

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
3:30 p.m. Wednesday, March 6, 2024
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

**One or more members of the Zoning Board of Adjustment may attend the meeting by
videoconference.**

**A quorum of the members of the Zoning Board of Adjustment will be physically present
at the meeting location.**

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes
 - A. December 6, 2023

Documents:

[12-06-2023 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. 24Z-001 (4226 Kent) 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 Abstract 121 Hall & Jones Survey Lot 420A, Sea Isle Section 1, In The City And County Of Galveston, Texas. Applicant: Michael Maerz, T. Browning Ventures Property Owner: T. Browning Ventures

Documents:

[24Z-001 - PKT.PDF](#)

- B. 24Z-002 (17427 Bristow) 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 Rear Yard Setback. Property Is Legally Described As Abst 121 Hall & Jones Survey, West Half Of Lot 33 (33-1) Gulf Palms, In The City And County Of Galveston, Texas. Applicant: Ryan Gannon, Gannon Investments, LLC. Property Owner: Gannon Investments, LLC.

Documents:

[24Z-002 - PKT.PDF](#)

7. Discussion Items

A. 2024 Meeting Schedule (Staff)

Documents:

[2024 DEPARTMENT MEETING SCHEDULE - FINAL.PDF](#)

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 February 29, 2024, at 3:45 P.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 – December 6, 2023

CALL MEETING TO ORDER

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

ATTENDANCE

Members Present: Lidija Bikova, Robert Girndt, Carol Hollaway, Barbara Railey, Susan Syler, James Fagan (Alternate), Becca Scoville (Alternate), Ex-Officio David Finklea

Members Absent: None

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

CONFLICT OF INTEREST

None

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Board Member Barbara Railey nominated Robert Girndt as Chairperson. Board Member Carol Hollaway nominated Lidija Bikova as Chairperson. No other nominations were made. Chairperson Robert Girndt closed the nominations.

Board Member Susan Syler made a motion for the election of the Chairperson. Board Member Barbara Railey seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor:	Bikova, Girndt, Hollaway, Railey, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The Chairperson called for a vote on the nomination of Robert Girndt and the following votes were cast:

In favor:	Bikova, Girndt, Railey, Syler
Opposed:	None
Abstained:	Hollaway
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The motion passed.

Board Member Carol Hollaway nominated Lidija Bikova as Vice-Chairperson. No other nominations were made. Chairperson Robert Girndt closed the nominations.

Board Member Susan Syler made a motion for the election of the Vice-Chairperson. Board Member Barbara Railey seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor:	Bikova, Girndt, Hollaway, Railey, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The Chairperson called for a vote on the nomination of Lidija Bikova and the following votes were cast:

In favor:	Bikova, Girndt, Hollaway, Railey, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The motion passed.

APPROVAL OF MINUTES

The September 6, 2023, minutes were approved as presented.

Board Member Susan Syler made a motion to approve the minutes. Vice-Chairperson Lidija Bikova seconded.

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

In favor:	Bikova, Girndt, Hollaway, Railey, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The motion passed.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

23Z-007 (5124 Ave O 1/2) 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 minimum lot area. Property is legally described as M.B. Menard Survey, Lots 21 and 22, Block 91 Denver Resurvey, in the City and County of Galveston, Texas.

Applicant: Jessica Miller-Ibey

Property Owners: Christopher Ibey and Jessica Miller-Ibey

Staff presented the staff report and reported that of 27 notices sent, none had been returned.

Chairperson Robert Girndt opened the public hearing on the case. Reed Wilson, representative of the applicant, gave a presentation to the board. See the attached list for presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Board Member Carol Hollaway made a motion to approve the request. Board Member Susan Syler seconded.

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

In favor:	Bikova, Girndt, Hollaway, Railey, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Fagan (Alternate), Scoville (Alternate), Councilmember David Finklea

The motion passed.

RECOGNITION OF BILL CLEMENT

Bill Clement was recognized for his service on the Zoning Board of Adjustment.

DISCUSSION ITEM

Staff opened the “2024 Meeting Schedule (Staff)” discussion. The schedule was distributed to the Board.

THE MEETING ADJOURNED AT 4:11 PM





24Z-001

STAFF REPORT

ADDRESS:

4225 Kent Street

LEGAL DESCRIPTION:

Property is legally described as Abstract 121 Hall & Jones Survey Lot 420A, Sea Isle Section 1, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Michael Maerz, T. Browning Ventures

PROPERTY OWNER(S):

T. Browning Ventures

ZONING:

Residential, Single-Family (R-1)

REQUEST:

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.

APPLICABLE 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:

Daniel Lunsford, Senior Planner
 (409) 797-3672
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
34				

Per Section 13.808 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:

Airport: No Objection
 Building Division: No Objection
 Coastal Resources: No Objection
 Fire Marshal: No Objection
 Fire Chief: No Objection
 Police Chief: No Objection
 Public Works: No Objection

Private Utilities Notification Responses:

AT&T: No Objection
 Comcast: No Objection
 CenterPoint Energy: No Objection
 Texas Gas Service: No Objection



Executive Summary The applicant is requesting a special exception from Article 3, Residential Single-Family (R-1) Addendum in order to reduce the required front yard setback from 20 feet to 17.5 feet. Due to an error made during construction, the covered front porch of the structure encroaches approximately 2.5 feet beyond the required minimum front setback.

In accordance with Sec. 12.401 of the Land Development Regulations (LDR), a front yard exception may be requested where the front yard setback of any two or more lots in the same block do not meet the front yard requirements of the LDR. An exception may also be granted if the front yard setback of the adjacent lot does not meet the front yard setbacks of the LDR. Please see Exhibit A for examples of other structures in the subject block constructed with a lesser setback than prescribed by the current regulations.

**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	17.5 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.

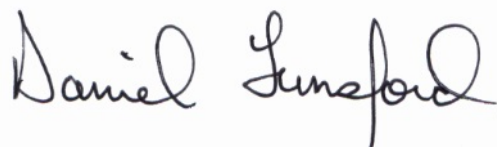
Approval Standards. The Board of Adjustment may grant a special exception as provided in Section 12.401(2)(a) and when the Zoning Board of Adjustment finds that such special exception will not affect adversely the value and use of adjacent and neighboring property or be contrary to the public interest.

**Applicant's
Justification**

The Applicant's Justification is as follows:

4222 Kent has a lift which exceeds the build line far more than our deck. Approx. 3' more.

Respectfully Submitted,

A handwritten signature in black ink that reads "Daniel Lunsford". The signature is written in a cursive style with a large, looped "D" and a stylized "L".

Daniel Lunsford
Senior Planner

February 27, 2024

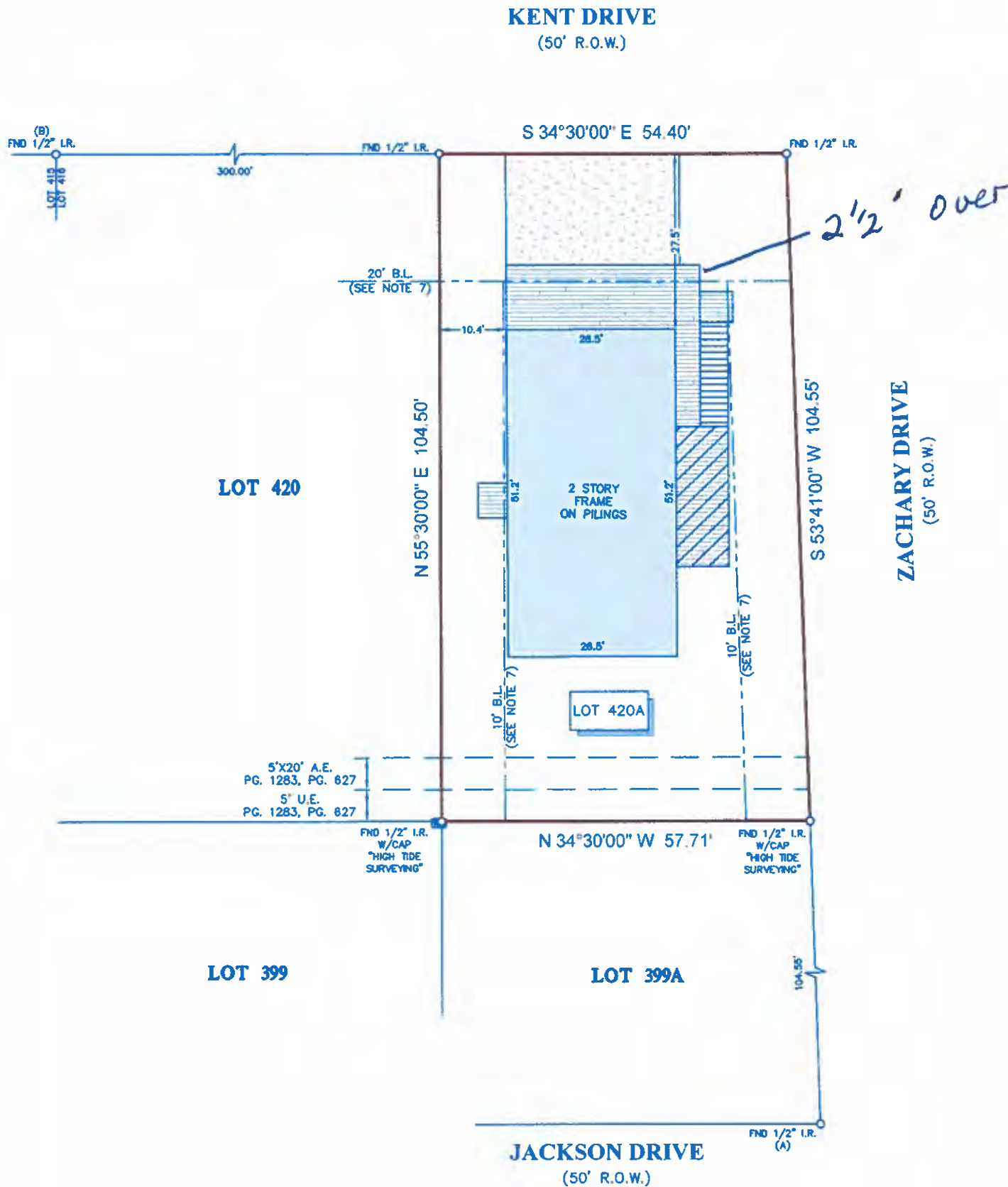
Date

A handwritten signature in black ink that appears to read "C. Gorman". The signature is written in a cursive style with a large, looped "C" and a stylized "G".

Catherine Gorman, AICP
Assistant Director/HFO

February 27, 2024

Date



NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE SUBDIVISION PLAT NAMED BELOW. POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
2. ABSTRACT INFORMATION FOR THE SUBJECT TRACT WAS PROVIDED BY THE TITLE INSURANCE COMPANY LISTED BELOW. SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED SUBJECT PROPERTY.
3. THIS SURVEY IS CERTIFIED TO T. BROWNING VENTURES FOR THIS TRANSACTION ONLY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
5. THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.
6. SUBJECT TO THE RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED ON JUNE 8, 2022, UNDER G.F. NO. GV2292700.
7. BUILDING LINES SHOWN PER G.F. NO. GV2292700.

LEGEND

	CONCRETE	B.L. = BUILDING LINE
	COVERED AREA	U.E. = UTILITY EASEMENT
	ELEVATED WOOD DECK	A.E. = AERIAL EASEMENT
	STEPS	

LEGAL DESCRIPTION: LOT 420A, OF SEA ISLE FIRST EXTENSION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 254-A, PAGE 78 AND TRANSFERRED TO PLAT RECORD 5, MAP NO. 63, BOTH OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS.

CUSTOMER:
T. BROWNING VENTURES, LLC

ADDRESS:
4226 KENT DRIVE



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 DECEMBER 28, 2023 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.

[Signature]
RICHARD RUSSELL
RPLS# 4148

REVISED: 12-29-23



Survey 1, Inc.
Your Land Survey Company

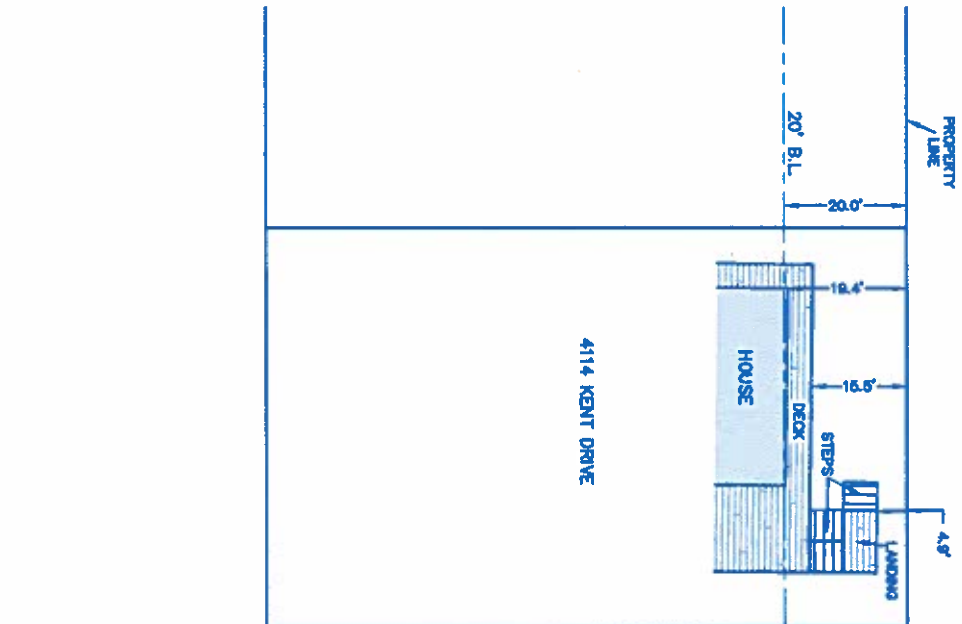


G.F. # GV2292700
ISSUE DATE: JUNE 8, 2022
www.survey1inc.com
survey1@survey1inc.com
Firm Registration No. 100758-00
P.O. Box 2543 Alvin, TX 77512
(281) 383-1382 | Fax (281) 383-1383

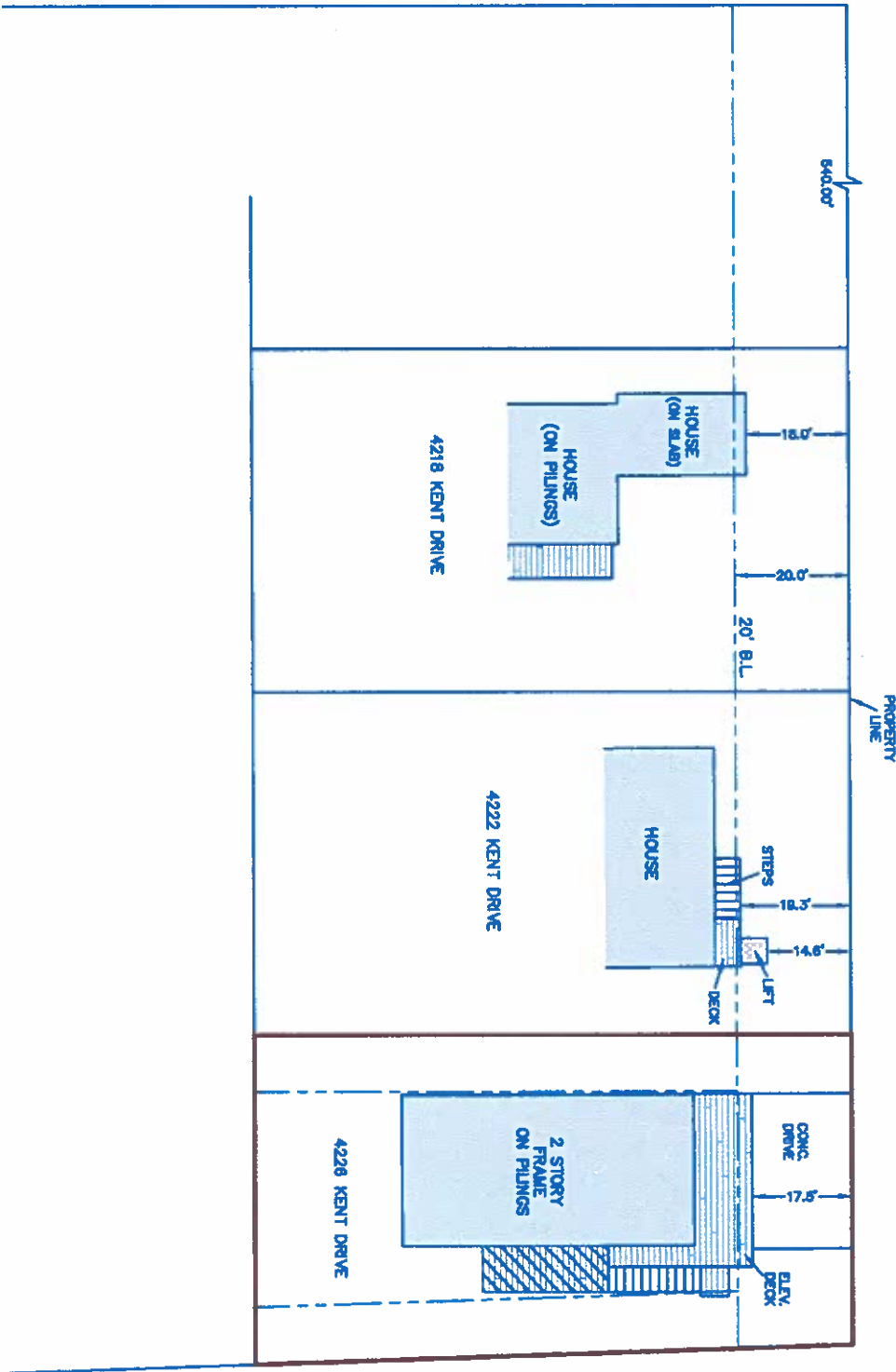


FIELD CREW: JF	TECH: MA	DATE: DEC. 28, 2023
DRAFTER: MA	FINAL CHECK: EF	JOB# 12-130491-23

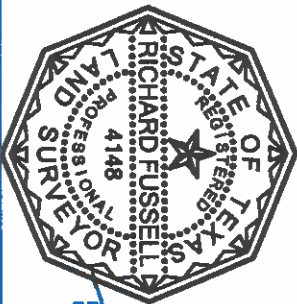
EXHIBIT



SOUTH SHELBY DRIVE
(50' R.O.W.)



ZACHARY DRIVE
(50' R.O.W.)



Richard Fussell
4148

Survey 1, Inc.
www.survey1inc.com
survey1@survey1inc.com
Your Land Survey Company
Firm Registration No. 100758-00
P.O. Box 2543 | Aht, TX 77512 | (281) 393-1382

DATE:
JANUARY 4, 2023

VICINITY MAP

B.F.E. -
BASE FLOOD ELEVATION (100 YEAR)
D.F.E. -
DESIGNATED FLOOD ELEVATION (500 YEAR)
F.F.E. -
FINISHED FLOOR ELEVATION
P.A.S. -
PILING AND STRUCKER
S.O.G. -
SLAB ON GRADE
H.A.G. -
HIGHEST ADJACENT GRADE
L.A.G. -
LOWEST ADJACENT GRADE

LEGAL DESCRIPTION:
LOT 420A, OF SEA ISLE FIRST EXTENSION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAN THEREOF RECORDED IN VOLUME 254A, PAGE 78 AND TRANSFERRED TO PLAT RECORD 5, MAP NO. 63. BOTH OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS.

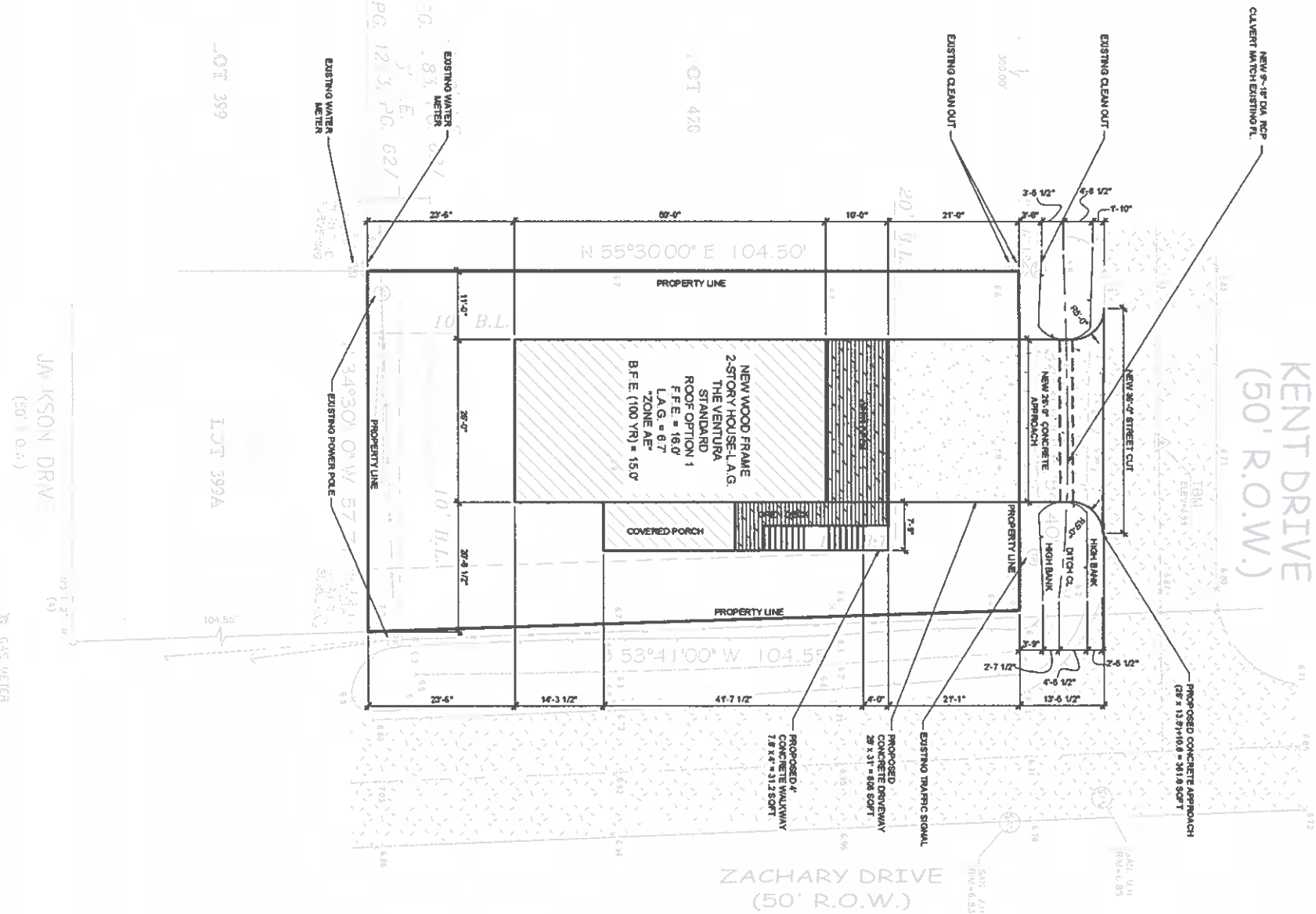
NO	DATE	DESCRIPTION OF CHANGE
0	10/09/2022	ISSUED FOR CONSTRUCTION

UTILIZED IN ANY FORM WITHOUT PERMISSION OF THE AUTHOR.



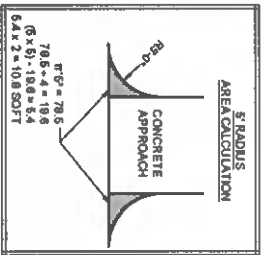
SITE PLAN

DESIGNED BY	V.A.	CHECKED BY	COH
PROJECT #	22-0362-07	SCALE	30" = 1'-0"
DATE	10/20/2022		22-0362-C-1.00



<u>PROPOSED CONCRETE</u>	
WALKWAY TO FRONT PORCH:	31.2 SQFT
DRAINWAY	800 SQFT
APPROACH	361.8 SQFT
TOTAL	1,199 SQFT

IMPERVIOUS SQUARE FOOTAGE	
PROPOSED SQUARE FOOTAGE	
LOT AREA	6,868 SQFT
PROPOSED 18" PL. CONC	1,834.4 SQFT
DRIVEWAY	896.8 SQFT
WALKWAY	31.2 SQFT
TOTAL COVERED	2,671.2 SQFT
APPROXIMATE LAND TABULATION	
LOT AREA	6,868 SQFT
TOTAL COVERED AREA	2,671.2 SQFT
IMPERVIOUS PERCENTAGE	44.57 %



SCALE: 3/32" = 1'-0"

4226 Kent



← 4222 Kent



24Z-002

STAFF REPORT

ADDRESS:

17427 Bristow

LEGAL DESCRIPTION:

The property is legally described as Abst 121 Hall & Jones Survey, West Half of Lot 33 (33-1) Gulf Palms, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Ryan Gannon, Gannon Investments, LLC.

PROPERTY OWNER(S):

Gannon Investments, LLC.

ZONING:

Residential, Single-Family (R-1)

REQUEST:

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 rear yard setback.

APPLICABLE REGULATIONS:

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

EXHIBITS:

- A – Applicant's Submittal
- B – Release of Easement
- C – Motion Guide

STAFF:

Daniel Lunsford, Senior Planner
 (409) 797-3672
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
40				

Per Section 13.808 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:

Airport: No Objection
 Building Division: No Objection
 Coastal Resources: No Objection
 Fire Marshal: No Objection
 Fire Chief: No Objection
 Police Chief: No Objection
 Public Works: No Objection

Private Utilities Notification Responses:

AT&T: No Objection
 Comcast: No Objection
 CenterPoint Energy: No Objection
 Texas Gas Service: No Objection



Executive Summary The applicant is requesting a special exception from Article 3, Residential Single-Family (R-1) Addendum in order to reduce the required rear yard setback from 10 feet to 6 feet. The applicant has submitted building permits which show part of the rear deck and stairs encroaching approximately four feet into the minimum 10 feet rear setback.

This will encroach into a 5’ aerial easement shown on the survey. Note, however, that a filed, recorded release of easement from 2009 was provided by Centerpoint Energy indicating that the 5’ aerial easement shown no longer legally exists (see Exhibit B).

In accordance with Sec. 12.401 of the Land Development Regulations (LDR), a rear yard exception may be requested where the rear yard setback of any two or more lots in the same block do not meet the rear yard requirements of the LDR. Please see Exhibit A for examples of other structures in the subject block constructed with a lesser setback than prescribed by the current regulations.

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
Rear	10 feet	6 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.

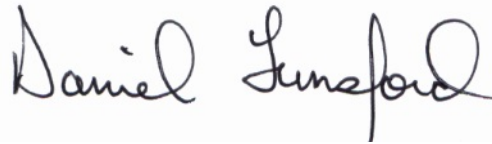
Approval Standards. The Board of Adjustment may grant a special exception as provided in Section 12.401(2)(a) and when the Zoning Board of Adjustment finds that such special exception will not affect adversely the value and use of adjacent and neighboring property or be contrary to the public interest.

**Applicant's
Justification**

The Applicant's Justification is as follows:

There are multiple existing homes that go beyond the 10 ft required rear setback. Please see attached drawings and site plan with redlines.

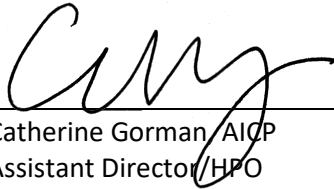
Respectfully Submitted,



Daniel Lunsford
Senior Planner

February 27, 2024

Date



Catherine Gorman, AICP
Assistant Director/HPO

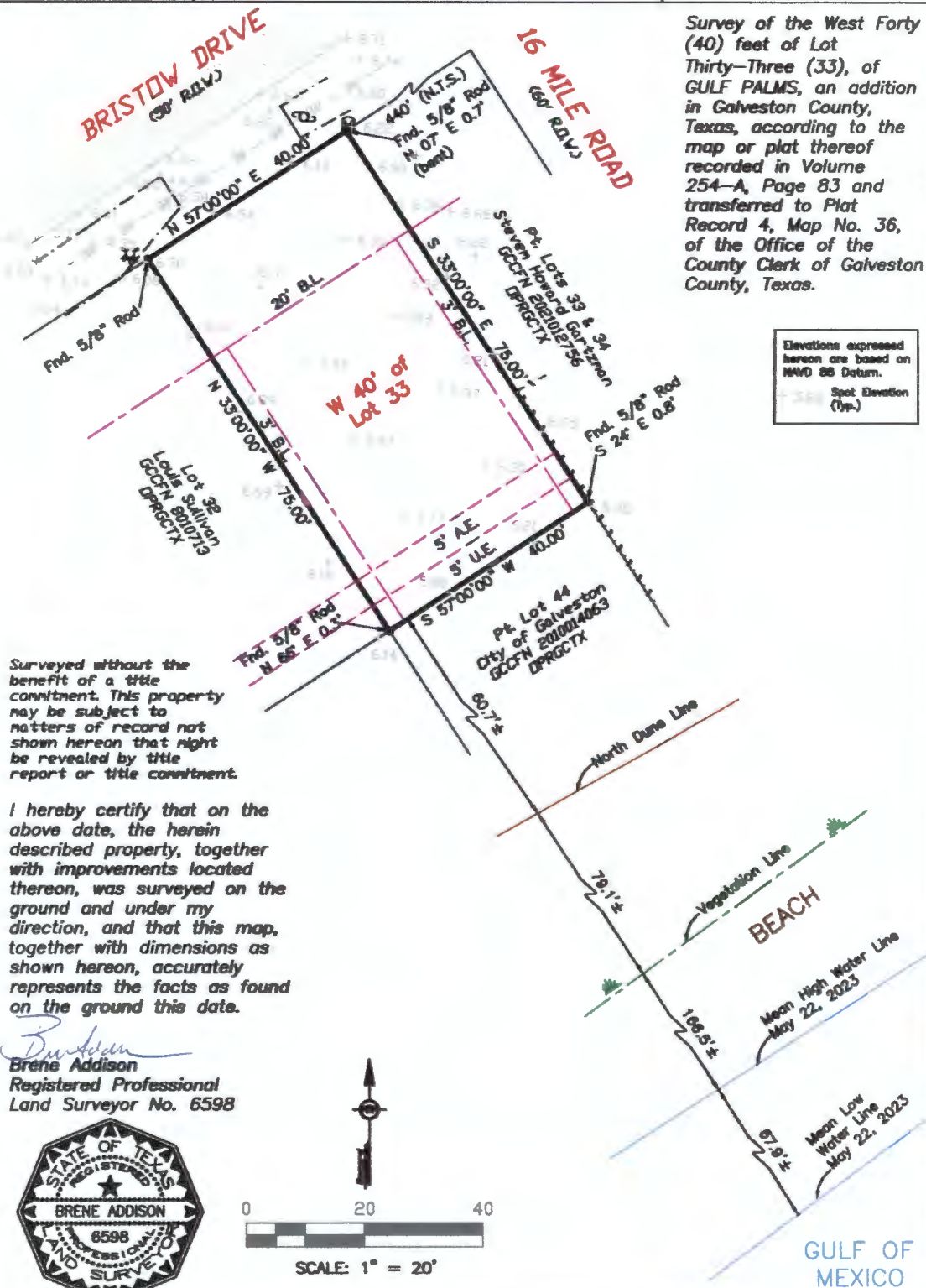
February 27, 2024

Date

T.L.S. Job No 23-0328

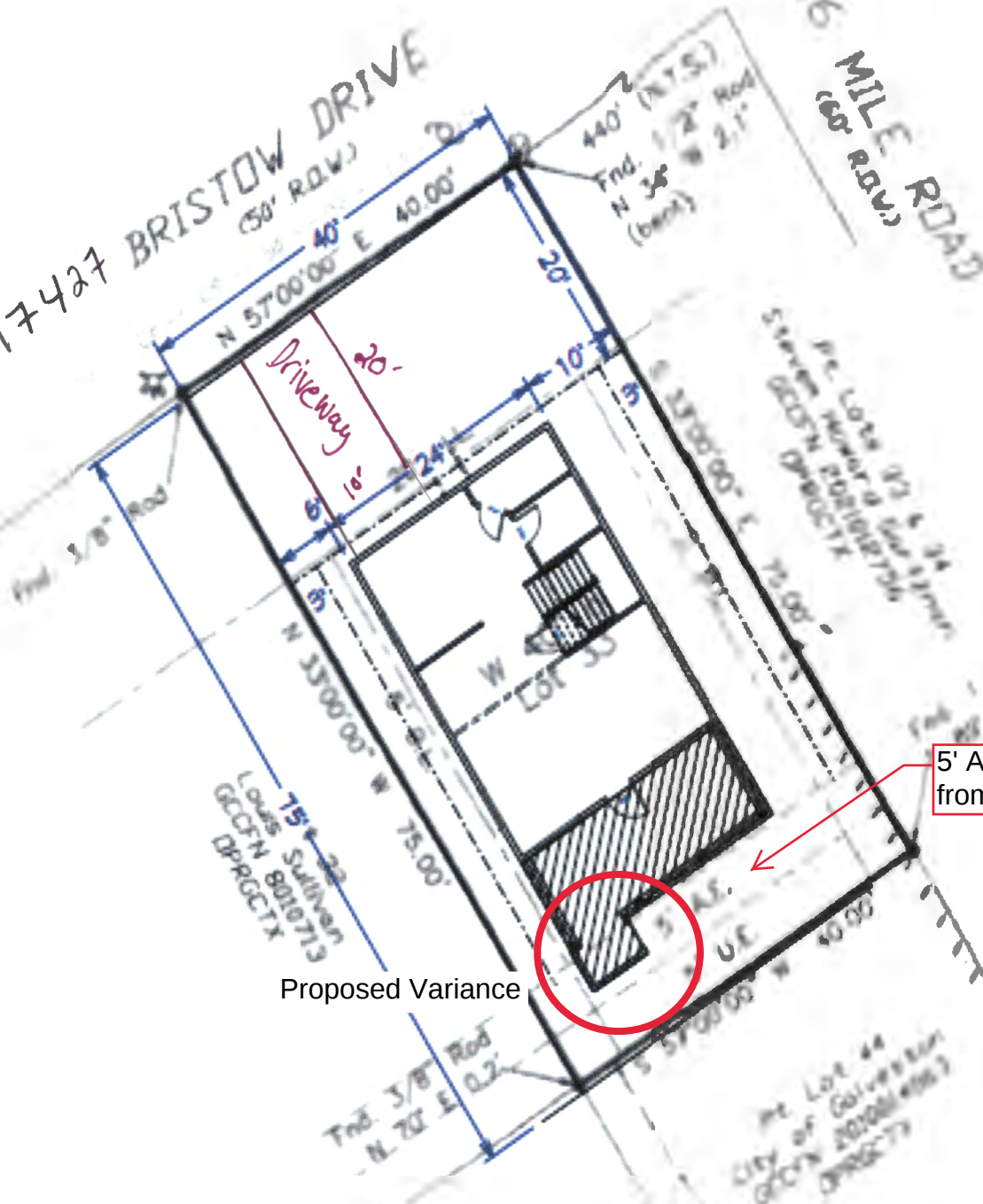
17427 Bristow Drive, Galveston, TX 77554

Survey Date: May 22, 2023



17427 BRISTOW DRIVE
(50' R.O.W.)

16 MILE ROAD
(60' R.O.W.)



5' Aerial Easement
from Survey

Proposed Variance



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REV.09/2009

Job REL73129

Map 6333D2

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**RELEASE
OF
EASEMENT**

STATE OF TEXAS §

COUNTY OF GALVESTON §

WHEREAS, under the platting and dedication of that certain subdivision known as Gulf Palms, certain utility easements were dedicated as reflected by the official plat of said subdivision, recorded in Volume 254-A, Page 83 of the Deed Records and rerecorded in Plat 4, Map 36 of the Map Records of Galveston County, Texas.

WHEREAS, CenterPoint Energy Houston Electric, LLC has been requested by the present owners of Lots 27 through 37, inclusive and Lots 39 through 50, inclusive, of said subdivision to release its right of use of that portion of the dedicated easements specified in the next paragraph of this instrument, which CenterPoint Energy Houston Electric, LLC is willing to do;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:
That in consideration of the premises, CenterPoint Energy Houston, LLC has **RELEASED**, and does by these presents **FOREVER RELEASE**, all of its right of

43

REV.09/2009

Job REL73129

Map 6333D2

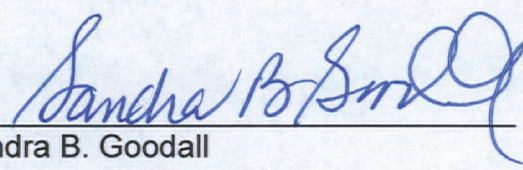
use of the following portion of the aforesaid dedicated easements, which released portion is described as follows:

The dedicated ten (10) foot wide utility easement and the adjoining aerial easements located within Lot 39 and between Lots 27-50, 28-49, 29-48, 30-47, 31-46, 32-45, 33-44, 34-43, 35-42, 36-41, and 37-40 of said subdivision.

This is a partial release, which affects only that part of the easement described in the preceding paragraph and which does not in any manner affect CenterPoint Energy Houston, LLC's right to use the remainder of the dedicated easements in the aforesaid subdivision.

EXECUTED this 8th day of October, 2009.

CENTERPOINT ENERGY HOUSTON
ELECTRIC, LLC

BY: 

Sandra B. Goodall
Supervisor Property Rights
Surveying & Right of Way Division
Agent & Attorney-in-Fact

43

REV.09/2009

Job REL73129

Map 6333D2

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on October 8, 2009, by Sandra B. Goodall, Supervisor Property Rights and Surveying & Right of Way Division of CenterPoint Energy Houston Electric, LLC, Agent and Attorney-in-Fact on behalf of said corporation.



Sheila R. Agee
Notary's Signature

AFTER RECORDING RETURN TO:
SURVEYING & RIGHT OF WAY
CENTERPOINT ENERGY
P. O. BOX 1700
HOUSTON, TX 77251-1700

PAID

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Mary Ann Daigle

2009059000

October 26, 2009 08:31:11 AM

FEE: \$24.00

Mary Ann Daigle, County Clerk
Galveston County, TEXAS

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.

Development Services Department 2024 Board and Commission Schedule

Month	<u>Landmark Commission</u> 1 st and 3 rd Monday 4:00 pm	<u>Planning Commission</u> 1 st and 3 rd Tuesday 3:30 pm	<u>Zoning Board of Adjustment</u> 1 st Wednesday 3:30 pm
JANUARY	1/8*	1/9*	1/10*
	No Meeting	No Meeting	
FEBRUARY	2/5	2/6	2/7
	2/19	2/20	
MARCH	3/4	3/5	3/6
	3/18	3/19	
APRIL	4/1	4/2	4/3
	4/15	4/16	
MAY	5/6	5/7	5/8*
	5/20	5/21	
JUNE	6/3	6/4	6/5
	6/17	6/18	
JULY	No Meeting	No Meeting	7/10*
	7/15	7/16	
AUGUST	8/5	8/6	8/7
	8/19	8/20	
SEPTEMBER	No Meeting	No Meeting	9/4
	9/16	9/17	
OCTOBER	10/7	10/8*	10/9*
	10/21	10/22*	
NOVEMBER	11/4	11/5	11/6
	11/18	11/19	
DECEMBER	12/2	12/3	12/4
	12/16	12/17	

* Denotes Schedule Change