

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
3:30 p.m. Wednesday, April 5, 2023
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

A. March 8, 2023

Documents:

[03-08-2023 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. 23Z-002 (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

Documents:

[23Z-002 - STF PKT.PDF](#)

- B. 23Z-003 (23011 Lunes) Request For A Variance From The Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum, Regarding Minimum Lot Standards Including Lot Depth, And Lot Area. Property Is Legally Described As Lot 14A, Block 7, Terramar Beach, Section 4 Replat, In The City And County Of Galveston, Texas. Applicant: Allen Rosenbaum Property Owners: IHC Advantage, LLC

Documents:

[23Z-003 - STF PKT.PDF](#)

7. Discussion Items

- A. Conflict Of Interest Procedures (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 March 29, 2023 at 8:37 A.M.

Prepared by: Karina Rosales, 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 – March 8, 2023

CALL MEETING TO ORDER

The meeting was called to order at 3:30 p.m.

ATTENDANCE

Members Present: Lidija Bikova, Bill Clement, James Fagan (Alternate), Robert Girndt, Carol Hollaway (Alternate), Susan Syler, Ex-Officio William Schuster

Members Absent: Barbara Railey

Staff Present: Catherine Gorman, AICP, Assistant Director/HPO; Daniel Lunsford, Senior Planner; Karina Rosales, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The February 8, 2023 minutes were approved as presented.

Chairperson Robert Girndt made a motion to approve the minutes. Susan Syler seconded.

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

In favor:	Bikova, Clement, Girndt, Syler
Abstained:	Hollaway (Alternate)
Opposed:	None
Absent:	Railey
Non-voting participant:	Fagan(Alternate), Ex-Officio Schuster

The motion passed.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

23Z-001 (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.

Staff presented the staff report and reported that of twenty-four notices sent none were returned.

Chairperson Robert Girndt opened the public hearing on the case. Joshua Doll, the applicant, gave a presentation to the Board. The public hearing was closed, and the Chairperson called for a motion.

Carol Hollaway 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:	Bikova, Clement, Girndt, Hollaway (Alternate), Syler
Opposed:	None
Absent:	Railey
Non-voting participant:	Fagan(Alternate), Ex-Officio Schuster

The motion passed.

THE MEETING ADJOURNED AT 3:59 PM





23Z-002

STAFF REPORT

ADDRESS:

1811 61st Street

LEGAL DESCRIPTION:

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/REPRESENTATIVE:

Jason Reuter

PROPERTY OWNER:

Jason Reuter

ZONING:

Commercial (C)

VARIANCE REQUEST:

Side yard setback

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Commercial Addendum, side setback

EXHIBITS:

- A - Aerial Image
- B - Applicant's Submittal

STAFF:

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

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
6				

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:

Building Division - Building has no objections. At the time of permitting construction closer than five feet to a property line will require fire rated walls.



Executive Summary:

The applicant is requesting a variance to construct a building addition within the required side yard setback, in a Commercial (C) zoning district. The proposed setback reduction is from the requirement of five feet to zero.

Requested Variance

Setback	Required Setback	Proposed Setback
Side Yard Setback	5 feet	0 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.**

This property does not interfere with any rights-of-way or areas that will need to be accessed. The original building that was destroyed due to hurricane Ike was built to the property line behind only portion of bulkhead on the water.

- 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.**

My land is on the water where the building site is on the only location that is not eroding from the water being on the bulkhead in place.

- 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.**

There is not an alley or any emergency lane that would be blocked.

The area being requested for variance is the only part of the property that is secured by a bulkhead. The additional part is on the water and affected by erosion. The additional cost to install or build more bulkhead is extreme and not financially possible at this time. Additional storage is needed to keep up with business demand to make that possible in the future.

- 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.**

My building will not affect the adjacent property being that it is a concrete structure that has its exists fixed and well secured.

- 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 rest of my land does not have a bulkhead so it is not secure to build a structure on it. This will help save me gas and emission on the road and air pollution as well.

- 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).**

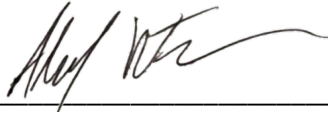
The plans that are in place for the request for variance do not impose any restrictions and abides by regulations. The property does not interfere with any future development.

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

I will be able to hold more product helping both the environment of me polluting the air with my trucks making multiple trips a day, down to three trips a week.

Please see Agenda for Appeal from Decision of Board Process.

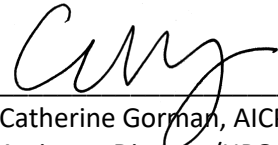
Respectfully submitted,



Adriel Montalvan, Planning Manager

03/29/2023

Date



Catherine Gorman, AICP
Assistant Director/HPO

3/29/2023

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.

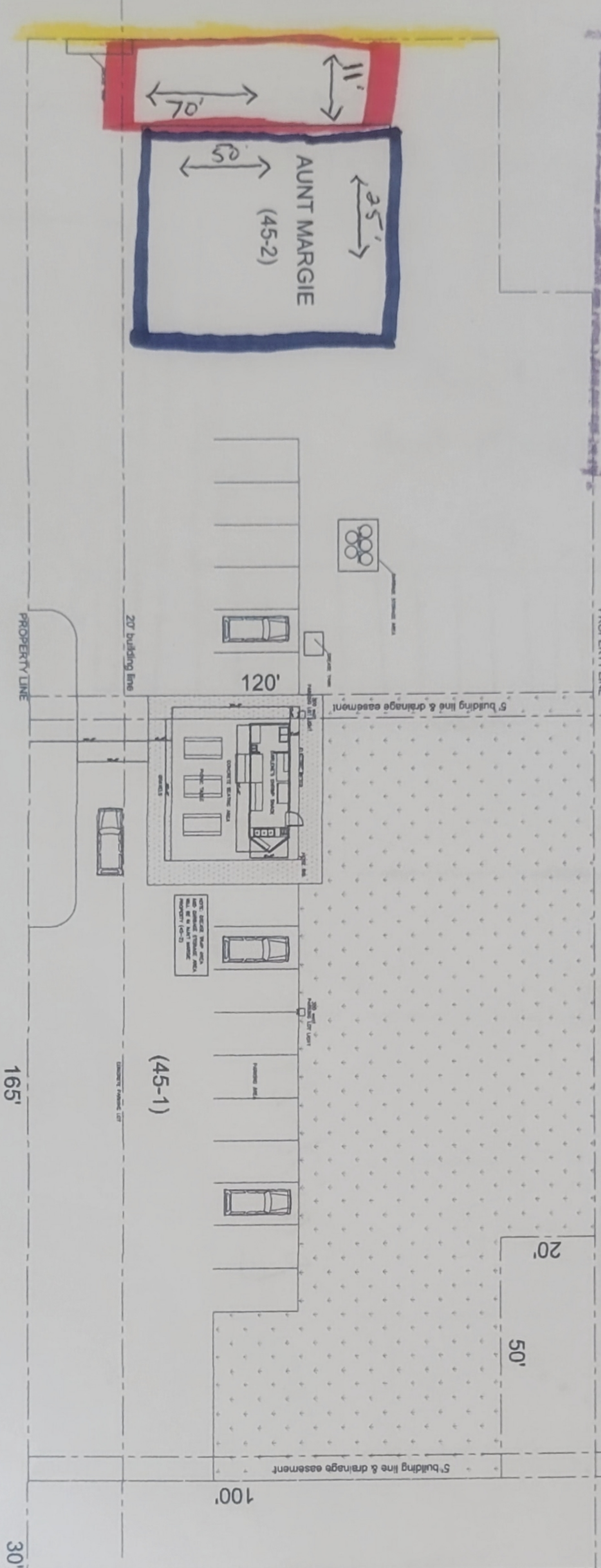
- Legend**
- Child Care Facilities
 - 300ft Buffer
 - Churches
 - 300ft Buffer
 - Hospitals
 - 300ft Buffer
 - Schools
 - 300ft Buffer
 - Parcels



Aunt Margie's
1811 61st St., Galveston TX 77551

Key

Blue — existing Bldg
Red — Proposed add.
Yellow — Property line



61ST STREET

OFFATTS BAYOU



SITE PLAN
SCALE: 3/32"=1'

A1.0

Drawn by	Checked by
Karina Tond	Karina Tond
Date	ASB
02/04/2012	01
Drawn by	

SITE PLAN

KARINA TOND
ARCHITECT

NCARB NO. 550153

DARLENE'S SHRIMP SHACK
1727 61ST STREET #1097, GALVESTON TX 77551

REVISIONS AND ISSUANCE	
NO	DATE DESCRIPTION

DARLENE'S SHRIMP SHACK

1727 61ST STREET #1097, GALVESTON TX 77551

KARINA TONG
ARCHITECT

NCARB NO. 550153

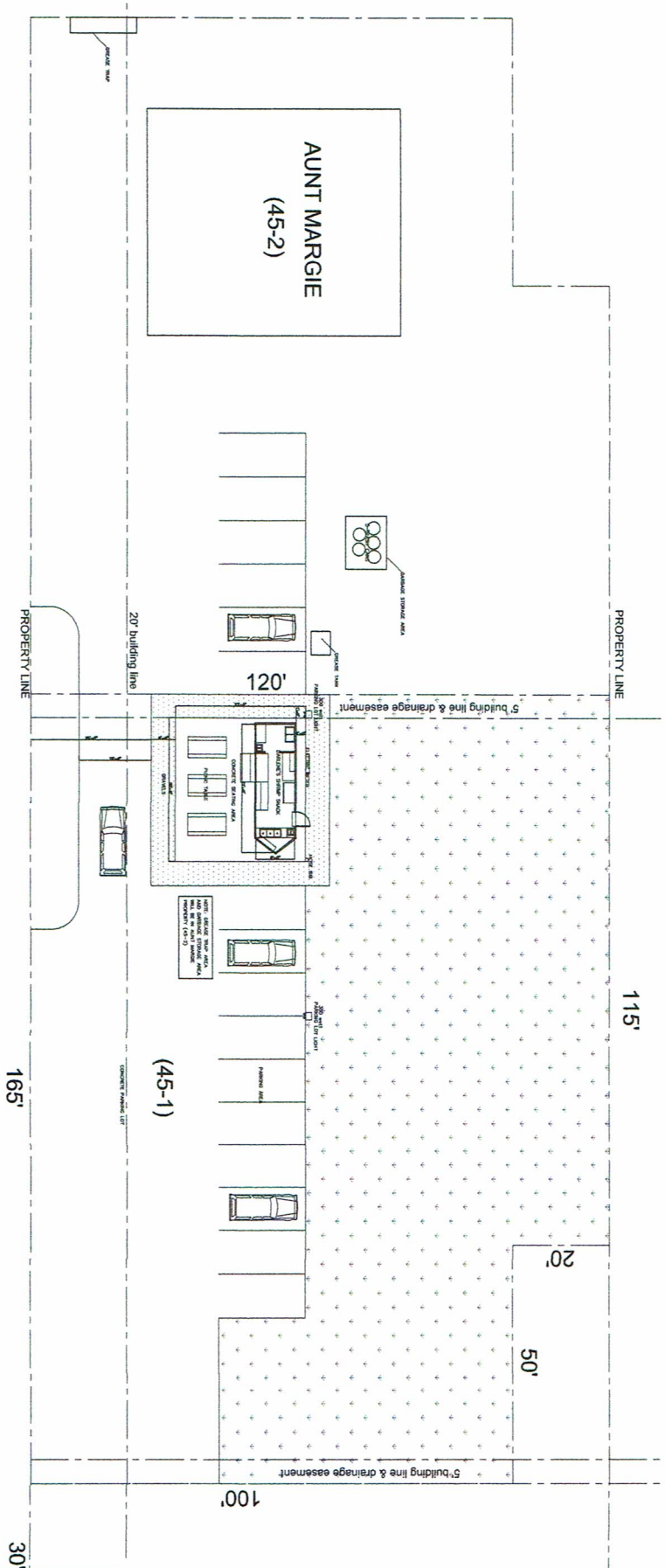
SITE PLAN

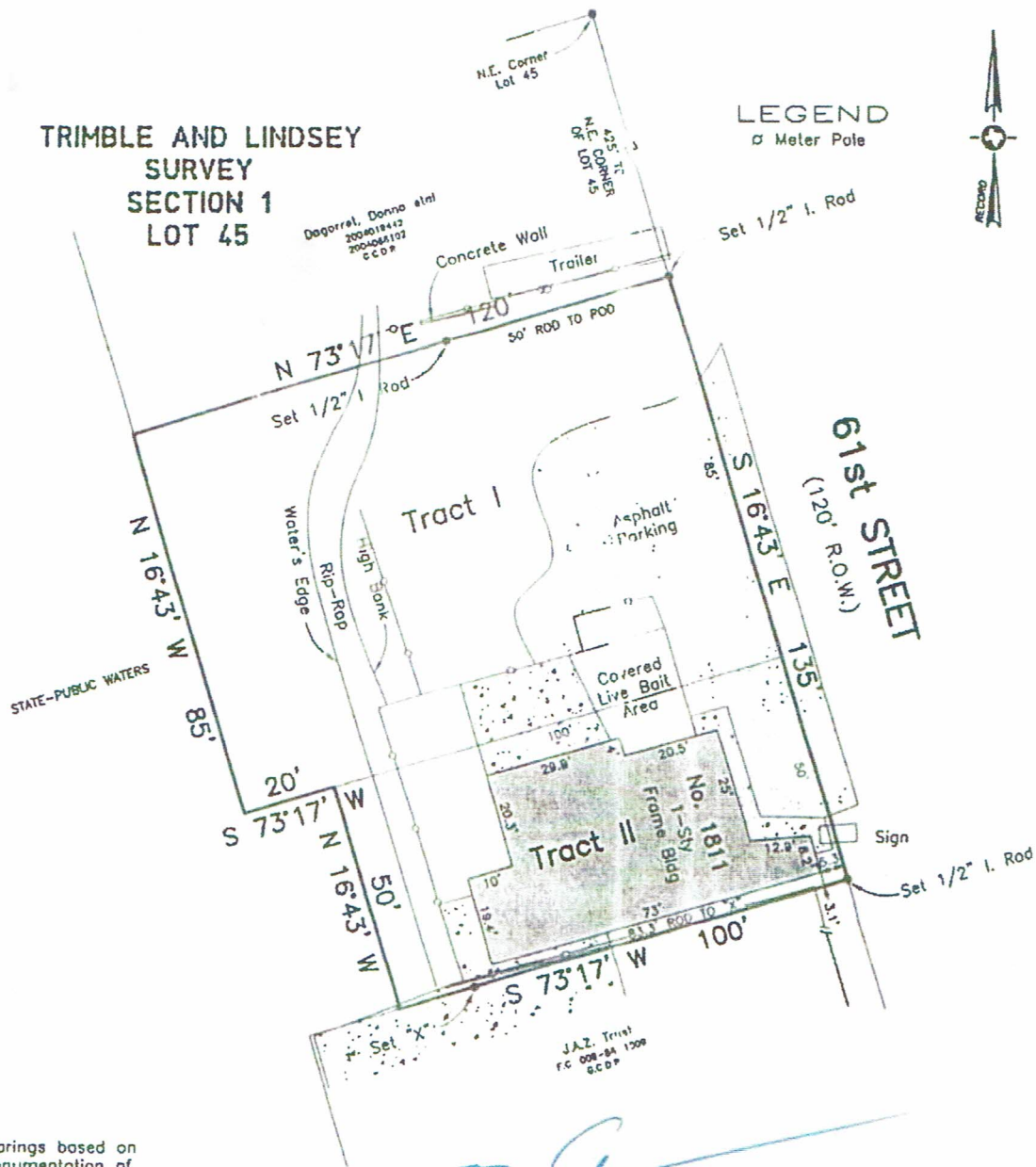
DRAM BY KARINA TOMO	CHECKED BY KARINA TOMO
DATE 02/04/2022	DOB NO. 01

DRAMING NO.

SITE PLAN
SCALE: 3/32"=1'

A1.0





Bearings based on
Monumentation of
West R.O.W. line of
61st Street

January 27, 2005

SCALE: 1" = 30'

Survey of two (2) tracts out of Lot Forty-five (45), in Section One (1), of the Trimble and Lindsey Survey of Galveston Island, in Galveston County, Texas, 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.

COASTAL SURVEYING OF TEXAS

Patrick A. Jordan
Registered Professional
Land Surveyor 5525

Insured: Vasilios Papavasiliou
Chicago Title Insurance Company
GF No. 392133

This property does lie within the
100 Year Flood Plain as
established by the Federal
Emergency Management Agency.
CB
05-0145

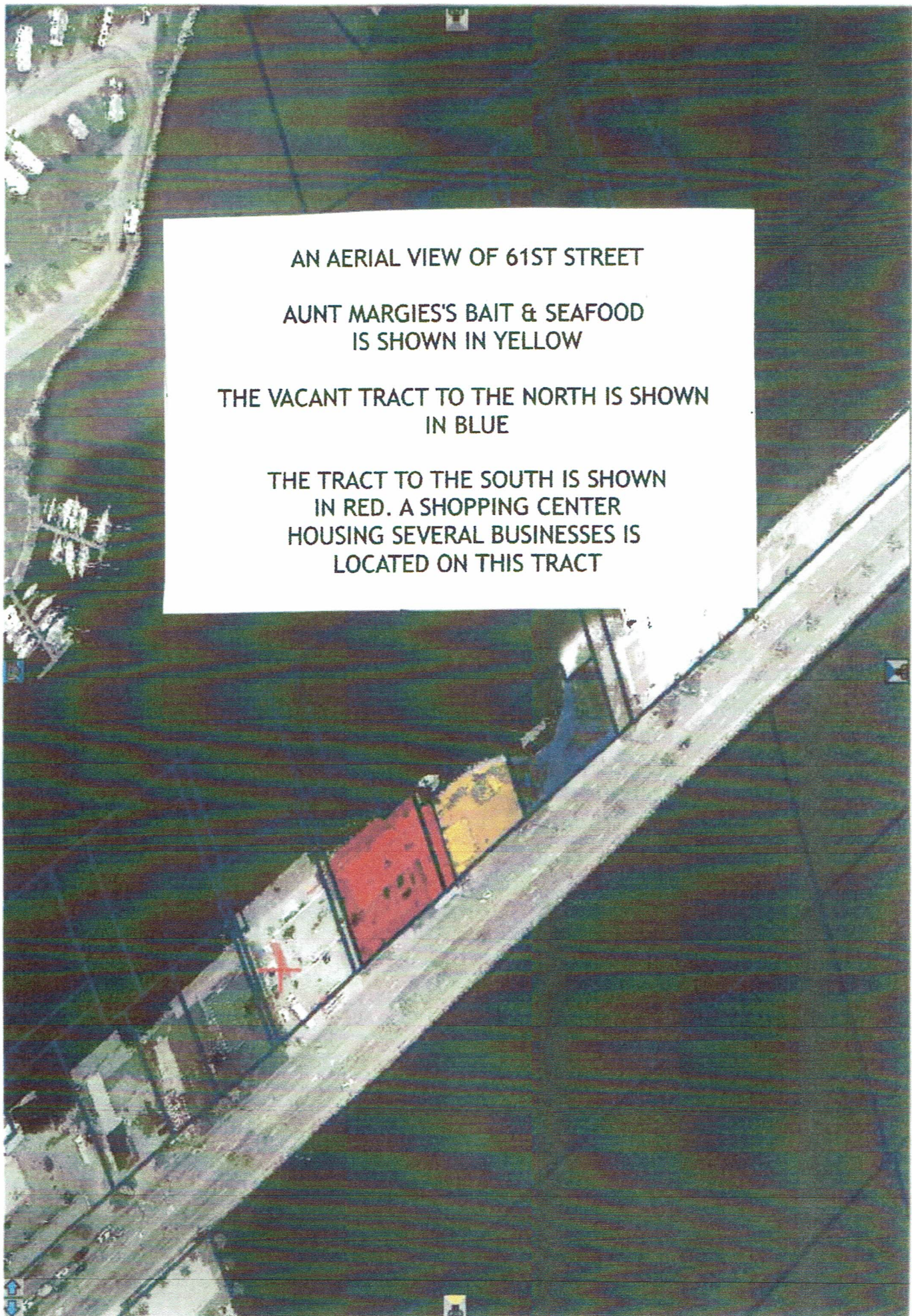


COASTAL SURVEYING OF TEXAS
8017 HARBORCREST DRIVE PH (409) 740-1517
GALVESTON, TX 77554 FAX (409) 740-0377
www.surveygalveston.com

"SERVING GALVESTON COUNTY OVER 55 YEARS"



This property is subject to Zoning
Ordinances by the City of
Galveston and to any restrictions
of record.



AN AERIAL VIEW OF 61ST STREET

AUNT MARGIES'S BAIT & SEAFOOD
IS SHOWN IN YELLOW

THE VACANT TRACT TO THE NORTH IS SHOWN
IN BLUE

THE TRACT TO THE SOUTH IS SHOWN
IN RED. A SHOPPING CENTER
HOUSING SEVERAL BUSINESSES IS
LOCATED ON THIS TRACT

Building Photographs

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1811 61st Street			For Insurance Company Use Policy Number
City Galveston	State Texas	ZIP Code 77551	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least two building photographs below according to the instructions for Item A6. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." If submitting more photographs than will fit on this page, use the Continuation Page following.

June 22, 2009

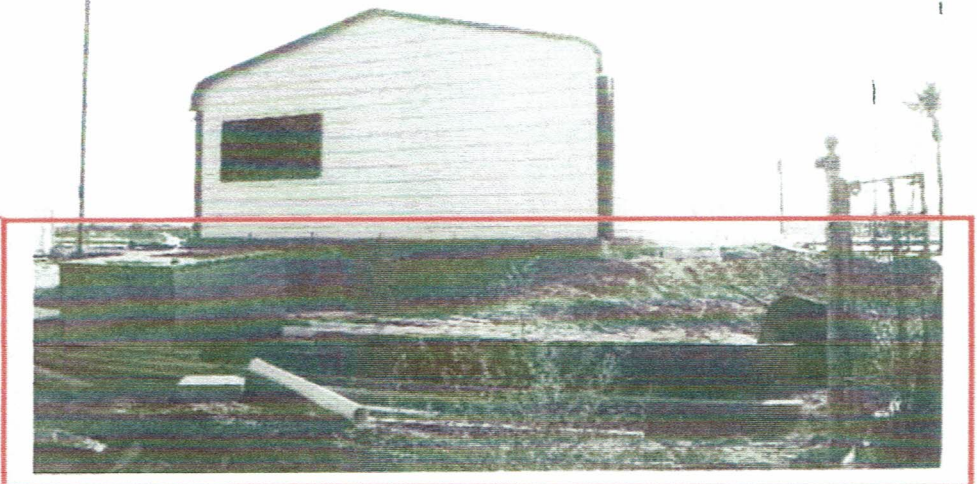


front



Note : no
waterline visible

rear



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.



23Z-003

STAFF REPORT

ADDRESS:

23011 Lunes

LEGAL DESCRIPTION:

Property is legally described as Lot 14A, Block 7, Terramar Beach, Section 4 Replat, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Allen Rosenbaum

PROPERTY OWNER:

IHC Advantage, LLC

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Lot area and lot depth

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single-Family (R-1) zoning district

EXHIBITS:

A – Aerial Map

B - Applicant's Submittal

STAFF:

Adriel Montalvan

Planning Manager

409-797-3659

amontalvan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
18				

City Department Notification Responses: None



Executive Summary:

The applicant is requesting a variance from the Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum regarding minimum Lot Standards including lot depth, and lot area in order to divide one lot into two lots. Please see attached site plan/survey in Exhibit B for proposed lot reconfiguration.

Lot Standard Requirements

Article 3, District Yard, Lot and Setback Standards, Addendum for Residential Single-Family (R-1) Zoning:

Lot Area	5,000 square feet
Lot Depth	100 feet
Lot Width	50 Feet

Requested Variance

Variance Type	Proposed Variances
Lot Area (only applies to lot 15)	From 5,000 to square feet to 4,432 square feet
Lot Depth (variance applies to both lots)	From 100 feet to 80 feet and 67 feet, respectively

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).

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.**

This proposed replat of the current lot, Lot 14A, back to its original lot size at the time of development does not meet the 5,000 square feet requirement that was implemented by the City of Galveston. The original plat which is still published on Terramar Beach website shows the proposed lots being converted to the original intent.

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.**

It prevents our family from building an SFR home on the proposed lots being converted to the original intent.

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.**

The original intent of the subdivision and land developers was for this lot to be separated and contain a SFR homesite.

We are simply asking to return the unimproved SFR lot back to its original intended purpose.

The proposed SFR will be built within the existing building lines and under the current building codes enforced by the City of Galveston, and

the home will meet the subdivision standards. At this time all utilities including power, water, and sewer are present at this site. And it is important to note that the proposed lot has a city issued water service meter for the original lot and address of 23015 Lunes, Galveston, TX 77554.

- 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.**

At this time, we need a variance as it pertains to Article 3, R-1 in regards to the 5,000 square feet minimum lot size so we can replat the lot as per attached survey, which would reestablish lot 15 and the above reference address of 23015 Lunes.

- 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).**

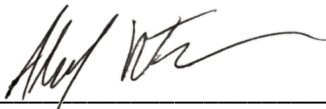
We will follow all other building code, other rules, and zoning as it applies.

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

In granting the variance, the original intent and purpose of Lot 15, 23015 Lunes, In Terramar beach Subdivision will be reestablished.

Please see Agenda for Appeal from Decision of Board Process.

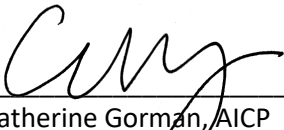
Respectfully submitted,



Adriel Montalvan, Planning Manager

03/28/2023

Date



Catherine Gorman, AICP
Assistant Director/HPO

03/29/2023

Date

[illegible]

Map prepared by the City of Galveston Development Services Department (montalvanad) 8/20/2023

-

Exhibit B

Survey of Lot 14A, of **LOT 14A, BLOCK 7, TERRAMAR BEACH, SECTION 4 REPLAT**, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded under Instrument No. 2019027197, of the Map Records in the Office of the County Clerk 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.

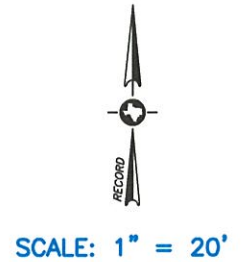
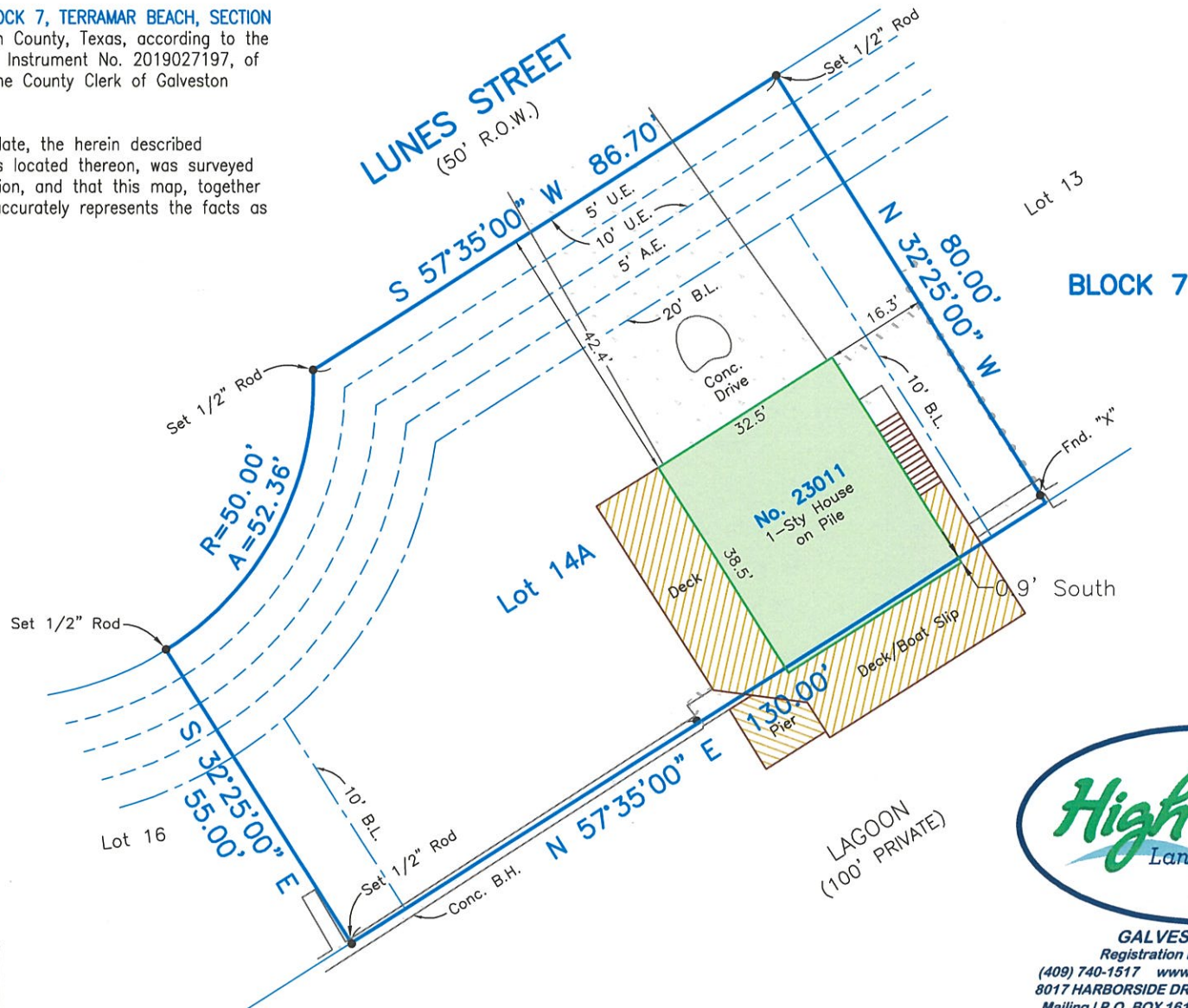
Stephen C. Blaskey
Registered Professional
Land Surveyor No. 5856

EXHIBIT ONLY
NOT TO BE RECORDED
FOR ANY PURPOSE

NOTES:

- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
- 2) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA (call your power company).
- 3) Bearings based on Monumentation of North R.O.W. line of Lunes Street, being a found 5/8 inch rod at on the South line of Lot 20, and a found 1/2 inch rod at the Southwest corner of Lot 27.
- 4) Surveyed without benefit of a Title Report.

SURVEY DATE:	JULY 26, 2022
FILE No.:	7013-0007-0014-000
DRAFTING:	ATC/AM
JOB No.:	22-0517

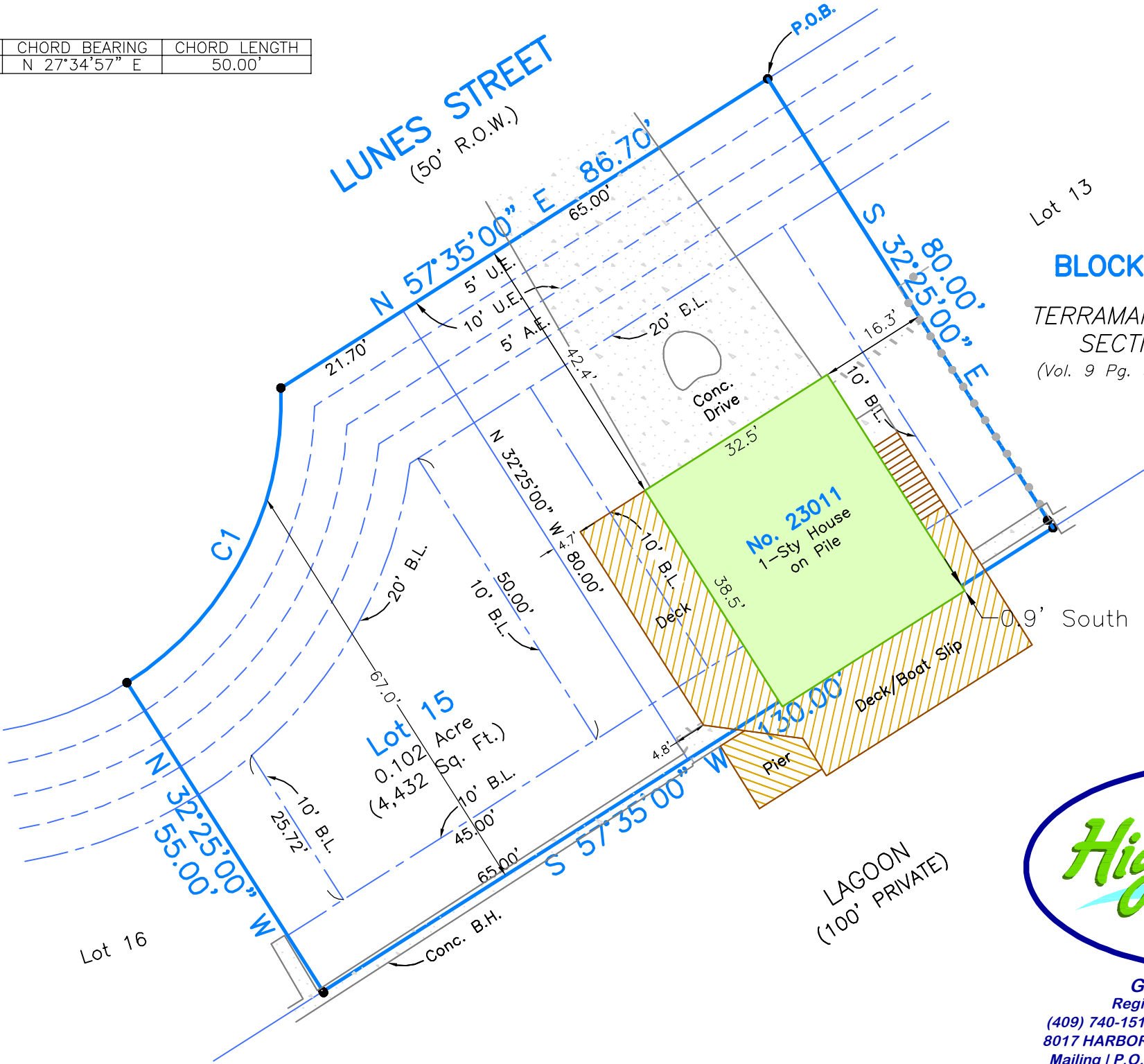


GALVESTON OFFICE
Registration Number: 10193855
(409) 740-1517 www.hightidelandsurveying.com
8017 HARBORSIDE DRIVE | GALVESTON, TX 77554
Mailing | P.O. BOX 16142 | GALVESTON, TX 77552

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	50.00'	52.36'	N 27°34'57" E	50.00'

LEGEND

A.E.	Overhead Aerial Easement
B.L.	Building Setback Line
G.C.M.R.	Galveston County Map Records
P.O.B.	Point Of Beginning
PG.	Page
R.O.W.	Right-Of-Way
SQ. FT.	Square Feet
U.E.	Utility Easement
VOL.	Volume



Lot 13

BLOCK 7

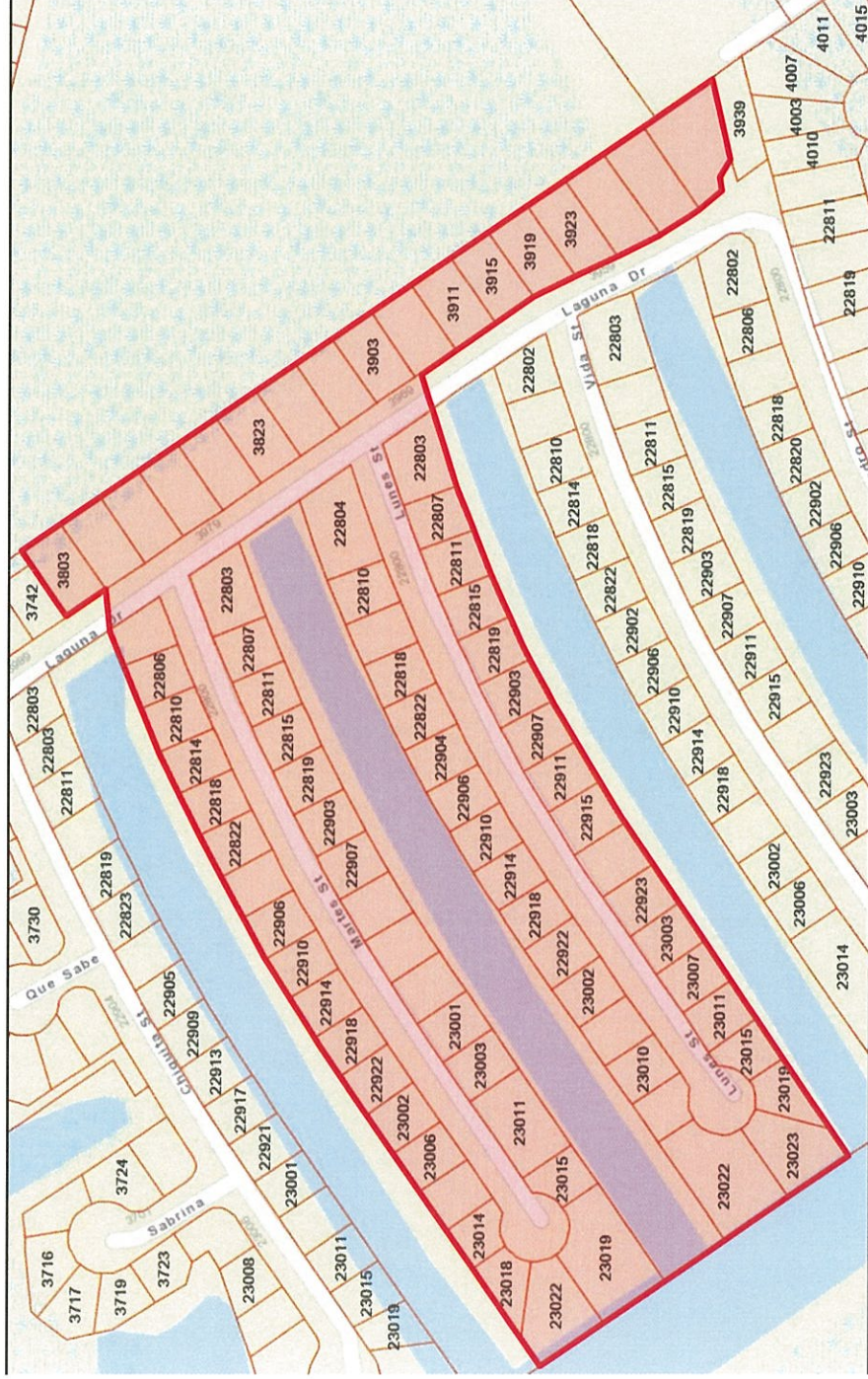
TERRAMAR BEACH,
SECTION 4

(Vol. 9 Pg. 36, G.C.M.R.)



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Terramar Beach





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.