director/HPO; Donna Fairweather, Assistant City Attorney; Adriel Montalvan, Planning Manager; Patrick Collins, Planning Technician

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Andrew Galletti made a motion to nominate Robert Girndt as Chairperson.

Chairperson Andrew Galletti called for questions or comments from the Board, and the following votes were cast:

In favor:	Bikova, Clement, Galletti Girndt, Railey
Opposed:	None
Absent:	None
Non-voting participant:	Hollaway (Alternate), Syler (Alternate)

The motion passed.

Barbara Railey made a motion to nominate Bill Clement as Vice-Chairperson.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor:	Bikova, Clement, Galletti Girndt, Railey
Opposed:	None
Absent:	None
Non-voting participant:	Hollaway (Alternate), Syler (Alternate)

The motion passed.

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The August 3, 2022 minutes were approved as presented.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

22Z-009 (2453 103rd Street) Request for a variance from the Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum, regarding minimum Lot Standards for lot depth. Property is legally described as Lot 14, Neumann Addition (2020), in the City and County of Galveston, Texas.

Applicant and Property Owners: Gregory and Nancy Pekar

Staff presented the staff report and reported that of 22 notices sent, none were returned.

Chairperson Robert Girndt opened the public hearing on the case. Gregory Pekar, applicant and property owner, presented to the Board. The public hearing was closed, and the Chairperson called for a motion.

Barbara Railey made a motion to approve the request. Vice Chairperson Andrew Galletti seconded.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor:	Bikova, Clement, Galletti Girndt, Railey
Opposed:	None
Absent:	None
Non-voting participant:	Hollaway (Alternate), Syler (Alternate)

The motion passed.

THE MEETING ADJOURNED AT 3:43 PM

ZONING BOARD OF ADJUSTMENT
MEMBER SIGN-IN SHEET

MEETING DATE: October 5, 2022

BIKOVA, LIDIJA



CLEMENT, WILLIAM



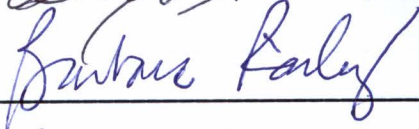
GALLETTI JR., ANDREW



GIRNDT, ROBERT



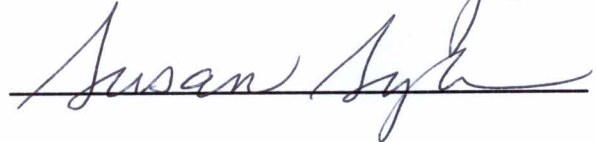
RAILEY, BARBARA



HOLLAWAY, CAROL (Alternate)



SYLER, SUSAN (Alternate)



ZONING BOARD OF ADJUSTMENT

PUBLIC SIGN-IN SHEET

PLEASE INDICATE CASE NO., PRINT NAME AND ADDRESS

Meeting Date: October 5, 2022

[illegible]



City of Galveston

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GALVESTON REGULAR MEETING – November 9, 2022

CALL MEETING TO ORDER

The meeting was called to order at 3:32 p.m.

ATTENDANCE

Members Present: Bill Clement, Robert Girndt, Carol Hollaway (Alternate), Susan Syler

Members Absent: Lidija Bikova, Barbara Railey, Council Member William Schuster

Staff Present: Catherine Gorman, AICP, Assistant Director/HPO; Donna Fairweather, Assistant City Attorney; Patrick Collins, Planning Technician

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The approval of the October 5, 2022 minutes failed due to a lack of four affirmative votes. A vote will be conducted at the December 7, 2022 ZBA meeting.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

22Z-010 (11206 Schwartz) Request for a special exception in accordance with the Galveston Land Development Regulations, Article 12, Section 12.401, to reduce the required front yard setback in a Residential, Single-Family (R-1) zoning district. Property is legally described as Lot 11, Block 1, Sunny Beach, in the City and County of Galveston, Texas.
Applicant: Sandpiper Homes, Inc., Klint Kittley
Property Owners: Jerry McCorey and Mike Mathena

Staff presented the staff report and reported that of 25 notices sent, one was returned in opposition.

Chairperson Robert Girndt opened the public hearing on the case. Klint Kittley, applicant, presented to the Board. The public hearing was closed, and the Chairperson called for a motion.

Bill Clement made a motion to approve the request. Susan Syler seconded.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor: Clement, Girndt, Hollaway (Alternate), Syler

Opposed:	None
Absent:	Bikova, Railey
Non-voting participant:	None

The motion passed.

THE MEETING ADJOURNED AT 3:41 PM

ZONING BOARD OF ADJUSTMENT
MEMBER SIGN-IN SHEET

MEETING DATE: November 9, 2022

BIKOVA, LIDIJA

CLEMENT, WILLIAM

William Clement

GIRNDT, ROBERT

Robert Girndt

RAILEY, BARBARA

SYLER, SUSAN

Susan Syler

HOLLOWAY, CAROL (Alternate)

Carol Holloway

**ZONING BOARD OF ADJUSTMENT
PUBLIC SIGN-IN SHEET**

Meeting Date: November 9, 2022

[illegible]



22Z-011

STAFF REPORT

ADDRESS:

4502 Avenue R

LEGAL DESCRIPTION:

Property is legally described as M.B. Menard Survey, Lot 8, Southeast Block 106, Galveston Outlots, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Josh Doll, NASA House Buyers, LLC.

PROPERTY OWNER:

Josh Doll, NASA House Buyers, LLC.

ZONING:

Commercial (C)

VARIANCE REQUEST:

Lot Dimensions and Area

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Commercial, Lot Area

EXHIBITS:

A – Applicant's Submittal

B – GIS with overlay

STAFF:

Daniel Lunsford

Senior Planner

409-797-3659

dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
24				

City Department Notification Responses: None



Executive Summary:

The applicant is requesting a variance from Article 3, Addendum in order to reduce the required minimum Commercial (C) zoning lot area from 4,000 square feet, and to reduce the minimum lot length of one hundred feet long. The lot currently holds two individual homes and a corner store more or less equally spaced on the lot. The applicant proposes to reduce the minimum lot area to 1,713 square feet and 2,142 square feet in order to place each structure on a separate lot. Two of the lots will be 40'x42.83' in area; the third lot will be 50'x42.83'

The lot is currently 42.83 feet wide and 130 feet long, including a 10' wide section of alley abandoned in the 1970s, with a total area of approximately 5,568 square feet. See the existing survey and proposed replat in Exhibit A of the staff report.

Area Requirements**Article 3, District Yard, Lot and Setback Standards, Addendum for Commercial (C):****Required Minimum Lot Area** 4,000 square feet**Required Minimum Lot Width** 40 feet**Required Minimum Lot Length** 100 feet**Requested Variance**

Minimum Lot Area	Regulation	Proposed Variance
Commercial (C)	4,000 square feet	1,713 square feet (2,287 square feet variance, two lots)
		2,142 square feet (1,858 square feet variance)
Minimum Lot Dimensions	40 feet wide 100 feet long	No variance required 42.83 feet (two lots); 50 feet (one lot)

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.**

The current lot is zoned Commercial. The lot currently has 3 houses on it that were built in 1946 or before. We want to split up the 3 lots into individual lots. The purpose is to grant the city a utility easement while providing additional single-family housing for the surrounding community.

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.**

We cannot currently meet the minimum lot requirements for Commercial zoning (4000) once the lots are divided and the easement is granted.

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

This will help provide additional single-family housing for the surrounding community. This will also provide a recorded utility easement for the city and public works

- 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.**

All neighboring properties are zoned residential. We want to be granted a variance in-reguard to the minimum lot square footage requirements for commercial zoning. This will make it possible to replatt each property while granting an easement to the city for utilities running thru the abandon alley way.

- 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 will give us the ability to replatt the 3 lots and create additional single-family housing for the surrounding community.

This will also help the city and public works have a recorded easement for the public infrastructure.

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.**

This is the best solution for the city and community. By granting this variance, this will provide a public recording of utility easements while also providing additional single-family housing for the surrounding community.

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).**

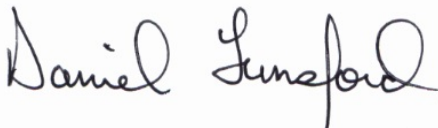
The current structures built in 1946, are intended for dingle-family housing. By granting this easement, I will be able to split each lot up under the minimum requirements per lot. While also providing a recorded easement for the city and public works.

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

Yes, this will provide additional single-family housing. The surrounding neighborhoods are all single-family housing. This will also help revitalize a main street corner that was recently updated by the city. This also will give the city and public works a recorded easement for the utilities currently running thru an abandon alley.

Please see Agenda for Appeal from Decision of Board Process.

Respectfully submitted,



Daniel Lunsford
Senior Planner

11/21/2022

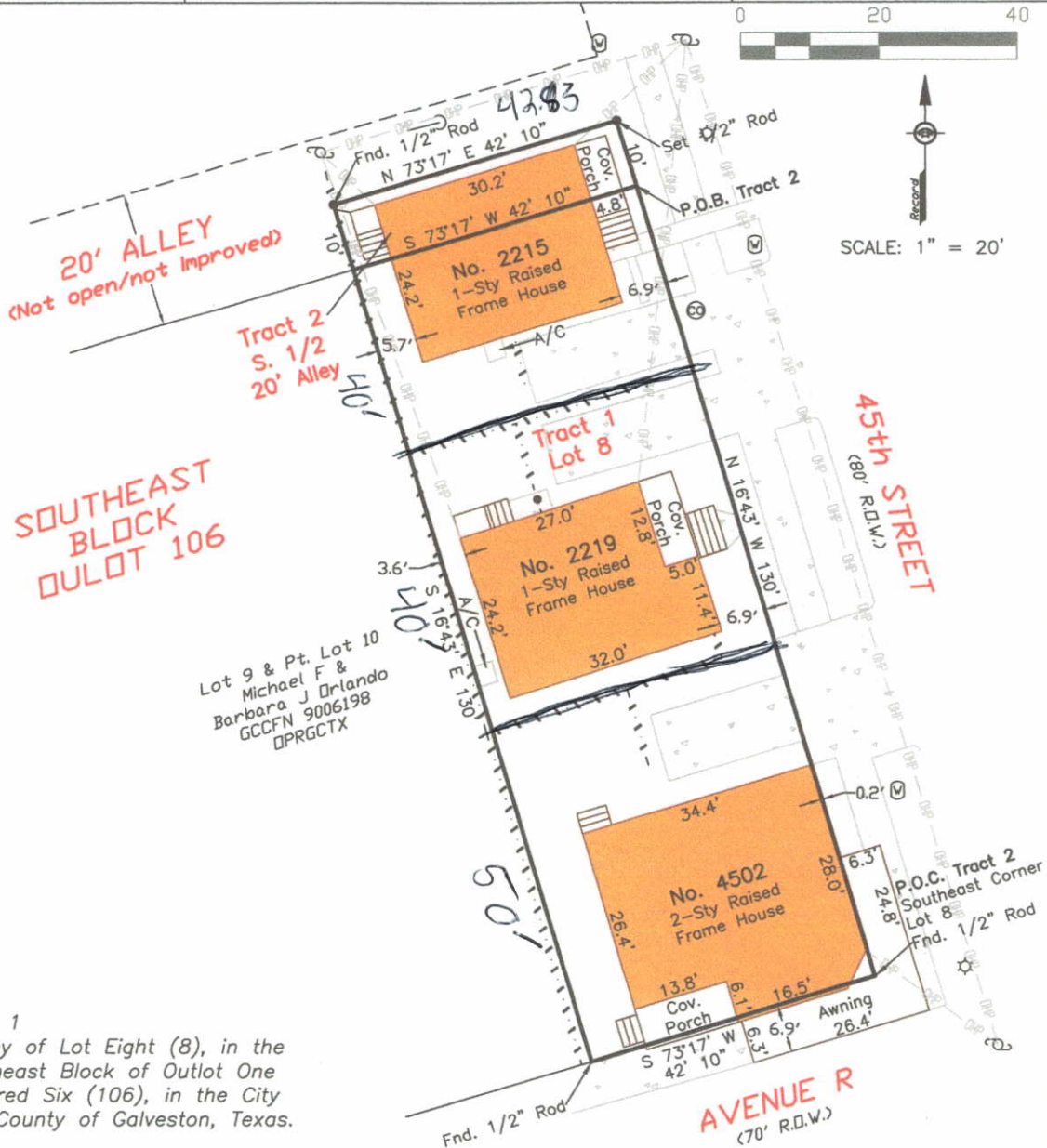
Date



Catherine Gorman, AICP
Assistant Director/HPO

11/21/2022

Date



Tract 1
Survey of Lot Eight (8), in the Southeast Block of Outlot One Hundred Six (106), in the City and County of Galveston, Texas.

Tract 2
Survey of a tract of land containing 0.0098 acres (428 square feet), being that same tract of land called Tract 2 as conveyed to Schumer-Yarbrough Development, LLC by deed recorded under Galveston County Clerk's File No. 2022039434 of the Official Public Records of Real Property of Galveston County, Texas, said 0.0098 acre tract being the South 1/2 of a 20 foot alley lying Northerly of said Lot 8 (Called the Northerly 10.00 feet of Lot 8), being more particularly described by metes and bounds on attached Exhibit "A".

I hereby certify that on the above 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 zoning ordinances and/or the building regulations of the City of Galveston.
 - 2) This property lies within "other flood areas" Zone X and Zone AE (EL 10) as established by the FEMA Flood Insurance Rate Map No. 48167C0437G, 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 45th Street.

Stewart Title File No. 1734548
Borrower: JW Holley MF Investments LLC
Insured: Schumer-Yarbrough Development, LLC

Legend:	
	Overhead Power
	Wood Fence
	Concrete
	Power Pole
	Down Guy
	Water Meter
	Light Pole
	Clean-out

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

Drafting: LP

Parcel ID: 108033

Surveyed for: Wendy Holley

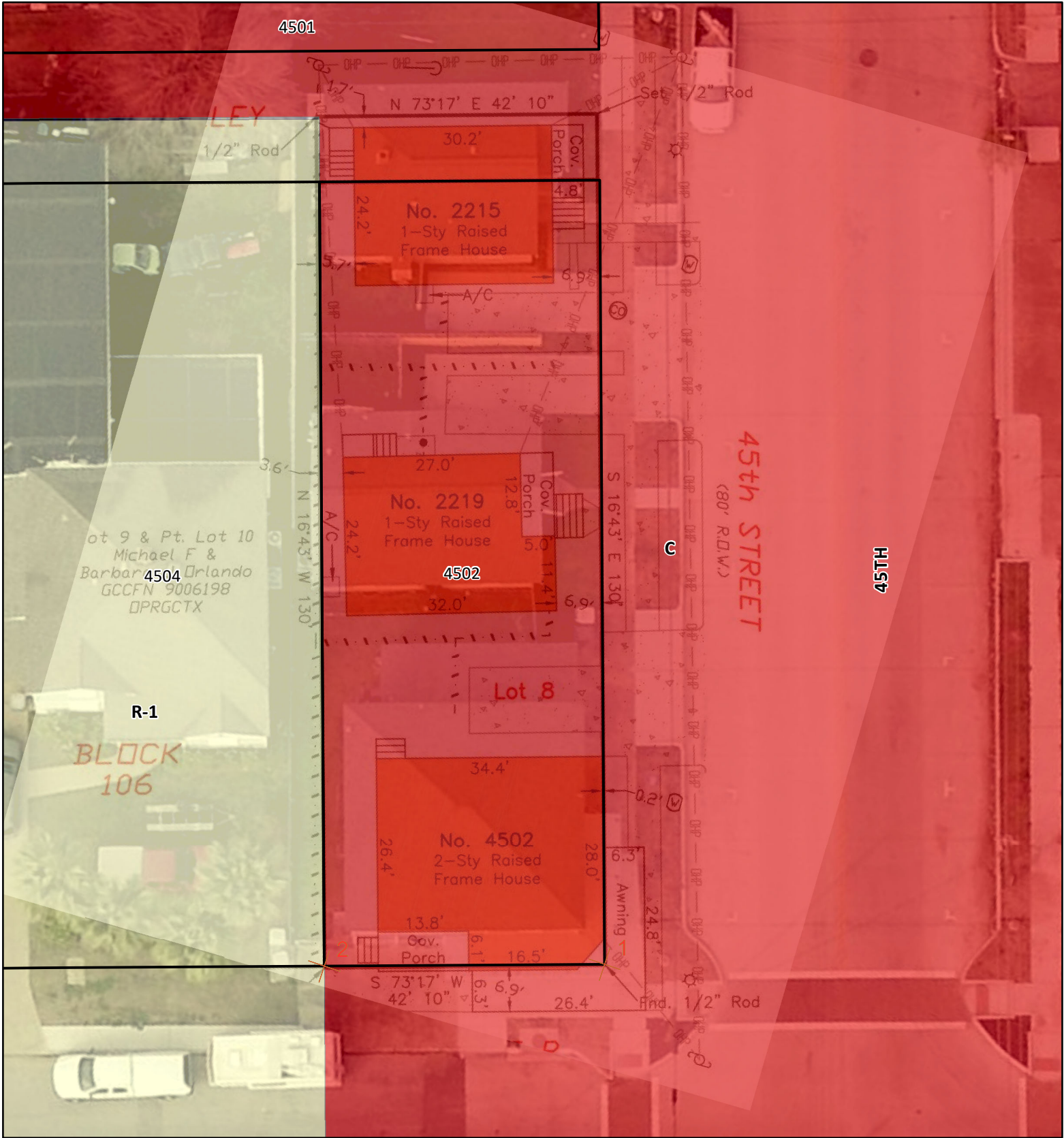
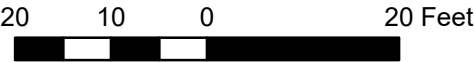


EXHIBIT B - GIS Overlay



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.





22Z-012

STAFF REPORT

ADDRESS:

22127 Gulf Drive

LEGAL DESCRIPTION:

Property is legally described as Lot 17, Section 22, Sea Isle, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Dennie Teer

PROPERTY OWNER(S):

Denver Roopchad

ZONING:

Residential, Single-Family (R-1)

SPECIAL EXCEPTION REQUEST:

Front Setback

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single-Family District (R-1), and Sec. 12.401 of the LDR

EXHIBITS:

A - Applicant's Submittal

B - Motion Guide

STAFF:

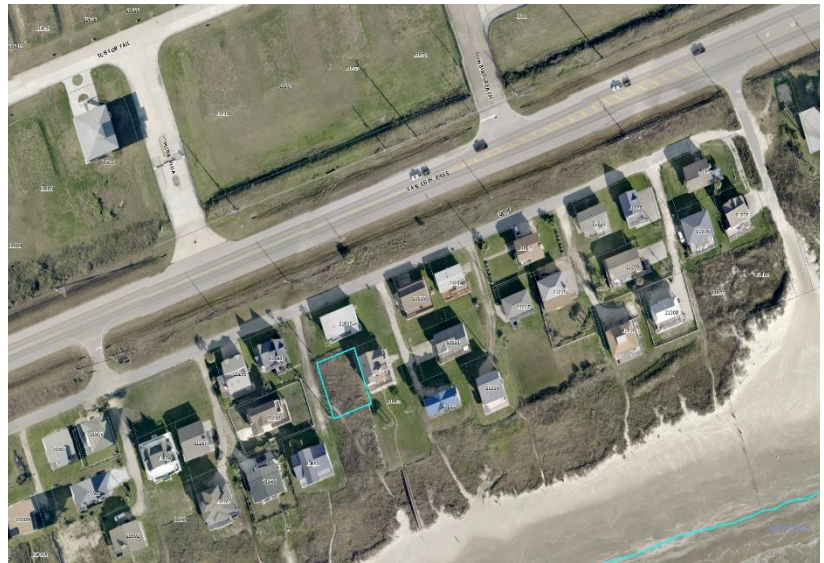
Adriel Montalvan, Planning Manager
409-797-3645
amontalvan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
16				

Per Section 13.308 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

City Department Notification Responses: None



Executive Summary:

The applicant is requesting a special exception to reduce the required front yard setback from 20 feet to 19.2 feet in a Residential, Single-Family (R-1) zoning district. In accordance with the applicant's submittal, it indicates that the front yard setback of other structures on the same block are not uniform, and those structures were erected with a lesser setback than prescribed by the current regulations. Please see Exhibit A for illustration of the placement of other structures in the subject block.

In accordance with Sec. 12.401 of the Land Development Regulations (LDR), a front yard exception may be requested 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.

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	Required Setback	Proposed Setback
Front	20 feet	19.2 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.

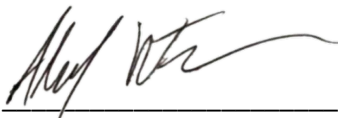
Applicants' Justification

The Applicant's Justification is as follows:

Various homes along the same block are substantially over the building setback line while we are only 0.8 feet over the line, with pilings in the building line.

Please see Agenda for Appeal from Decision of Board Process.

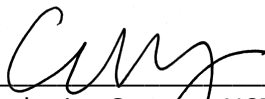
Respectfully submitted,



Adriel Montalvan, Planning Manager

11/29/2022

Date



Catherine Gorman, AICP
Assistant Director/HPO

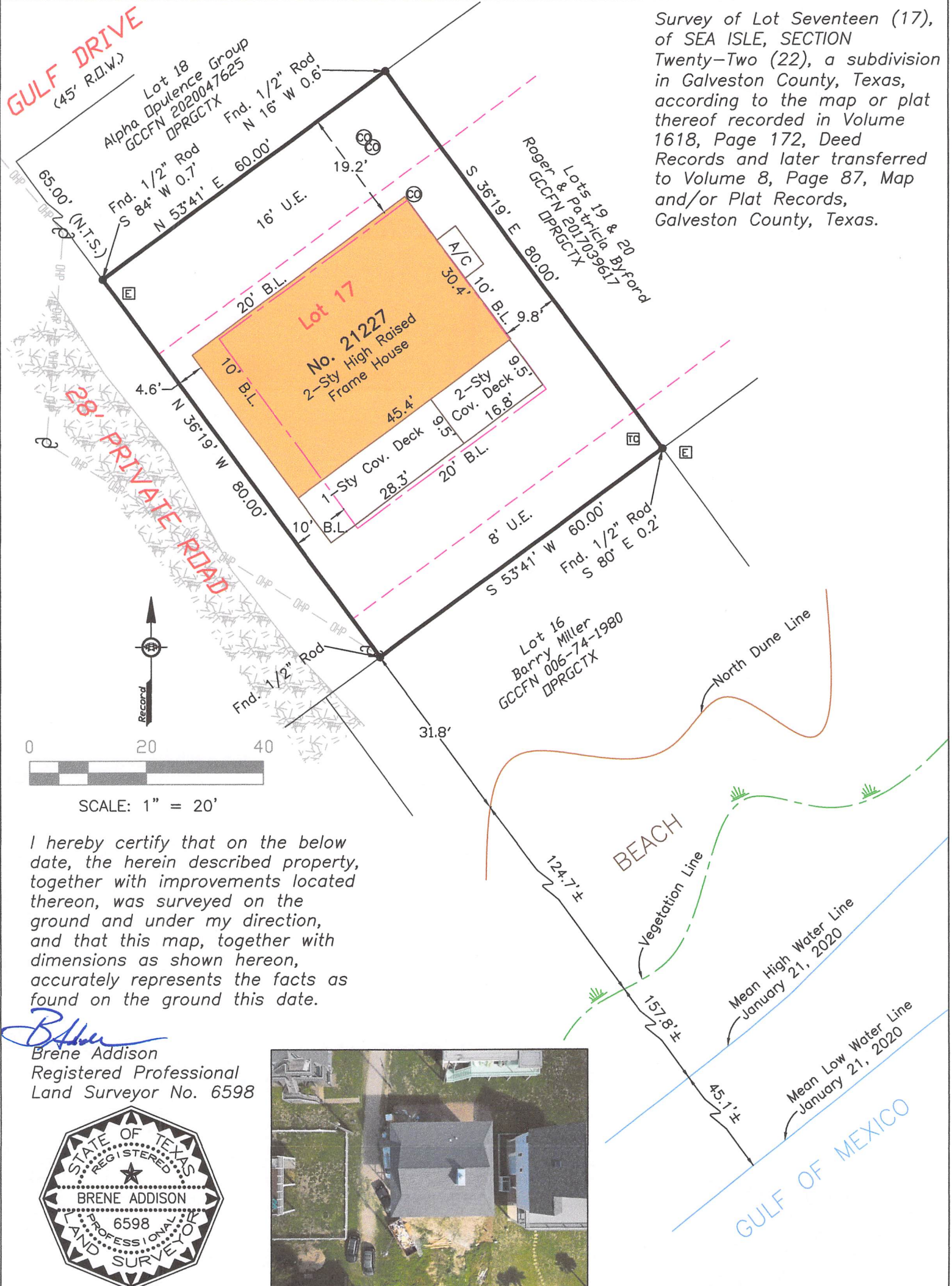
11/29/2022

Date

TLS Job No 22-0693

21227 Gulf Drive, Galveston, TX 77554

Ref No: 6393-0000-0017-000



Survey of Lot Seventeen (17), of SEA ISLE, SECTION Twenty-Two (22), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 1618, Page 172, Deed Records and later transferred to Volume 8, Page 87, Map and/or Plat Records, 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.

Breene Addison
Breene 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 18') 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 South right-of-way line of Gulf 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.

Drafting: LP Survey Date: August 16, 2022

Surveyed for: Coastal Cottage Homes

GULF DRIVE
(45' R.O.W.)

Lot 18
Alpha Opulence Group
GCCFN 2020047625
DPRGCTX

Fnd. 1/2" Rod
S 75° W 0.8'
N 53°41' E 60.00'

Fnd. 1/2" Rod
N 16° W 0.6'

16' U.E.

Lot 17

12" Wood Pilings
2-Sty Frame House
(Under Construction)

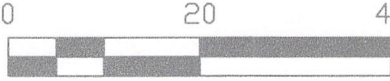
Lot 19 & 20
Roger & Patricia Byford
GCCFN 2017039617
DPRGCTX

S 36°19' E 80.00'

Lot 16
Barry Miller
GCCFN 006-74-1980
DPRGCTX

S 53°41' W 60.00'
Fnd. 1/2" Rod

PRIV. ROAD



SCALE: 1" = 20'

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



BEACH

Vegetation Line

Mean High Water Line
January 21, 2020

Mean Low Water Line
January 21, 2020

GULF OF MEXICO

- 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 18') 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 South right-of-way line of Gulf 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:**
- OHP — Overhead Power
 - Gravel
 - (N.T.S.) Not to Scale
 - U.E. Utility Easement
 - [E] Electrical Box
 - [T] Telecomm. Box
 - ⊙ Power Pole
 - ⊠ 12" Pilings
 - High Bank
 - - - Easement Line

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: LP Survey Date: March 1, 2022

Surveyed for: Coastal Cottage Homes





12'







house over
line.

AC P

Next →
door

21227

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
- will not 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.