NOTICE OF MEETING
PLANNING COMMISSION
OF THE CITY OF GALVESTON
TUESDAY, MAY 20, 2025 - 3:30 PM
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas
REGULAR MEETING

One or more members of the Planning Commission may attend the meeting by videoconference.
A quorum of the members of the Planning Commission will be physically present at the meeting location.

1. Call Meeting to Order

2. Attendance

3. Conflict of Interest

4. Public Comment
   Request to Address Commission 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)

5. Old Business and Associated Public Hearings

   5.A **ABANDONMENT**

   5.A.1 **25P-015 (Adjacent to 303 31st Street)** Request for an Abandonment of approximately 12,790 square feet of street and alley right-of-way. Adjacent property is legally described as: M. B. Menard Survey; Lots 6, 7, and North 18.7 feet of Lot 8, Block 571, in the City and County Galveston, Texas.
   Applicant: Christopher Lankford and Marc Hill
   Adjacent Property Owner: CHL & RAL Holdings, LLC
   Easement Holder: City of Galveston

6. New Business and Associated Public Hearings

6.A **BEACHFRONT CONSTRUCTION/DUNE PROTECTION PERMITS**

2. **25BF-012 (11347 Beachside Drive)** Request for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a large-scale single-family dwelling with fibercrete driveway and footer. Property is legally described as Lot 908, Beachside Village, Section 9, (2024) a subdivision in the City and County of Galveston, Texas.
   Applicant: Kevin Peterson
   Property Owner: Karen Sanford

3. **25BF-015 (21316 Gulf Drive)** Request for exemption and approval for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a single-family dwelling with crushed concrete parking area within the Dune Conservation Area. Property is legally described as Abstract 121, Page 19, Lot 38, Sea Isle, Section 21, a subdivision in the City and County of Galveston, Texas.
   Applicant: Darel Seymour
   Property Owner: Darel Seymour

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 05/15/2025 at 10:35 AM

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

MEMORANDUM

TO: Rusty Walla**,** Planning Commission Chairperson and Planning Commissioners

FROM: Catherine Gorman, AICP
Assistant Director/Historic Preservation Officer
Development Services Department

DATE: May 15, 2025

RE: **25P-015 (Adjacent to 303 31st Street)** Request for an Abandonment of approximately 12,790 square feet of street and alley right-of-way. Adjacent property is legally described as: M. B. Menard Survey; Lots 6, 7, and North 18.7 feet of Lot 8, Block 571, in the City and County Galveston, Texas.
Applicant: Christopher Lankford and Marc Hill
Adjacent Property Owner: CHL & RAL Holdings, LLC
Easement Holder: City of Galveston

Staff is requesting deferral of this request to the June 3, 2025 meeting in order for the applicant to provide additional information and respond to Staff's comments.

This is the second request for deferral and there were no costs associated with the request.

25BF-012 STAFF REPORT

ADDRESS:
11347 BEACHSIDE DR
GALVESTON, TX 77554

LEGAL DESCRIPTION:
The property is legally described as Lot 908, Beachside Village, Section 9, (2024), a subdivision in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:
Kevin Peterson

PROPERTY OWNER:
Karen Sanford

REQUEST:
Beachfront Construction Certificate/Dune Protection Permit in order to construct large-scale single-family dwelling with fibercrete driveway and footer.

APPLICABLE LAND USE REGULATIONS:
Chapter 29, Article 2, Beach Access Dune Protection and Beachfront Construction Regulation.

STAFF RECOMMENDATION:
Approval with Conditions

EXHIBITS:
A – Aerial Map
B – Topographic Survey
C – Site Plan & Drawings
D – Site Photos
E – GLO Comment Letter

STAFF:
Kyle Clark
Coastal Resources Manager
KClark@GalvestonTX.gov

Note: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Executive Summary:
The City of Galveston's Dune Protection and Beach Access Plan designates the Planning Commission as the authority to review and consider for approval applications for a Beachfront Construction Certificate/Dune Protection Permit when proposed construction activities occur in areas within or seaward of the Dune Conservation Area or up to 50 feet landward of the Dune Protection Line. The Dune Protection Line is the area within 25 feet landward of the North Toe of the Critical Dune Area or within 200 feet landward of the Line of Vegetation for those beach areas where no dunes exist west of the terminus of the Seawall.

The applicant is requesting approval to construct a large-scale single-family dwelling with fibercrete driveway and footer. Proposed construction of the single-family dwelling is approximately 35 feet from the North Toe of the Critical Dune Area, 94'11" feet from the Line of Vegetation. This is landward of the Dune Protection Line and within the Planning Commission review area. According to the application materials, the proposed construction activities appear to be landward of dunes and dune vegetation. Therefore, mitigation activities are not proposed.

Site and Surrounding Area:
The subject site is located in the Beachside Village Section 9 Subdivision. Single-family dwellings are located to the North, East and West but are not abutting the property; a beach and dune system are located to the South of the subject property. According to the Bureau of Economic Geology, this area is eroding at a rate of eight to nine feet per year.

Analysis:
The table below summarizes the applicant survey and site plan (Attachments B and C). The attachments indicate the proposed new construction and the location of proposed construction in relation to on-site conditions:

Proposed Structure's Distance from:	Distance (Feet)
…North Toe of the Dune	35'0"
…the Line of Vegetation	94'11"

In accordance with Chapter 29: Planning – Beach Access Dune Protection & Beach Front Construction, before issuing a permit, the Planning Commission must find that the proposed construction conforms with the Beachfront Construction Certificate and Dune Protection Permit standards.

☑ The proposed activity is not a prohibited activity as defined in these standards.
☑ The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of these standards.
☑ There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the Mitigation sequence as outlined in these Standards.
☑ The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, which is not required, will adequately minimize, rectify, and/or compensate for any unavoidable adverse effects.
☑ The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and
☑ The structure is located as far landward as practicable.

Staff Recommendation:
Staff recommends approval of 25BF-012 with the following conditions:

Conditions for Case 25BF-012:

1. The applicant must adhere to all aspects of Chapter 29: Planning-Beach Access Dune Protection & Beachfront Construction of the City of Galveston Code of Ordinances.

2. The applicant must adhere to all aspects of the Texas Administrative Code Title 31. Natural Resources and Conservation, Part 1. General Land Office, Chapter §15. Coastal Area Planning, including but not limited to those outlined in the GLO Comment Letter associated with this Beachfront Construction Certificate and Dune Protection Permit.

3. The construction activities must minimize impacts on natural hydrology and must not cause erosion of adjacent properties. The applicant shall direct all stormwater inland away from the critical dune area, public beach, and adjacent properties.

4. Where applicable, the proposed construction must be consistent with FEMA minimum requirements or with the FEMA approved local ordinance.

ERP PRACTICABLE DEFINITION

Practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.

TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)

In determining what is practicable, local governments shall consider the effectiveness, scientific feasibility, and commercial availability of the technology or technique. Local governments shall also consider the cost of the technology or technique.

Respectfully Submitted,

Kyle Clark

5/12/2025

Kyle Clark
Coastal Resources Manager

05/13/2025

Catherine Gorman, AICP
Assistant Planning Director / HPO

Date

A – Aerial Map

11347 Beachside Drive
Case #25BF-012

BEG and FIRM Coastal Map Legend

BEG Shoreline Change Rates
1950s-2019 - End Point Rate (ft/yr)

- Eroding (-1ft or more)
- Stable (-1ft to 1 ft)
- Accreting (+1ft or more)
- FIRM Panels
- 0.2% Annual Chance
- Zone A
- Zone AE, Zone AO
- Zone VE
- Zone X
- Open Water
- Subdivisions
- 1000ft from MHT
- Lot Lines
- Parcels

0 12.5 25 50 75 100 125 150 175 200 225 Feet

1:1,451

Data Sources:

Aerial Imagery and Parcel Data from Galveston CAD, Shoreline Change Data from U.T. Bureau of Economic Geology, Flood Insurance Rate Map from FEMA.

Map prepared by the City of Galveston Development Services Department, Coastal Resources Division (HCummings) - 2/20/2025

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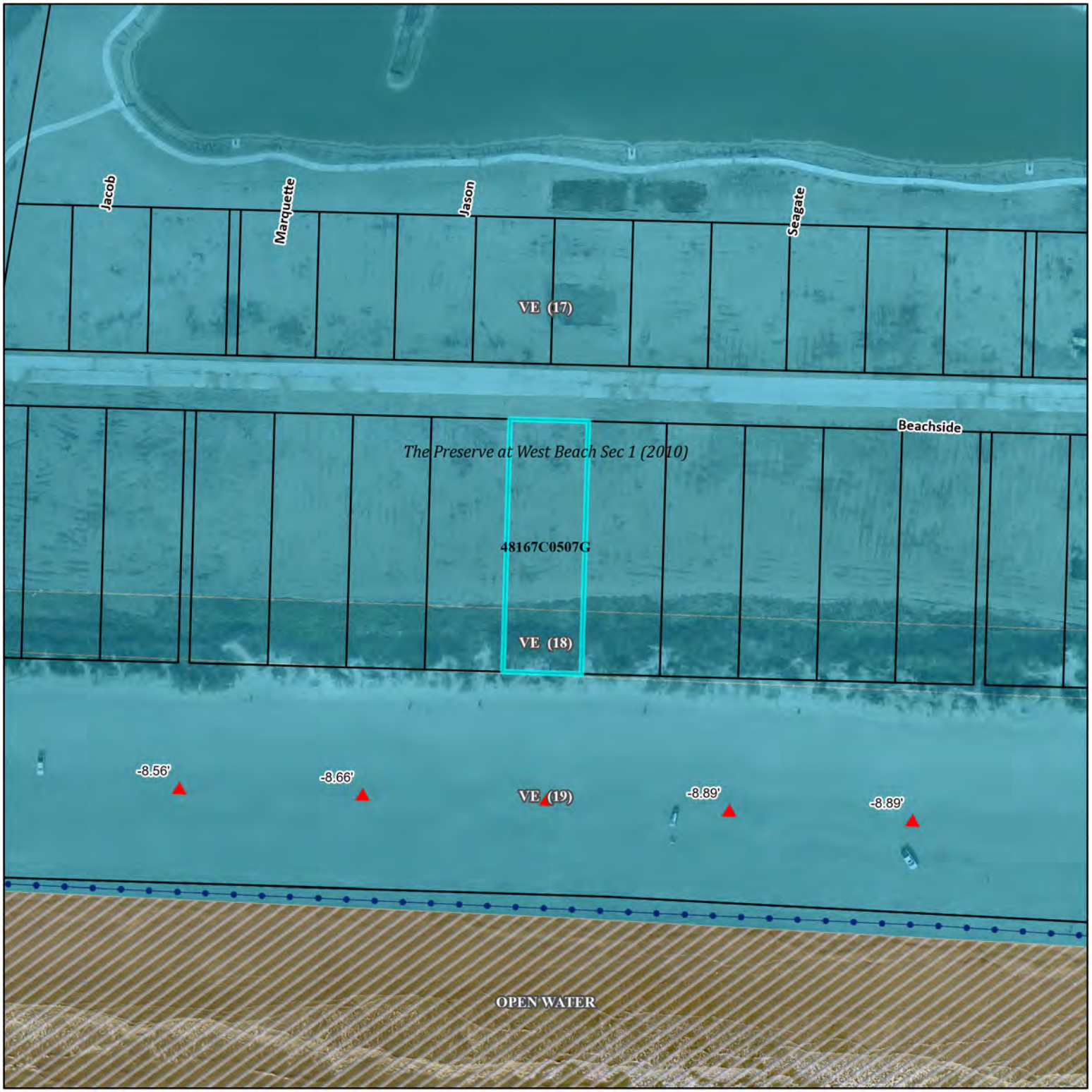
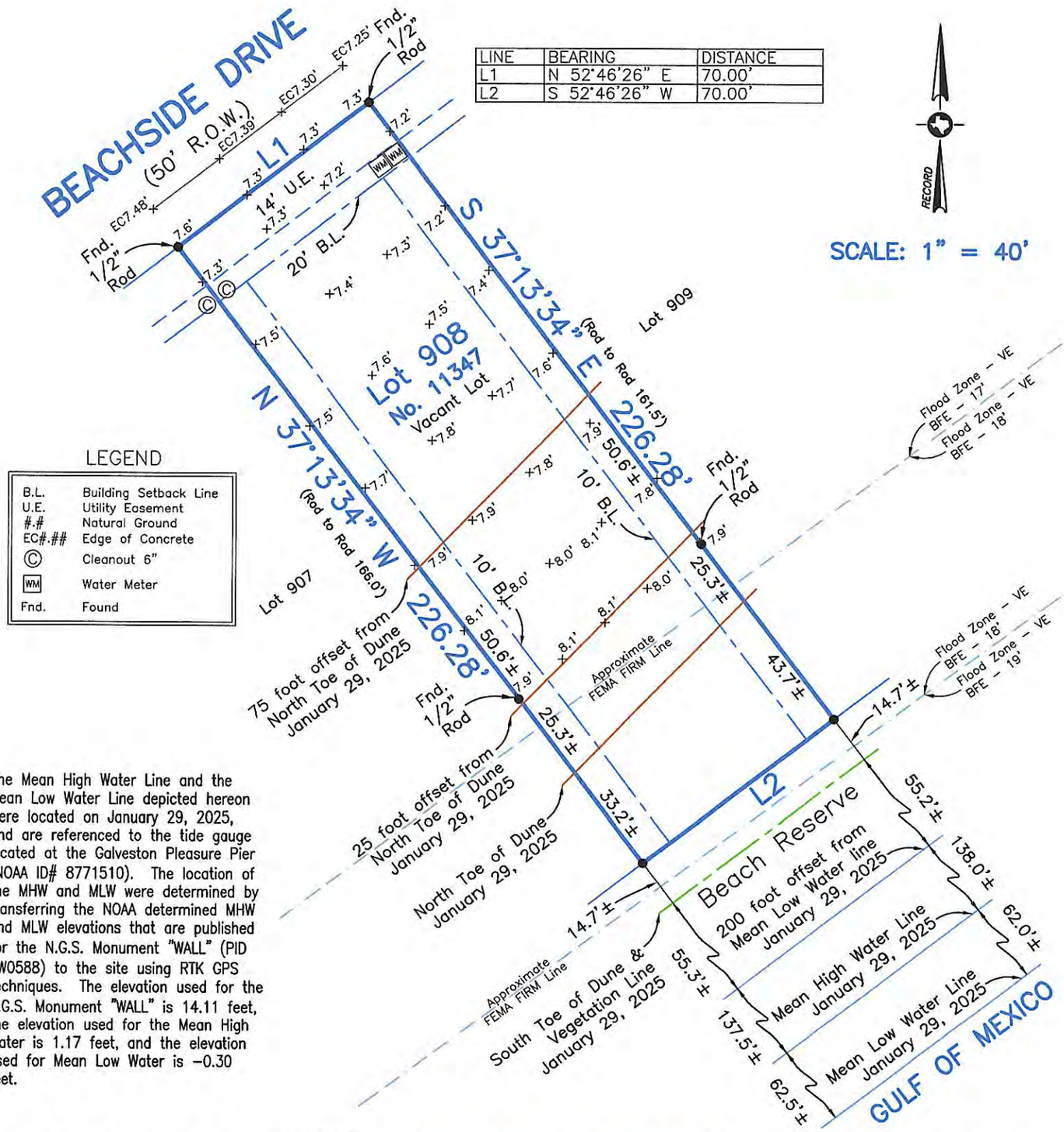


B – Topographic Surveys



LINE	BEARING	DISTANCE
L1	N 52°46'26" E	70.00'
L2	S 52°46'26" W	70.00'

LEGEND

B.L.	Building Setback Line
U.E.	Utility Easement
#.#	Natural Ground
EC#.##	Edge of Concrete
Ⓒ	Cleanout 6"
WM	Water Meter
Fnd.	Found

The Mean High Water Line and the Mean Low Water Line depicted hereon were located on January 29, 2025, and are referenced to the tide gauge located at the Galveston Pleasure Pier (NOAA ID# 8771510). The location of the MHW and MLW were determined by transferring the NOAA determined MHW and MLW elevations that are published for the N.G.S. Monument "WALL" (PID AW0588) to the site using RTK GPS techniques. The elevation used for the N.G.S. Monument "WALL" is 14.11 feet, the elevation used for the Mean High Water is 1.17 feet, and the elevation used for Mean Low Water is −0.30 feet.

Survey of Lot Nine Hundred and eight (908), of BEACHSIDE VILLAGE, SECTION NINE (9), being a replat of part of Lots Forty (40), Forty-one (41), Sixty (60), Sixty-one (61) and Eighty (80) of the Preserve at West Beach Section Two (2) of the Trimble and Lindsey Survey, Being out of and a part of the Preserve at West Beach Section One (1), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 2009A, Page 92–93, in the Office of the County Clerk and replat recorded in/under File No. 2023012090 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

STATE OF TEXAS REGISTERED STEPHEN C. BLASKEY 5856 PROFESSIONAL LAND SURVEYOR

SURVEY DATE:	JANUARY 29, 2025
FILE No.:	1641-9000-0908-000
DRAFTING:	AM
JOB No.:	25-0046

High Tide Land Surveying LLC.

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

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 as established by the City, Plat, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
3) Bearings based on recorded plat.
4) Deed references shown hereon are not a statement of ownership.
5) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument HGCSD 62.
6) Surveyed without benefit of a Title Report.

C – Site Plans and Drawings

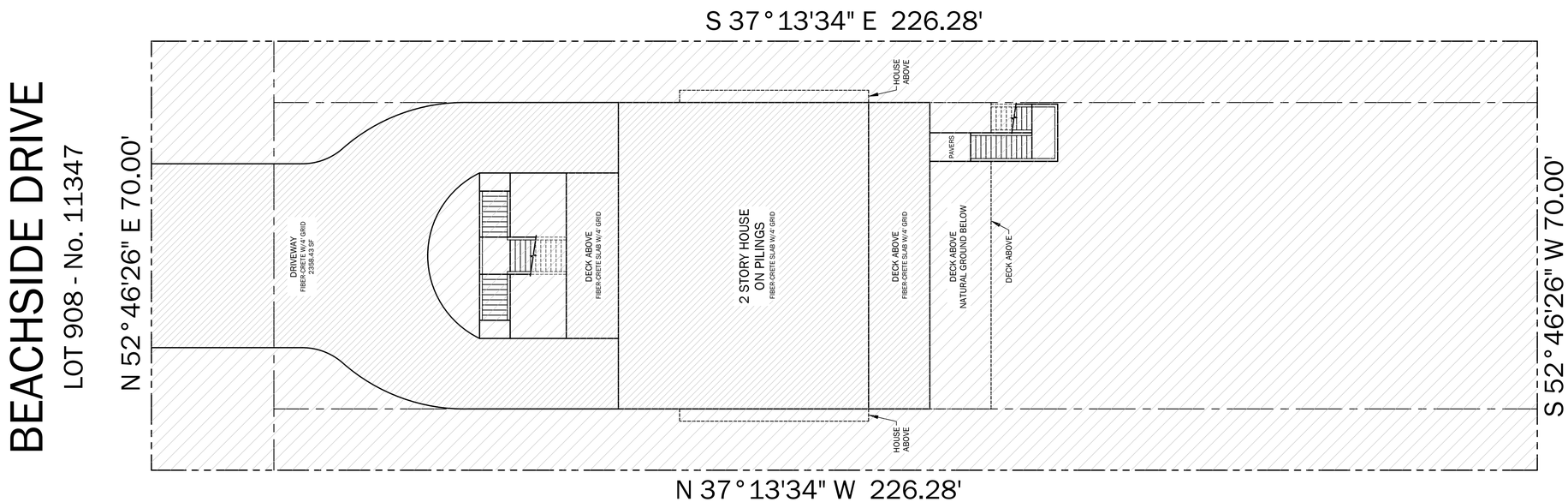
Pervious Coverage

Impervious Coverage
Includes Pavers

Lot Size ft² = 15,839.94 ft²

Impervious Coverage ft² = 5101.03 ft²
Includes Slab and Driveway

5101.03/15,839.94 = .3220 x 100 = 32.20%



1 PERVIOUS vs IMPERVIOUS GROUNDCOVER
Scale: 1"= 10'

TITLE	
FINAL PLAN SET C - 03/19/25	
FILE NAME	
Sanford 1B - 03-17-25	

NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
2	MOVED HOUSE TO 139' REAR B.L.	02/26/25
3	PLAN CHECK PER BUILDER	03/19/25
4	PAVER NOTE & DIM CHECK PER COASTAL	03/19/25
5		
6		

Culwell Designs
Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Square Footage	
1st Floor:	2060
2nd Floor:	2092
3rd Floor:	N/A
Total Living SF:	4152
Grnd Floor Enclosed	206
Decks Incl A/C Deck:	2488
Slab:	2968

PROJECT NAME AND ADDRESS
Proposed Beach House for

The Sanford Family

Lot 908 - 11347 Beachside Dr.
Beachside Village
Galveston, TX 77554

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To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.

The owner/contractor will be responsible for verification of all dimensions, details and specifications.

Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.

No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design is to be checked, verified and stamped by a licensed engineer. Windstorm Certified if applicable.

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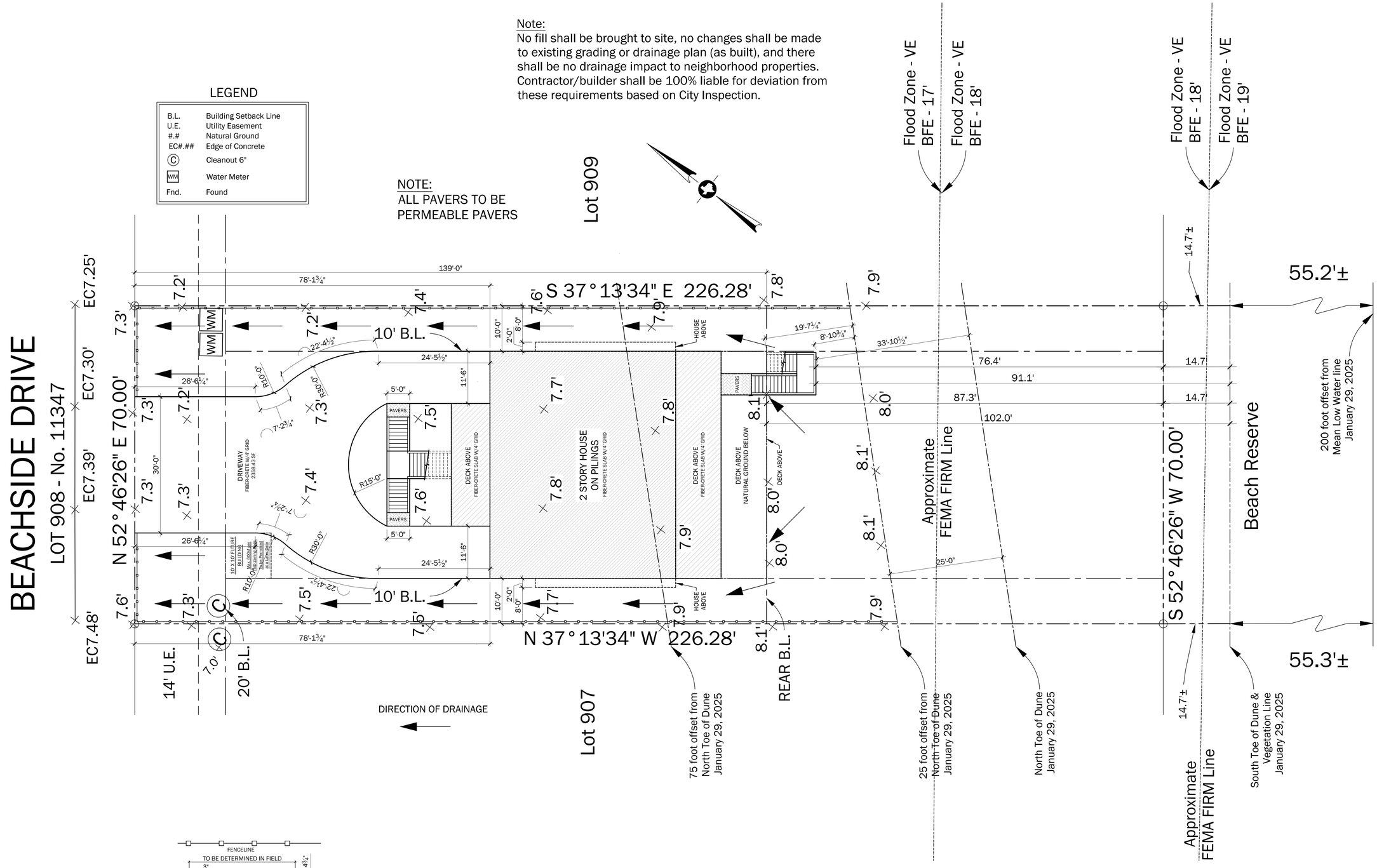
DRAWN BY	SHEET
S. CULWELL	A19
DATE 03/19/25	
SCALE SHOWN	of 19

Note:
No fill shall be brought to site, no changes shall be made to existing grading or drainage plan (as built), and there shall be no drainage impact to neighborhood properties. Contractor/builder shall be 100% liable for deviation from these requirements based on City Inspection.

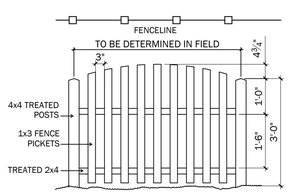
LEGEND

B.L.	Building Setback Line
U.E.	Utility Easement
#.#	Natural Ground
EC#.##	Edge of Concrete
Ⓒ	Cleanout 6"
WM	Water Meter
Fnd.	Found

NOTE:
ALL PAVERS TO BE PERMEABLE PAVERS



1 SITE & DRAINAGE PLAN
Scale: 1"= 10'



FENCE DETAIL
Scale: ½" = 1'

FINAL FENCE STYLE TO BE DETERMINED BY OWNER
NO CONCRETE TO BE USED

TITLE: FINAL PLAN SET C - 03/19/25
FILE NAME: Sanford 1B - 03-17-25

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5		
6		

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Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Square Footage	
1st Floor:	2060
2nd Floor:	2092
3rd Floor:	N/A
Total Living SF:	4152
Grnd Floor Enclosed	206
Decks Incl A/C Deck:	2488
Slab:	2968

PROJECT NAME AND ADDRESS
Proposed Beach House for
The Sanford Family
Lot 908 - 11347 Beachside Dr.
Beachside Village
Galveston, TX 77554

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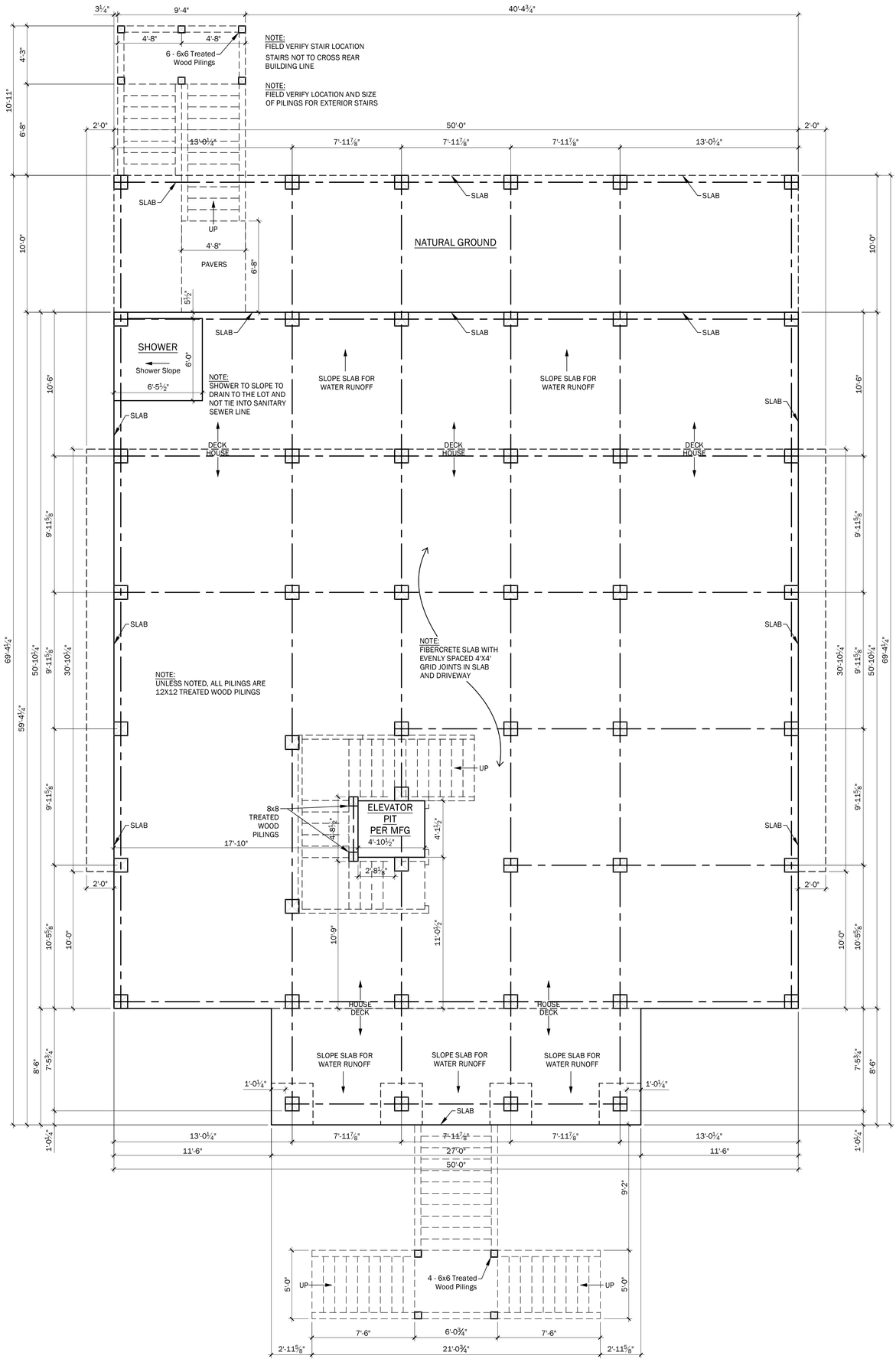
DRAWN BY: S. CULWELL
DATE: 03/19/25
SCALE: SHOWN
SHEET: A2 of 19



1 FOUNDATION - PILING & SLAB LAYOUT

Scale: 1/4" = 1'-0"

PILING NOTE:

THE BUILDER IS TO CONSULT AN ENGINEER TO VERIFY PILING SIZE, LOCATIONS, SPACING AND DEPTHS.

STRUCTURAL DRAWINGS AND NOTES PROVIDED TO ASSIST THE ENGINEER.

CULWELL DESIGNS DOES NOT ENGINEER THE STRUCTURE AND ASSUMES NO LIABILITY FOR FOUNDATION DESIGN.

SLAB NOTE:

THE BUILDER IS TO CONSULT AN ENGINEER FOR SPECIFIC SLAB AND GRADE BEAM SIZES, LOCATION AND REINFORCING.

STRUCTURAL DRAWINGS AND NOTES PROVIDED TO ASSIST THE ENGINEER.

CULWELL DESIGNS DOES NOT ENGINEER THE STRUCTURE AND ASSUMES NO LIABILITY FOR FOUNDATION DESIGN.

NOTE:
CULWELL DESIGNS DOES NOT ENGINEER THE STRUCTURE.

STRUCTURAL DESIGN DRAWINGS ARE DONE TO ASSIST THE ENGINEER. CULWELL DESIGNS ASSUMES NO LIABILITY FOR STRUCTURAL DESIGN.

ALL STRUCTURAL NOTES AND DRAWINGS ARE TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.

TITLE:	FINAL PLAN SET C - 03/19/25
FILE NAME:	Sanford 1B - 03-17-25

NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
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3	PLAN CHECK PER	03/19/25
4	PAVER/WATER GRAM CHECK PER COASTAL	03/19/25
5		
6		

Culwell Designs

Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Square Footage	
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PROJECT NAME AND ADDRESS

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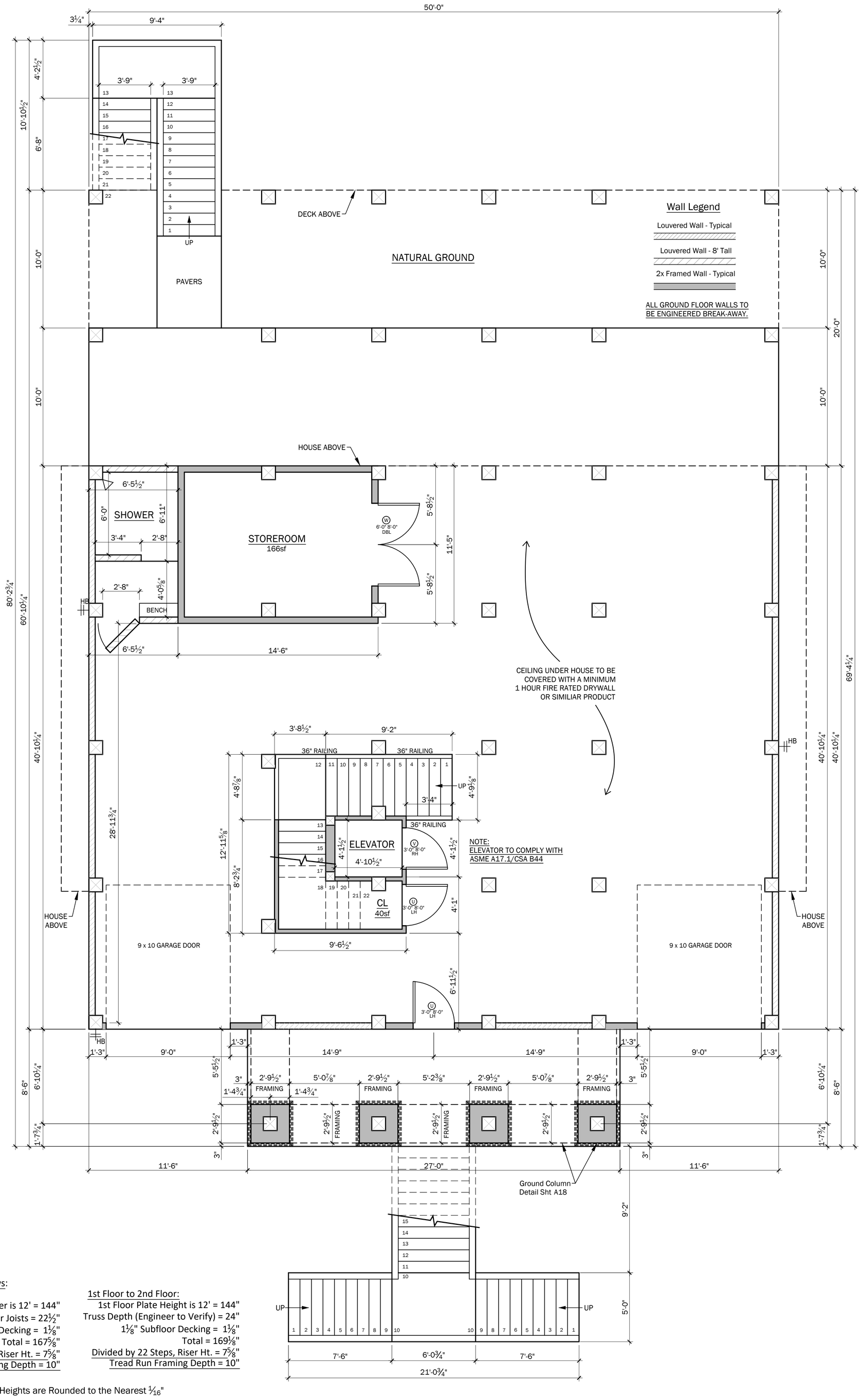
DRAWN BY	S. CULWELL
DATE	03/19/25
SCALE	SHOWN
SHEET	A3 of 19



Note:

Stair Calculations as Follows:

Ground to 1st Floor:
Slab to Bottom of Stringer is 12' = 144"
2x12 Stringers & 2x12 Floor Joists = 22½"
1⅛" Subfloor Decking = 1⅛"
Total = 167⅝"
Divided by 22 Steps, Riser Ht. = 7⅝"
Tread Run Framing Depth = 10"

1st Floor to 2nd Floor:
1st Floor Plate Height is 12' = 144"
Truss Depth (Engineer to Verify) = 24"
1⅛" Subfloor Decking = 1⅛"
Total = 169⅛"
Divided by 22 Steps, Riser Ht. = 7⅝"
Tread Run Framing Depth = 10"

Riser Heights are Rounded to the Nearest 1/16"
Field Verify these Heights and Calculations
If Re-calculated, Riser Ht. not to Exceed 7¾"

1 GROUND FLOOR PLAN
Scale: 1/4" = 1'-0"

Square Footage	
1st Floor:	2060
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3rd Floor:	N/A
Total Living SF:	4152
Grnd Floor Enclosed	206
Decks Incl A/C Deck:	2488
Slab:	2968

Culwell Designs
Galveston, TX - 713-213-9804
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TITLE: FINAL PLAN SET C - 03/19/25
FILE NAME: Sanford 1B - 03-17-25

PROJECT NAME AND ADDRESS
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DRAWN BY: S. CULWELL
DATE: 03/19/25
SCALE: SHOWN
SHEET: A5 of 19

Note:
Per Survey, Lot is in Zone VE and Base Flood Elevation (BFE) is 17'.

Galveston Freeboard is 1.5' Above BFE.
Beachside Village is 2.5' Above BFE.
Bottom of Stringer Height to be 19.5'.

Verify with Elevation Certificate.

1 FRONT ELEVATION

Scale: 1/4" = 1'-0"

SIDING LEGEND

- Hardi Plank 6" Reveal
- Board and Batten 1x4 at 24"o.c.
- Louvered Wall
- Standing Seam Aluminum Roof
- Window/Door Glass

Note:
All Trim, Casing and Flashing to be applied first followed by siding

All Window and Door Casing to be Hardi Trim

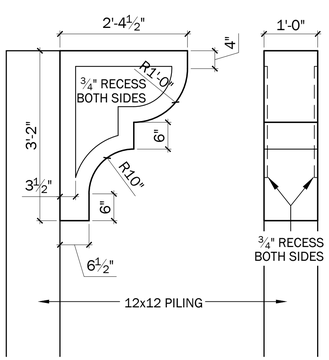
All Trim to be Hardi Trim - 1x8 Corner Trim and Frieze Board

All Siding to be Hardi Plank 6" Reveal

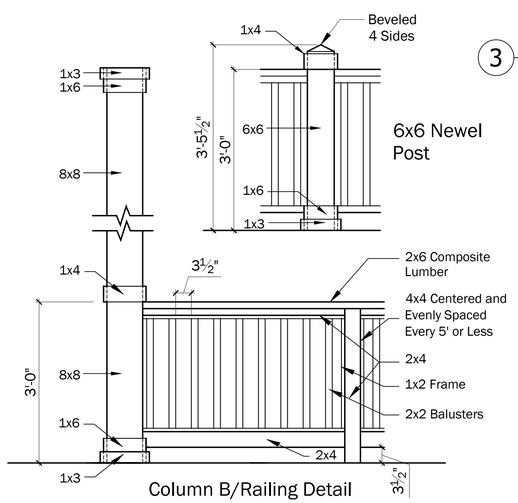
Board and Batten to be Hardi Panel and Hardi Trim 1x4 @ 24" O.C.

See Deck Trim Detail Sht A10

Roof to be Standing Seam Aluminum



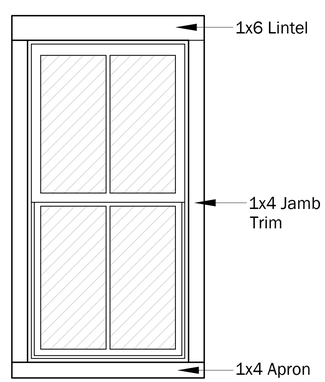
Knee Brace Detail



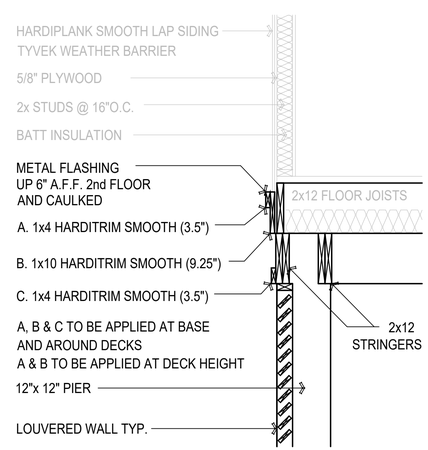
Column B/Railing Detail

3 EXTERIOR DETAILS

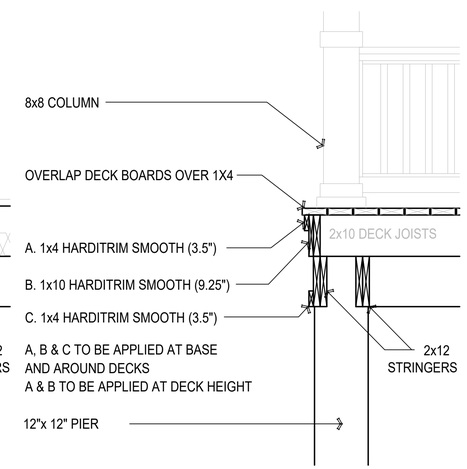
Scale: 3/4" = 1'-0"



Window/Door Trim Detail



Trim Band at House



Trim Band at Deck

TITLE		
FINAL PLAN SET C - 03/19/25		
FILE NAME		
Sanford 1B - 03-17-25		
NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
2	MOVED HOUSE TO 139' REAR B.L.	02/26/25
3	PLAN CHECK PER BUILDER	03/19/25
4	PAVER NOTE & DIM CHECK PER COASTAL	03/19/25
5		
6		

Culwell Designs
Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Square Footage	
1st Floor:	2060
2nd Floor:	2092
3rd Floor:	N/A
Total Living SF:	4152
Grnd Floor Enclosed	206
Decks Incl A/C Deck:	2488
Slab:	2968

PROJECT NAME AND ADDRESS

Proposed Beach House for

The Sanford Family

Lot 908 - 11347 Beachside Dr.
Beachside Village
Galveston, TX 77554

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To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.

The owner/contractor will be responsible for verification of all dimensions, details and specifications.

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DRAWN BY	SHEET
S. CULWELL	A10
DATE 03/19/25	
SCALE SHOWN	of 19

1 REAR ELEVATION

Scale: 1/4" = 1'-0"

SIDING LEGEND

- Hardi Plank 6" Reveal
- Board and Batten 1x4 at 24"o.c.
- Louvered Wall
- Standing Seam Aluminum Roof
- Window/Door Glass

Note:

All Trim, Casing and Flashing to be applied first followed by siding

All Window and Door Casing to be Hardi Trim

All Trim to be Hardi Trim - 1x8 Corner Trim and Frieze Board

All Siding to be Hardi Plank 6" Reveal

Board and Batten to be Hardi Panel and Hardi Trim 1x4 @ 24" O.C.

See Deck Trim Detail Sht A10

Roof to be Standing Seam Aluminum

TITLE		
FINAL PLAN SET C - 03/19/25		
FILE NAME		
Sanford 1B - 03-17-25		
NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
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DRAWN BY	SHEET
S. CULWELL	A11
DATE 03/19/25	
SCALE SHOWN	of 19

Note:
All Trim, Casing and Flashing to be Applied First Followed by Siding

All Window and Door Casing to be Hardi Trim

All Trim to be Hardi Trim - 1x8 Corner Trim and Frieze Board

All Siding to be Hardi Plank 6" Reveal

Board and Batten to be Hardi Panel and Hardi Trim 1x4 @ 24" O.C.

See Deck Trim Detail Sht A10

Roof to be Standing Seam Aluminum

SIDING LEGEND

- Hardi Plank 6" Reveal
- Board and Batten 1x4 at 24"o.c.
- Louvered Wall
- Standing Seam Aluminum Roof
- Window/Door Glass

1 LEFT SIDE ELEVATION

Scale: 1/4" = 1'-0"

TITLE		
FINAL PLAN SET C - 03/19/25		
FILE NAME		
Sanford 1B - 03-17-25		
NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
2	MOVED HOUSE TO 139' REAR B.L.	02/26/25
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6		

Culwell Designs
Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Square Footage	
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PROJECT NAME AND ADDRESS

Proposed Beach House for

The Sanford Family

Lot 908 - 11347 Beachside Dr.
Beachside Village
Galveston, TX 77554

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DRAWN BY	SHEET
S. CULWELL	A12
DATE 03/19/25	
SCALE SHOWN	of 19

Note:
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All Window and Door Casing to be Hardi Trim

All Trim to be Hardi Trim - 1x8 Corner Trim and Frieze Board

All Siding to be Hardi Plank 6" Reveal

Board and Batten to be Hardi Panel and Hardi Trim 1x4 @ 24" O.C.

See Deck Trim Detail Sht A10

Roof to be Standing Seam Aluminum

1 RIGHT SIDE ELEVATION

Scale: 1/4" = 1'-0"

TITLE	
FINAL PLAN SET C - 03/19/25	
FILE NAME	
Sanford 1B - 03-17-25	

NO.	REVISION/ISSUE	DATE
1	ADDED 2' TO EACH SIDE	11/12
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Culwell Designs
Galveston, TX - 713-213-9804
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PROJECT NAME AND ADDRESS

Proposed Beach House for

The Sanford Family

Lot 908 - 11347 Beachside Dr.
Beachside Village
Galveston, TX 77554

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DRAWN BY	SHEET
S. CULWELL	A13
DATE 03/19/25	
SCALE SHOWN	of 19

D – Site Photos

Tyvek

E – GLO
Comment Letter

TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

April 14, 2025

Via Electronic Mail

Hunter Cummings
Assistant Coastal Resource Manager
Development Services Department
City of Galveston
3015 Market St.
Galveston, Texas 77550

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston
Site Address: 11347 Beachside Drive, Galveston
Legal Description: Lot 908 Beachside Village Sec 9 (2024)
Lot Applicant: Kevin Peterson c/o Karen Sanford
Case Number: 25BF-012
GLO ID No.: BDCOG-25-0052

Dear Mr. Cummings:

The General Land Office has reviewed the application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes the large-scale construction of a single-family residence with unreinforced fibercrete paving beneath the habitable structure and a fibercrete driveway. The proposed construction is located partially within 200 feet landward from the line of vegetation, within the Enhanced Construction Zone, and adjacent to the Dune Conservation Area. According to the Bureau of Economic Geology, the area is eroding at a rate of eight to nine feet per year.

Based on the information provided to our office for review, we have the following comments:

- For large-scale construction, impervious surface shall be limited to 40% of the area landward of the Dune Conservation Area. The determination of the percentage of impervious surfaces and pervious surfaces allowed must include the area beneath the habitable structure, whether or not the area or any portion of the area beneath the habitable structure is left in a natural state.[1]

- The driveway must be limited to the linear width of the primary structure, along the main street, and a minimum of 15% of the front yard must be maintained as open/unimproved area.[2]

- The City shall assess a "Fibercrete Maintenance Fee" of $200.00 to be used to pay for the cleanup of fibercrete from the public beaches should the need arise.[3]

[1] City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.4(5).
[2] City of Galveston Dune Protection and Beach Access Plan § P(2)(d).
[3] City of Galveston Dune Protection and Beach Access Plan § P(2).

- Section 5.3 of the City's ERP states that a dune enhancement or restoration project consistent with the definition for restored (man-made) dunes provided in the City Plan shall be completed prior to the commencement of proposed construction. In cases where completion of an enhancement or restoration project is deemed infeasible due to site constraints as determined by the Department of Planning and Community Development, payment of a fee-in-lieu of satisfying the requirement shall be made to the City.[4]

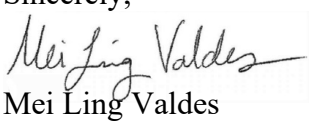
- Construction must provide for the gradual and dispersed drainage of storm water runoff, such that runoff within the lot approximates natural rates, volumes, and direction of flow to avoid erosion and dune damage.[5]

Please be advised structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of the line of mean high tide may be allowed to make certain repairs under the Beach/Dune rules and local government plans.

If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned land. Repairs are prohibited and the state may take action to remove the structure.

In the event of a material change to the site conditions or the proposed construction, a new or amended beachfront construction certificate and dune protection permit is required.[6] If you have any questions, please contact me at (512) 463-5720 or at meiling.valdes@glo.texas.gov.

Sincerely,



Mei Ling Valdes
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

[4] City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(6).
[5] City of Galveston Dune Protection and Beach Access Plan § E(3) & City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(3).
[6] 31 Tex. Admin. Code § 15.3(t)(5).

25BF-015 STAFF REPORT

ADDRESS:
21316 GULF DR GALVESTON, TX 77554

LEGAL DESCRIPTION:
The property is legally described as Abstract 121, Page 19, Lot 38, Sea Isle, Section 21, a subdivision in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:
Darel Seymour

PROPERTY OWNER:
Darel Seymour

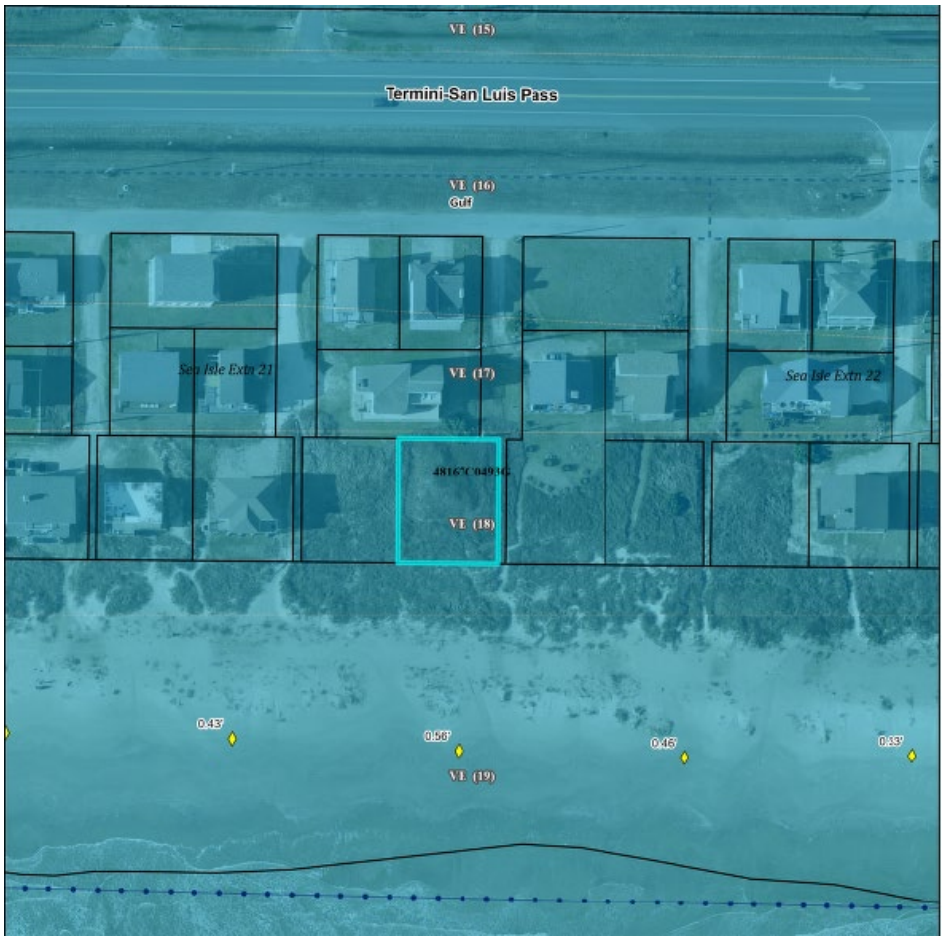
REQUEST:
Beachfront Construction Certificate/Dune Protection Permit to construct a single-family dwelling with crushed concrete parking area within the Dune Conservation Area.

APPLICABLE LAND USE REGULATIONS:
Chapter 29, Article 2, Beach Access Dune Protection and Beachfront Construction Regulation.

STAFF RECOMMENDATION:
Approval with Conditions

EXHIBITS:
A – Aerial Map
B – Topographic Survey
C – Site Plan & Drawings
D – Site Photos
E – GLO Comment Letter

STAFF:
Kyle Clark
Coastal Resources Manager
KClark@GalvestonTX.gov



Note: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Executive Summary:

The City of Galveston's Dune Protection and Beach Access Plan designates the Planning Commission as the authority to review and consider for approval applications for a Beachfront Construction Certificate/Dune Protection Permit when proposed construction activities occur in areas within or seaward of the Dune Conservation Area or up to 50 feet landward of the Dune Protection Line. The Dune Protection Line is the area within 25 feet landward of the North Toe of the Critical Dune Area or within 200 feet landward of the Line of Vegetation for those beach areas where no dunes exist west of the terminus of the Seawall.

The applicant is requesting an exemption and approval to construct a single-family dwelling with a crushed concrete parking area within the Dune Conservation Area. The structure currently does not have a dune seaward of the structure. The structure will be 33 feet from the proposed North Toe of the Critical Dune Area, 77.7 feet from the Line of Vegetation. Currently the structure is seaward of the Dune Protection Line and within the Planning Commission review area. According to the application materials, a dune is not present and as such no mitigation activities are proposed.

Site and Surrounding Area:
The subject site is located in the Sea Isle Subdivision. Single-family dwellings are located to the North; a beach is located to the South of the subject property. According to the Bureau of Economic Geology, this area is stable.

Analysis:
The table below summarizes the applicant survey and site plan (Attachments B and C). The attachments indicate the proposed new construction and the location of proposed construction in relation to on-site conditions:

Proposed Structure's Distance from:	Distance (Feet)
…North Toe of the Dune	NA
…the Line of Vegetation	77.7

In accordance with Chapter 29: Planning – Beach Access Dune Protection & Beach Front Construction, before issuing a permit, the Planning Commission must find that the proposed construction conforms with the Beachfront Construction Certificate and Dune Protection Permit standards.

☑ The proposed activity is not a prohibited activity as defined in these standards.
☑ The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of these standards.
☑ There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the Mitigation sequence as outlined in these Standards.
☑ The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, which is not required, will adequately minimize, rectify, and/or compensate for any unavoidable adverse effects.
☑ The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and
☑ The structure is located as far landward as practicable.

Consideration for Exemption:

Staff finds the request for the exemption on the prohibition of construction in the Dune Conservation Area (DCA) meets the criteria provided within the Dune Protection and Beach Access Plan as well as the Erosion Response Plan. The required criteria and considerations are listed below:

- No practicable alternative to construction within or seaward of the Dune Conservation Area. In determining what is practicable, the City shall consider whether an action, technology, or technique is commercially available and capable of being done after taking into consideration existing building practices, effectiveness, scientific feasibility, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot and considering the overall development plan for the property. The City shall also consider the cost of the technology or technique.

    - The residence cannot be moved further North due to building lines and if the structure was moved it would still be within the Dune Conservation Area.
    - The applicant has proposed no ground floor walls on the first floor to be compliant with building within the DCA.
    - No other material other than gravel/limestone could be approved for this location.

- The property owner, as part of this permit, has proposed building a dune seaward of the structure.
  - The proposed dune will reset the North Toe of the Dune setback. At which point the structure will no longer be within the Dunce Conservation Area.

Staff Recommendation:
Staff recommends approval of 25BF-015 with the following conditions:

Conditions for Case 25BF-015:

1. As provided in the Erosion Reponses Plan, an exemption is granted to allow for construction within the Dune Conservation Area.

2. The applicant must adhere to all aspects of Chapter 29: Planning-Beach Access Dune Protection & Beachfront Construction of the City of Galveston Code of Ordinances.

3. The applicant must adhere to all aspects of the Texas Administrative Code Title 31. Natural Resources and Conservation, Part 1. General Land Office, Chapter §15. Coastal Area Planning, including but not limited to those outlined in the GLO Comment Letter associated with this Beachfront Construction Certificate and Dune Protection Permit.

4. The construction activities must minimize impacts on natural hydrology and must not cause erosion of adjacent properties. The applicant shall direct all stormwater inland away from the critical dune area, public beach, and adjacent properties.

5. Where applicable, the proposed construction must be consistent with FEMA minimum requirements or with the FEMA approved local ordinance.

6. The construction of the structure cannot commence until the accompanying dune has been constructed and has met the standard of a man-made dune outlined in the City of Galveston's Dune Protection and Beach Access Plan.

ERP PRACTICABLE DEFINITION
Practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.

TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)
In determining what is practicable, local governments shall consider the effectiveness, scientific feasibility, and commercial availability of the technology or technique. Local governments shall also consider the cost of the technology or technique.

Respectfully Submitted,

_____ 5/12/2025

Kyle Clark
Coastal Resources Manager

_____ 05/13/2025

Catherine Gorman, AICP
Assistant Planning Director / HPO

Date

A – Aerial Map

21316 Gulf Drive
Case #25BF-015

BEG and FIRM Coastal Map Legend

BEG Shoreline Change Rates

1950s-2019 - End Point Rate (ft/yr)

- Eroding (-1ft or more)
- Stable (-1ft to 1 ft)
- Accreting (+1ft or more)
- FIRM Panels
- 0.2% Annual Chance
- Zone A
- Zone AE, Zone AO
- Zone VE
- Zone X
- Open Water
- Subdivisions
- 1000ft from MHT
- Lot Lines
- Parcels

0 5 10 20 30 40 50 60 70 80 90 Feet

1:1,010

Data Sources:

Aerial Imagery and Parcel Data from Galveston CAD, Shoreline Change Data from U.T. Bureau of Economic Geology, Flood Insurance Rate Map from FEMA.

Map prepared by the City of Galveston Development Services Department, Coastal Resources Division (HCummings) - 3/20/2025

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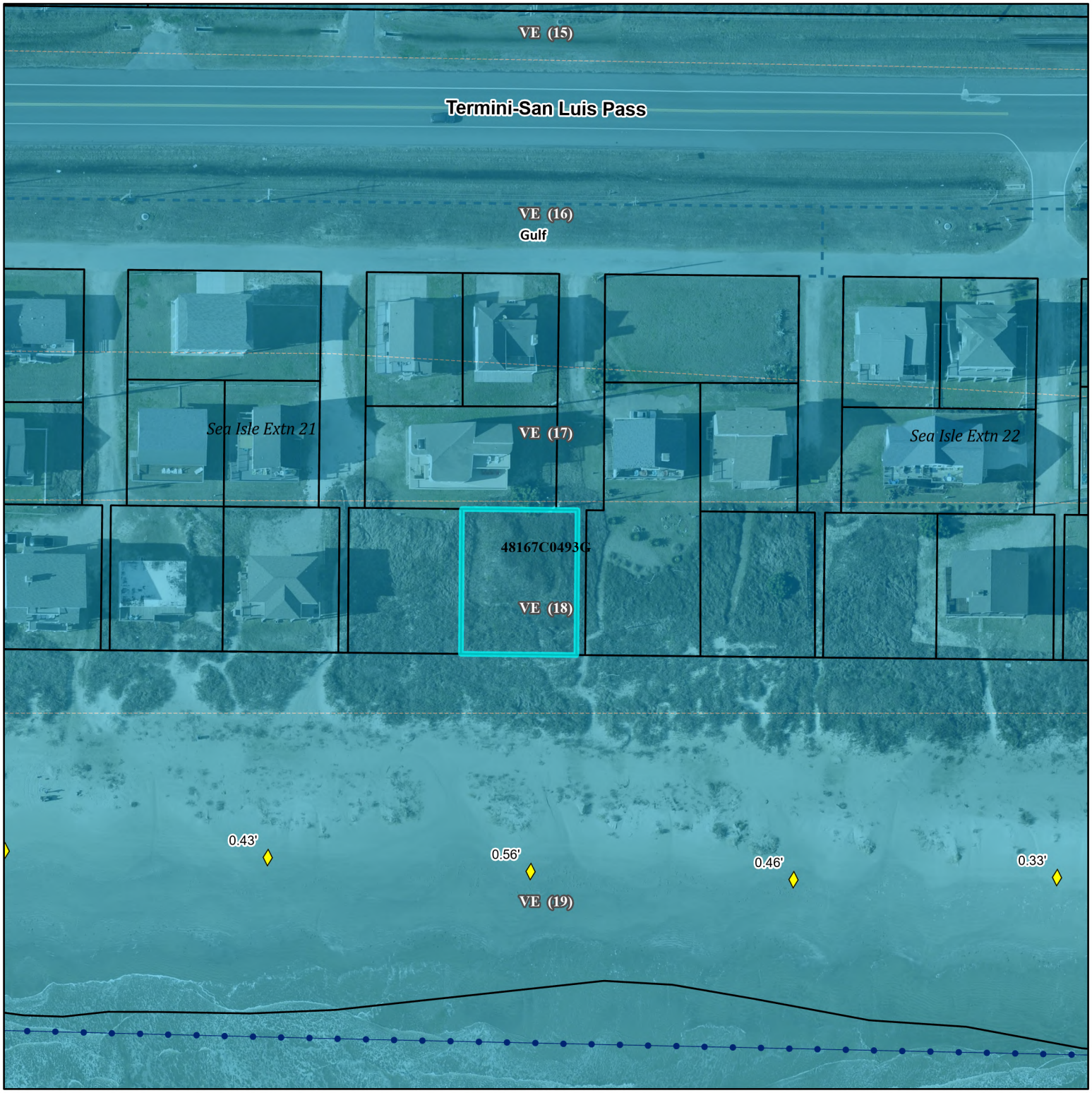
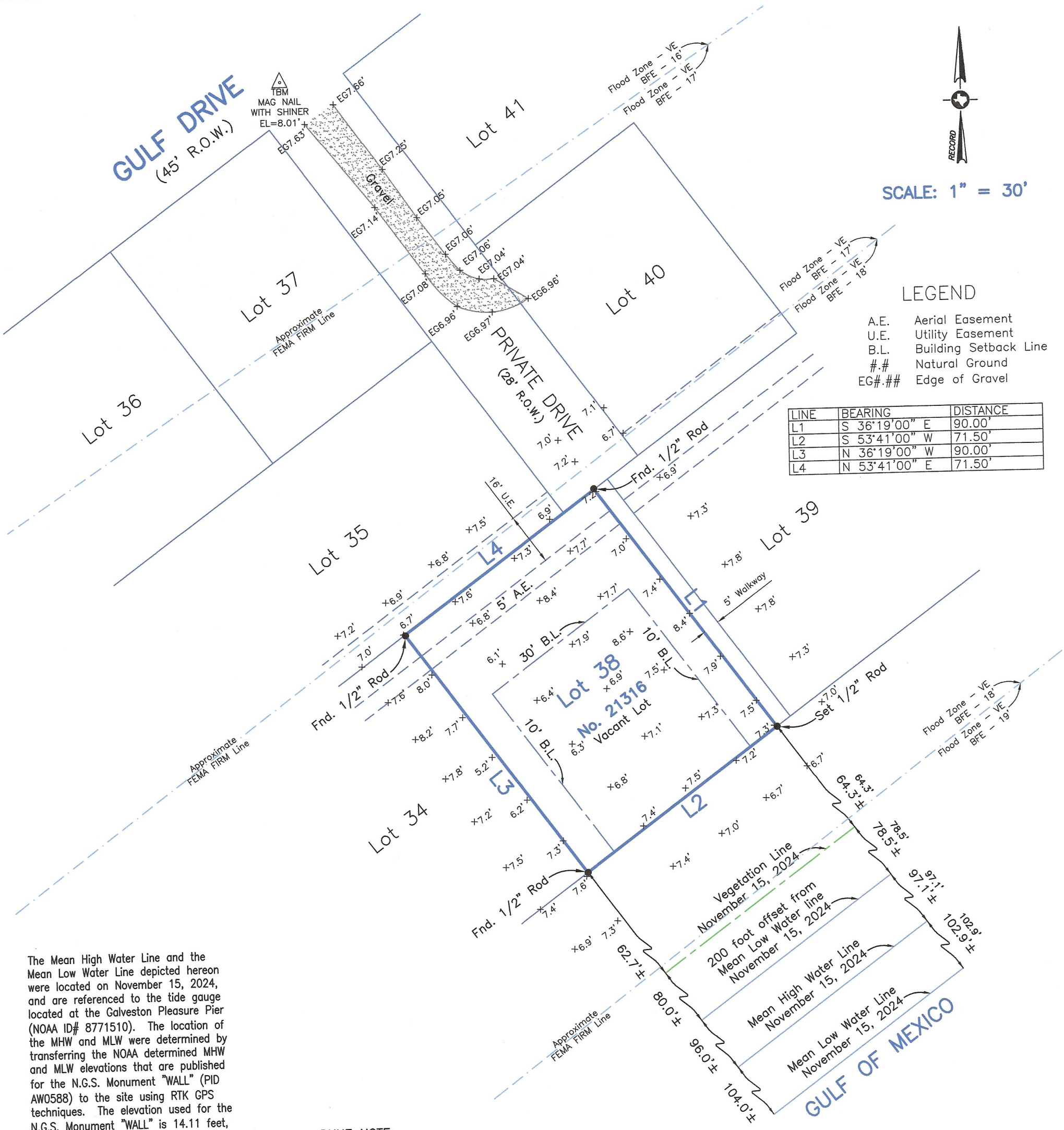


B – Topographic Surveys



LEGEND

A.E.	Aerial Easement
U.E.	Utility Easement
B.L.	Building Setback Line
#.#	Natural Ground
EG#.##	Edge of Gravel

LINE	BEARING	DISTANCE
L1	S 36°19'00" E	90.00'
L2	S 53°41'00" W	71.50'
L3	N 36°19'00" W	90.00'
L4	N 53°41'00" E	71.50'

The Mean High Water Line and the Mean Low Water Line depicted hereon were located on November 15, 2024, and are referenced to the tide gauge located at the Galveston Pleasure Pier (NOAA ID# 8771510). The location of the MHW and MLW were determined by transferring the NOAA determined MHW and MLW elevations that are published for the N.G.S. Monument "WALL" (PID AW0588) to the site using RTK GPS techniques. The elevation used for the N.G.S. Monument "WALL" is 14.11 feet, the elevation used for the Mean High Water is 1.17 feet, and the elevation used for Mean Low Water is −0.30 feet.

DUNE NOTE:
No notable dune structure at this site on November 15, 2024.

Survey of Lot Thirty-Eight (38), of SEA ISLE, SECTION 21, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 1616, Page 170 and transferred to Volume 8, Page 86, 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

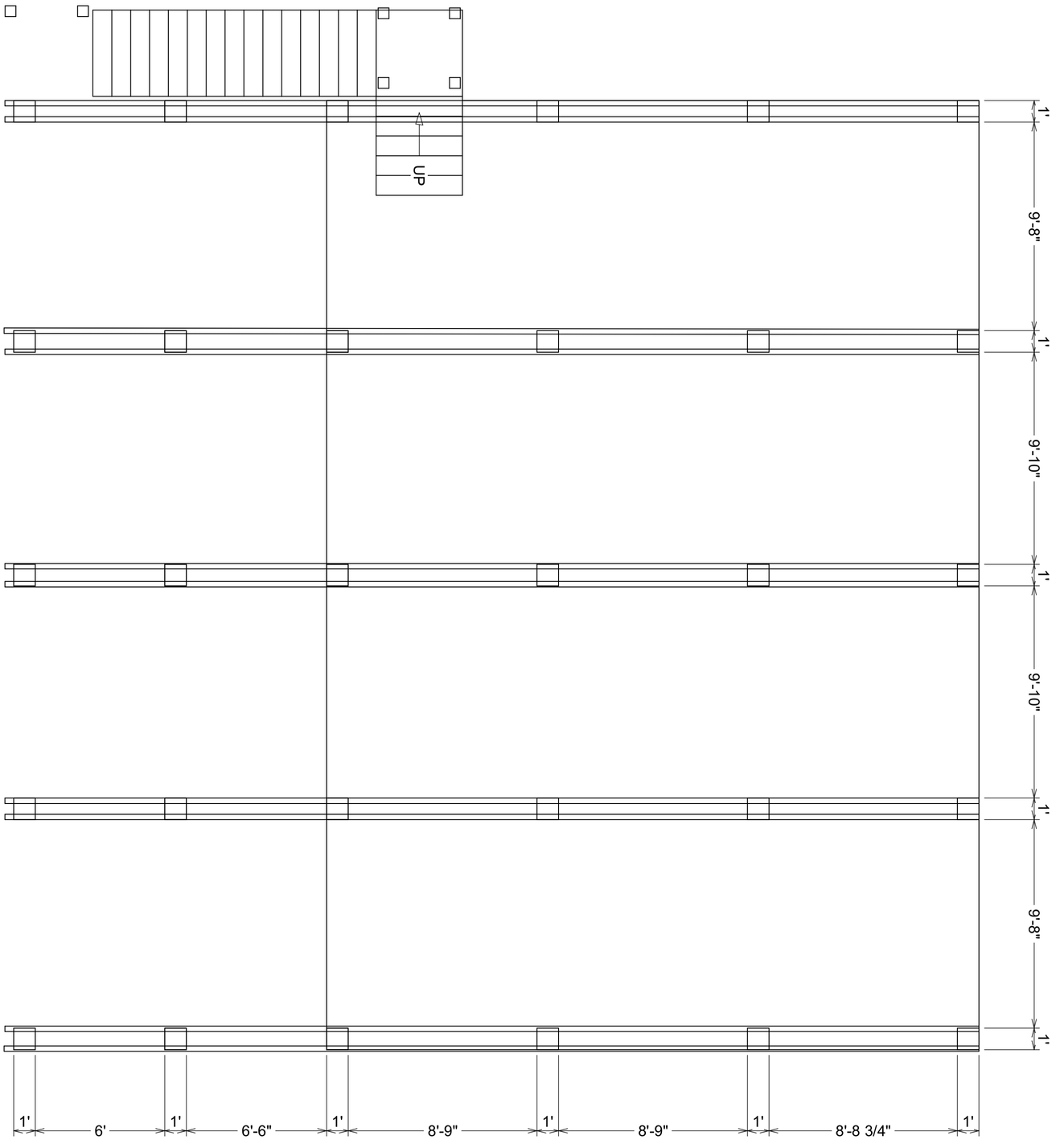
STATE OF TEXAS
REGISTERED
STEPHEN C. BLASKEY
5856
PROFESSIONAL
LAND SURVEYOR

SURVEY DATE:	NOVEMBER 15, 2024
FILE No.:	6392-0000-0038-000
DRAFTING:	AM
JOB No.:	24-0514

High Tide Land Surveying LLC.
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

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 as established by the City, Plat, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
3) Bearings based on recorded plat.
4) Deed references shown hereon are not a statement of ownership.
5) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument HGCSD 62.
6) Surveyed without benefit of a Title Report.

C – Site Plans and Drawings



SHEET:	A-2	SCALE:	1/4" = 1'	DATE:	2/6/2025	**David Dale Construction** 1019 Brockman Clute Texas 77531 (979) 265-1481	Darel & Marlo Seymour 21316 Gulf Drive Galveston Texas	**Foundation Plan**	NO. / DESCRIPTION / BY / DATE

David Dale Construction
Design Build Services

David Dale Construction
Design Build Services

NO.	DESCRIPTION	BY	DATE

Elevations Front

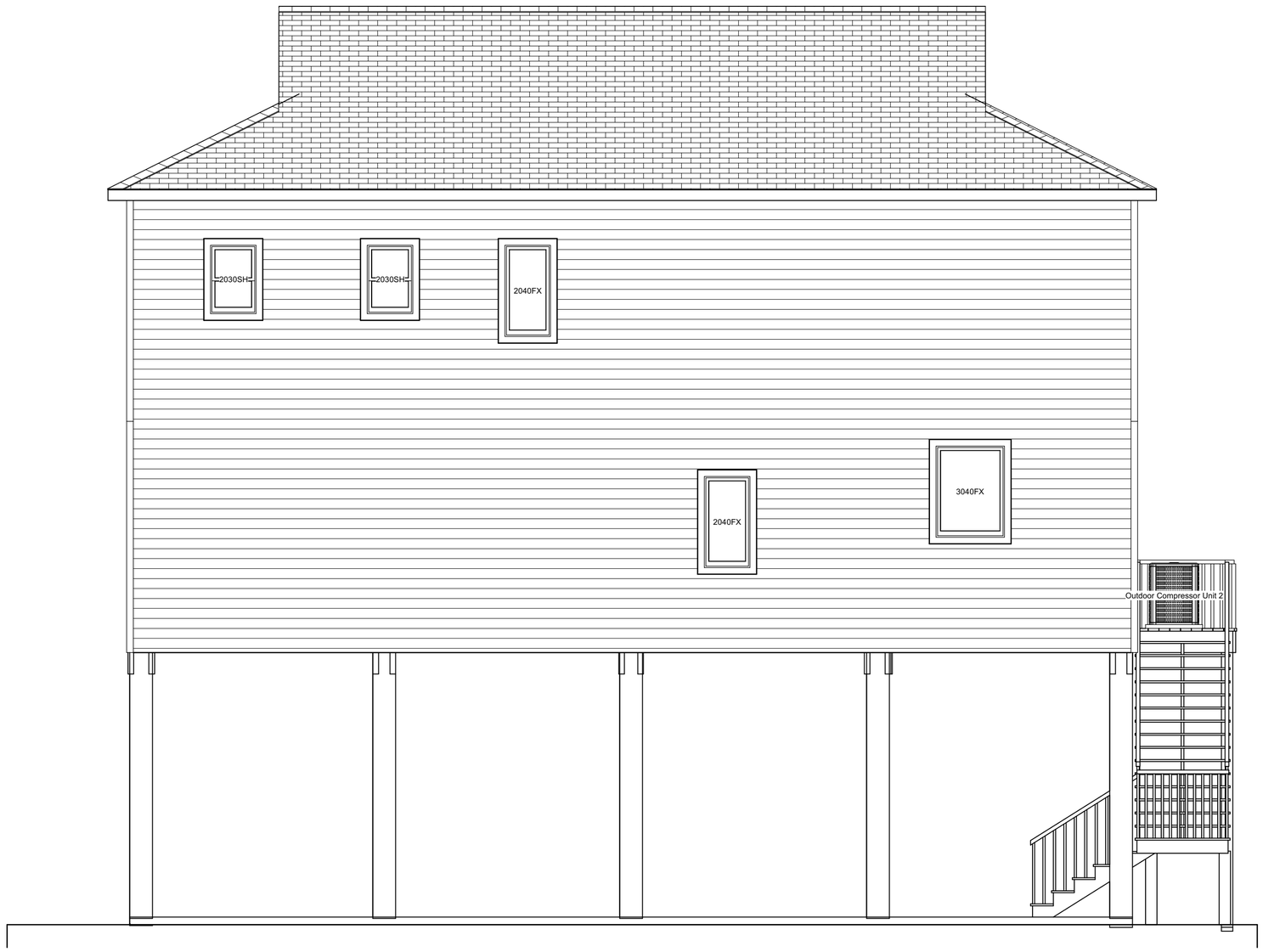
Darel & Marlo Seymour
21316 Gulf Drive
Galveston Texas

David Dale Construction
1019 Brockman
Clute Texas 77531
(979) 265-1481

DATE:
2/6/2025

SCALE:
1/4" = 1'

SHEET:
A.E-1



David Dale Construction
Design Build Services

NO.	DESCRIPTION	BY	DATE

Elevations Rear

Darel & Marlo Seymour
21316 Gulf Drive
Galveston Texas

David Dale Construction
1019 Brockman
Clute Texas 77531
(979) 265-1481

DATE:
2/6/2025

SCALE:
1/4" = 1'

SHEET:
A.E-2

David Dale Construction
Design Build Services

NO.	DESCRIPTION	BY	DATE

Elevations Right

Darel & Marlo Seymour
21316 Gulf Drive
Galveston Texas

David Dale Construction
1019 Brockman
Clute Texas 77531
(979) 265-1481

DATE:
2/6/2025

SCALE:
1/4" = 1'

SHEET:
A.E-3

David Dale Construction
Design Build Services

NO.	DESCRIPTION	BY	DATE

Elevations Left

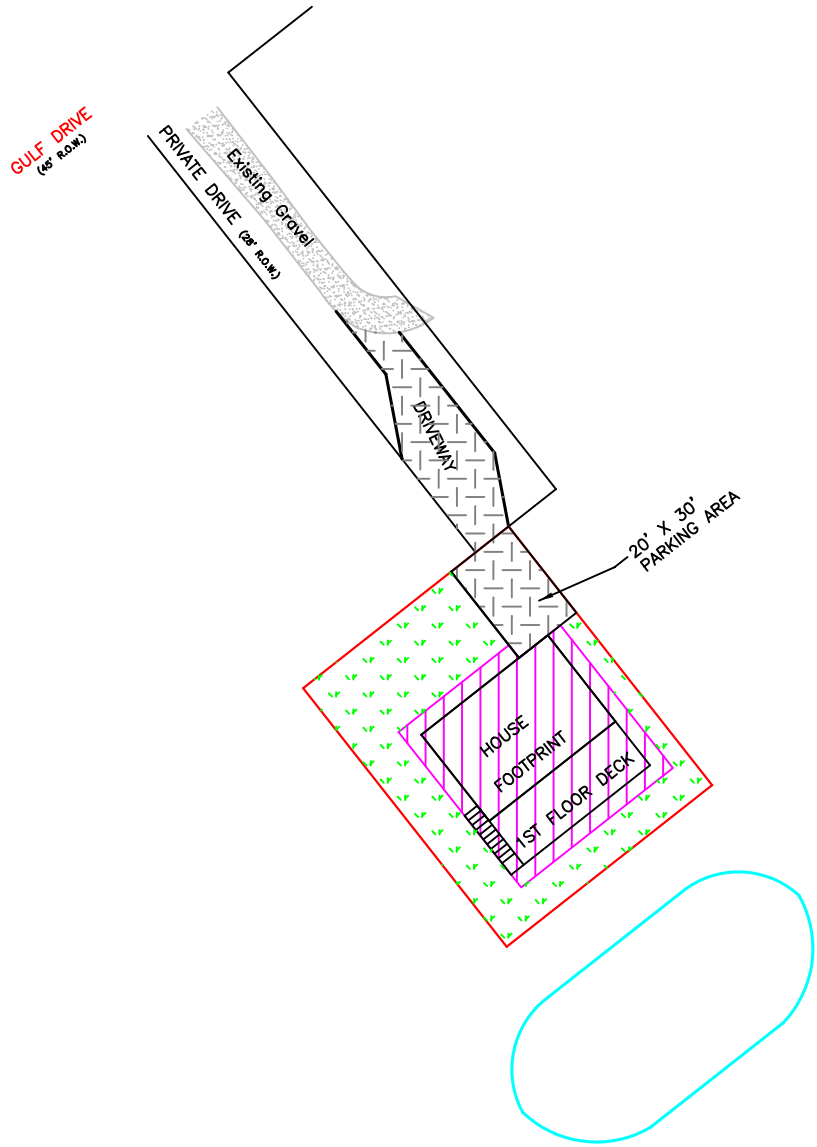
Darel & Marlo Seymour
21316 Gulf Drive
Galveston Texas

David Dale Construction
1019 Brockman
Clute Texas 77531
(979) 265-1481

DATE:
2/6/2025

SCALE:
1/4" = 1'

SHEET:
A.E-4



NOTE: THE NATURAL GROUND AND VEGETATION AREA OUTSIDE
THE "HOME CONSTRUCTION ZONE" WILL NOT BE LEVELED AND GRADED.
THIS AREA WILL REMAIN UNDISTURBED.
THE CONSTRUCTION ZONE WILL EXTEND 5 FEET BEYOND THE HOME/DECK AREA.

DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
GROUND FLOOR LAYOUT

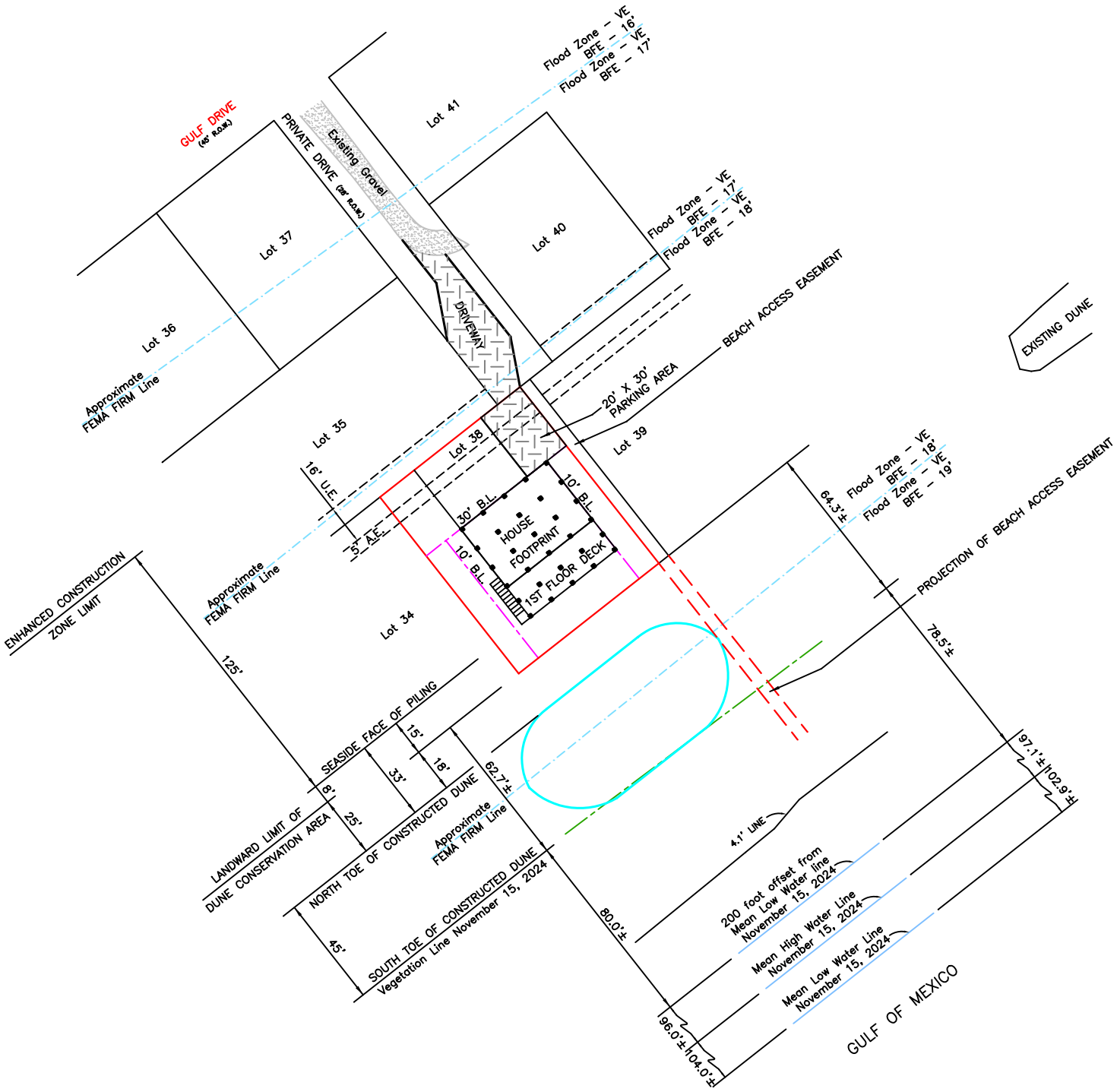
GALVESTON COUNTY, TEXAS

LOT BOUNDARY
CRUSHED CONCRETE
NATURAL GROUND AND VEGETATION
HOME CONSTRUCTION ZONE
CONSTRUCTED DUNE FOOTPRINT

N

SHEET 1 OF 1

APRIL 8, 2025



DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN

GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025

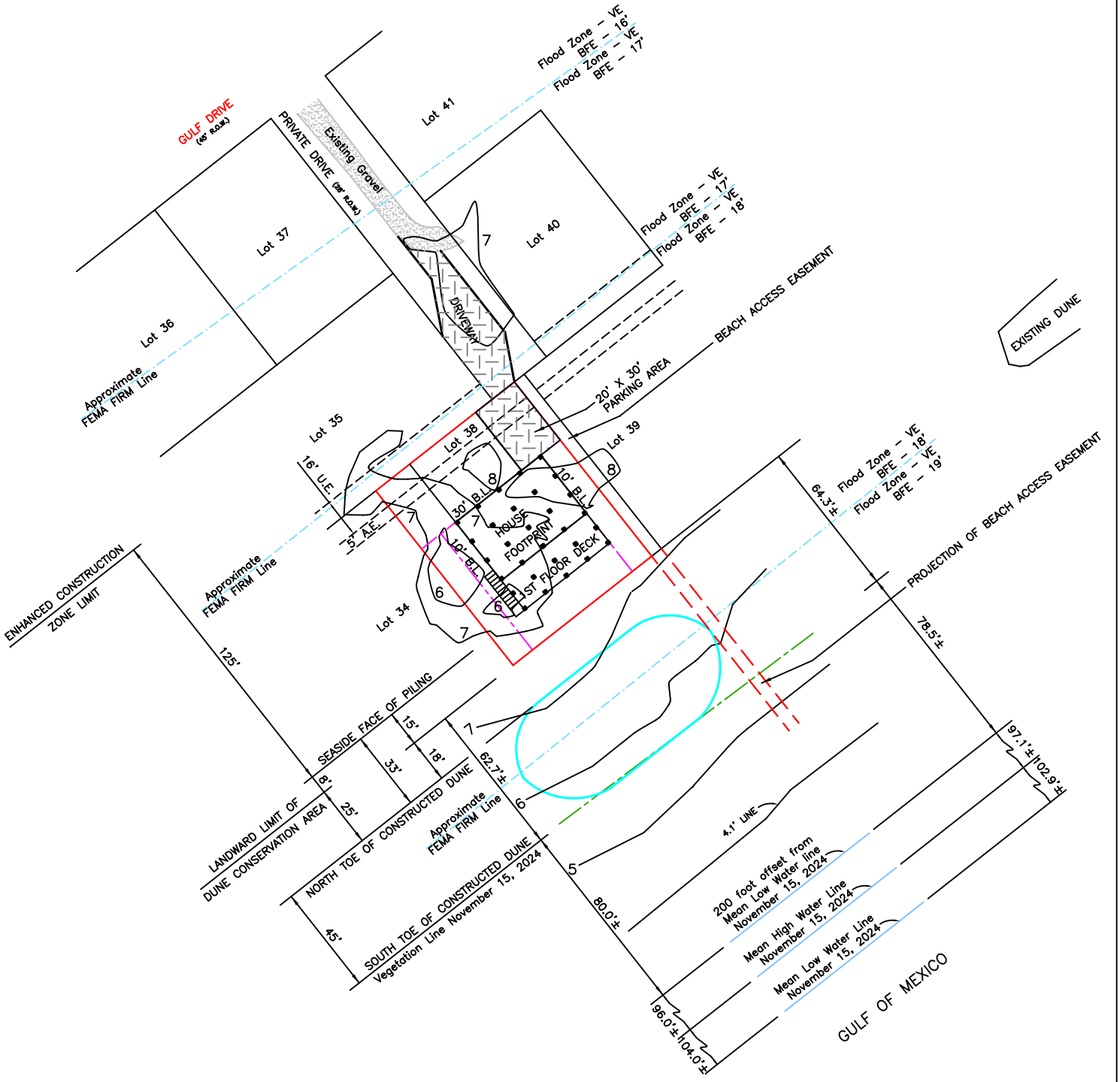
DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN

GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025

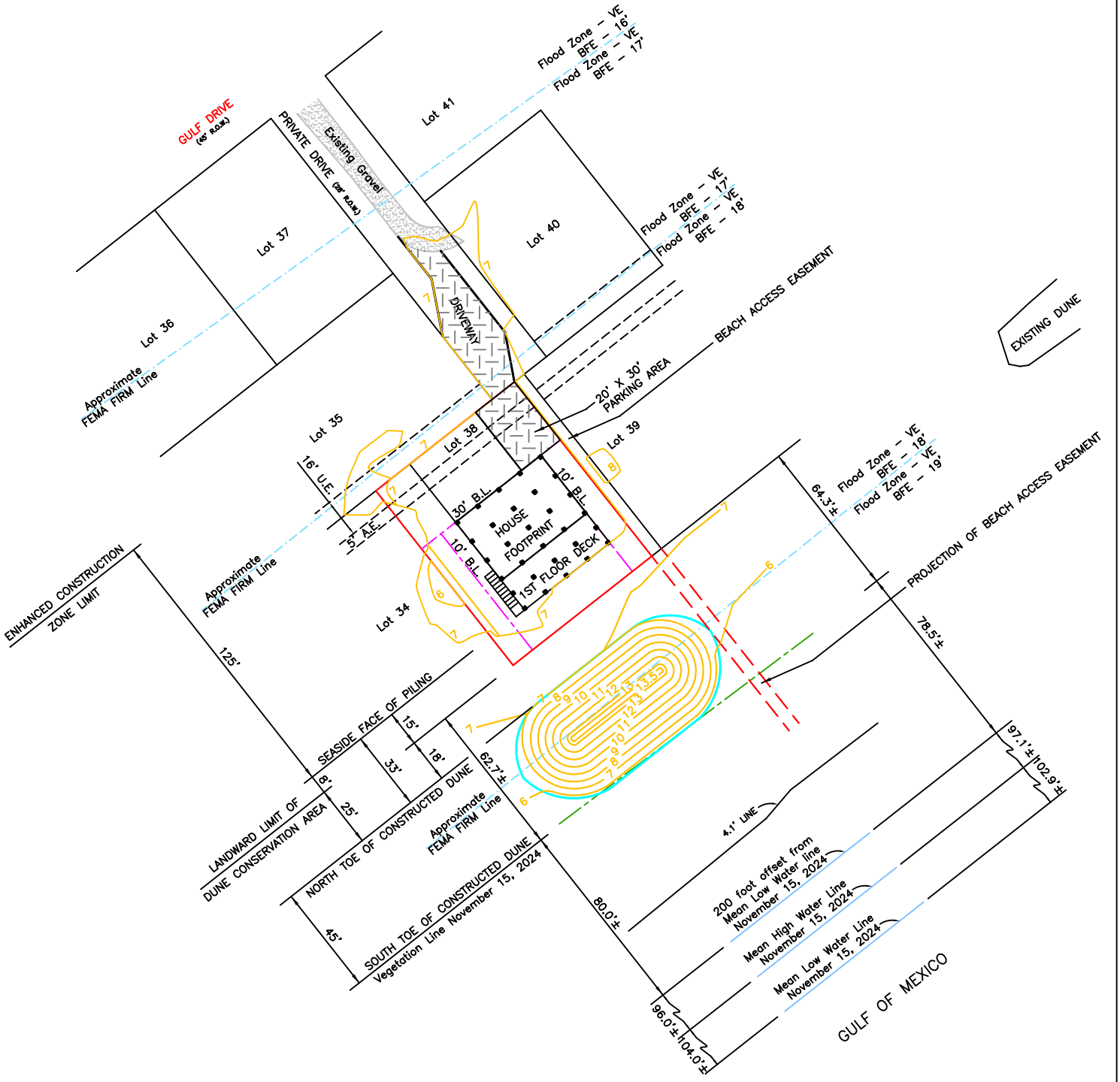


DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
EXISTING CONTOURS LAYOUT
GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025

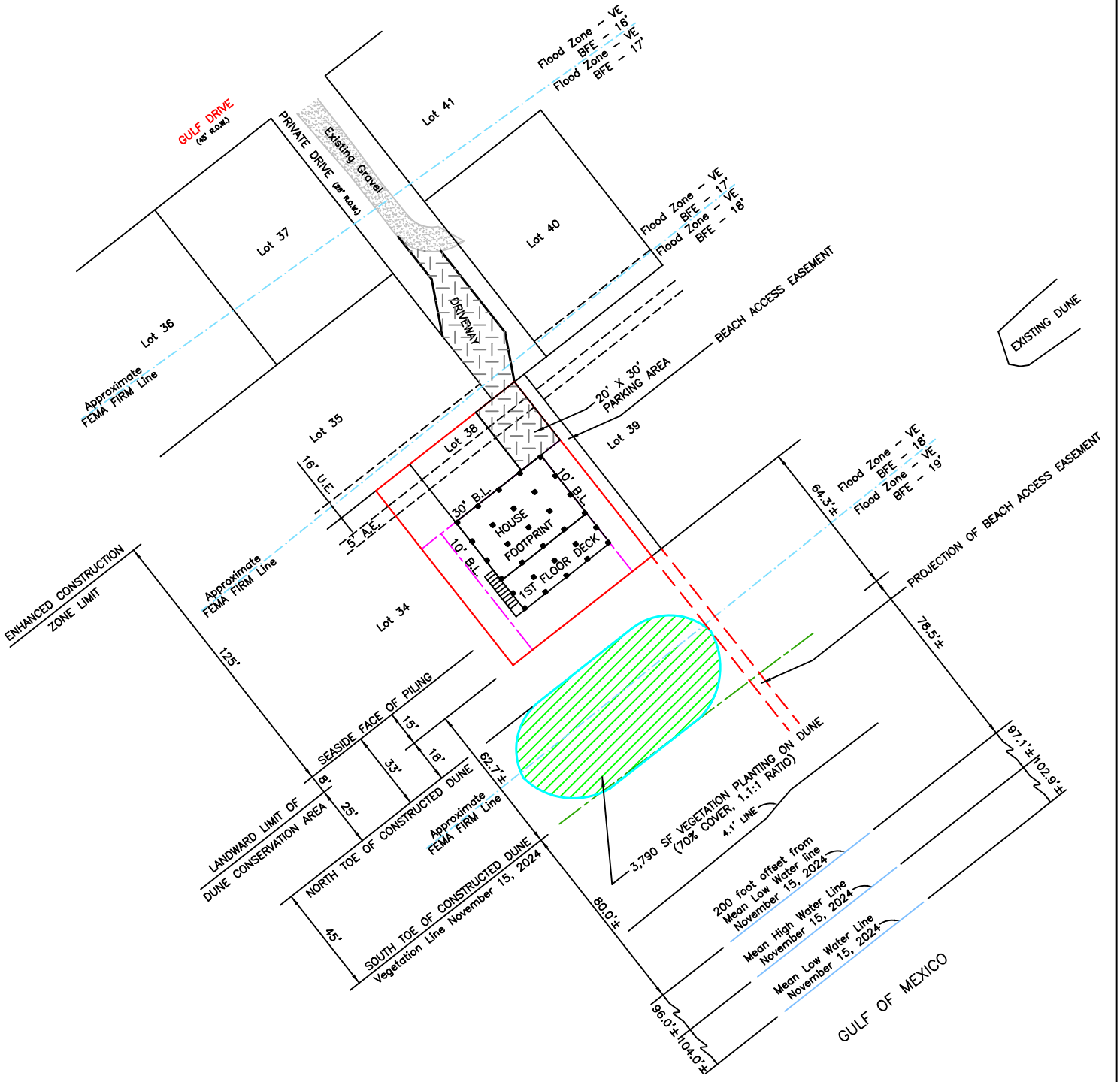


DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
FINAL CONTOURS LAYOUT
GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025



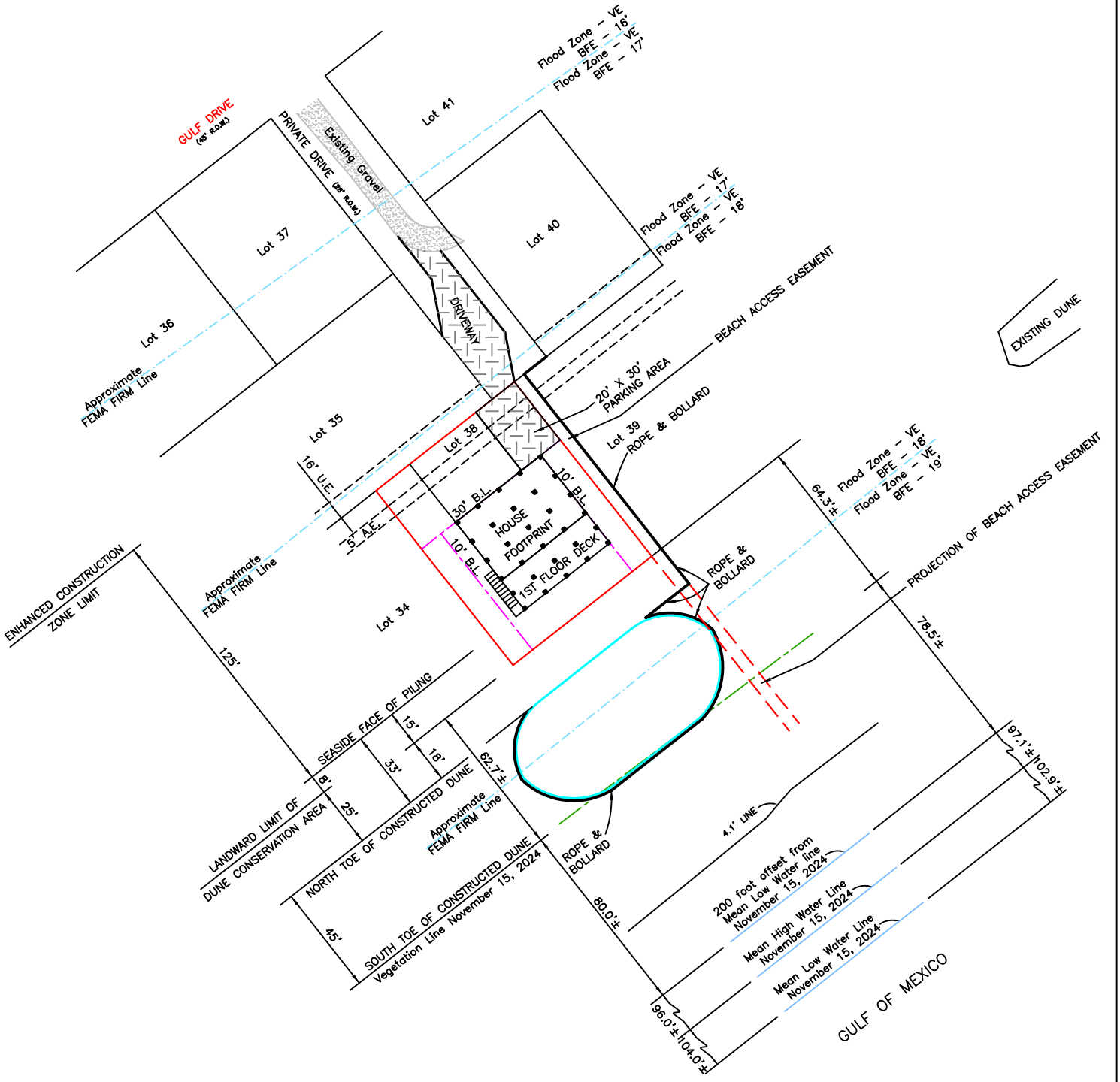
DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
VEGETATION PLANTING LAYOUT

GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025



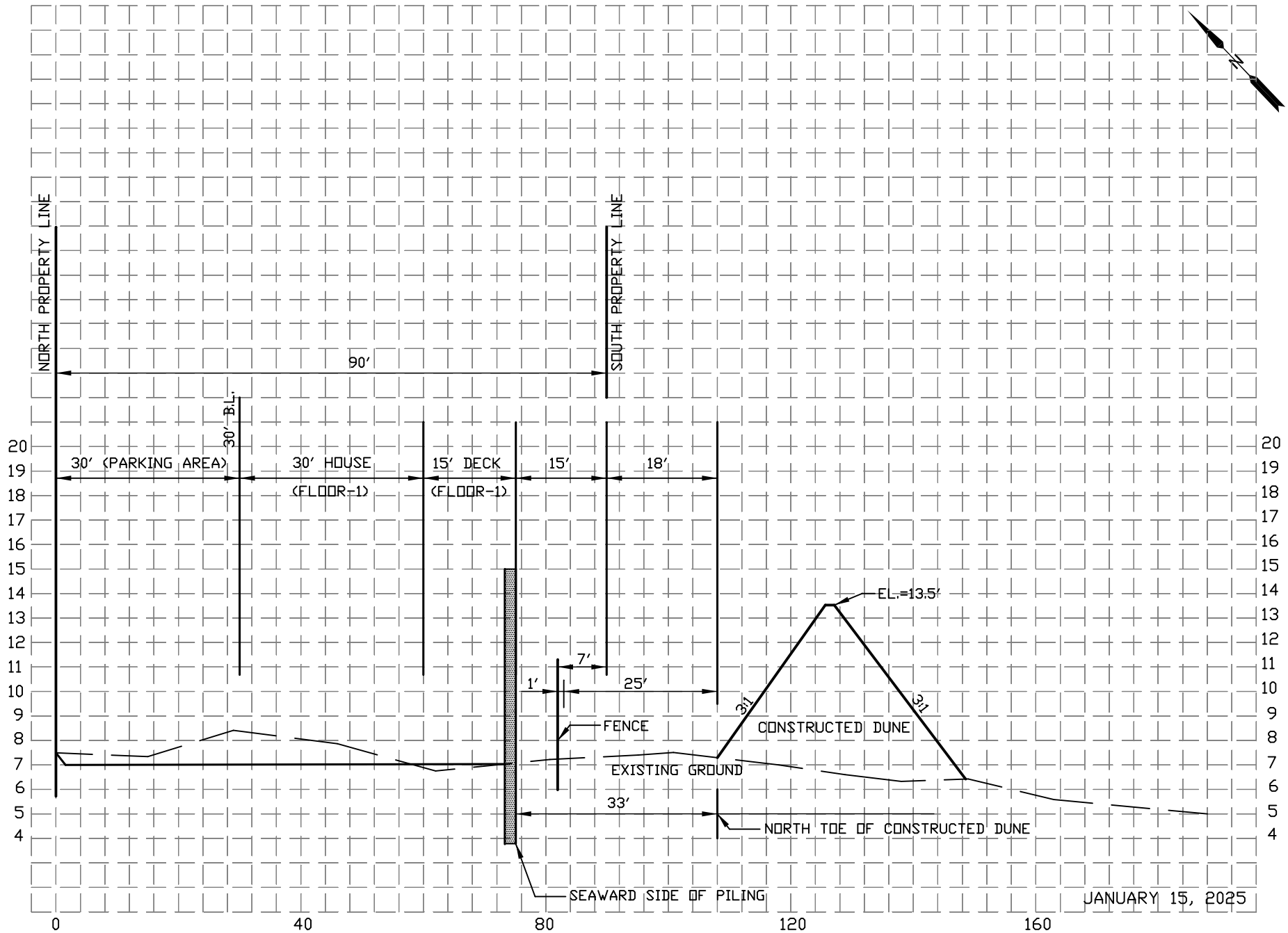
DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
ROPE AND BOLLARD LAYOUT

GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

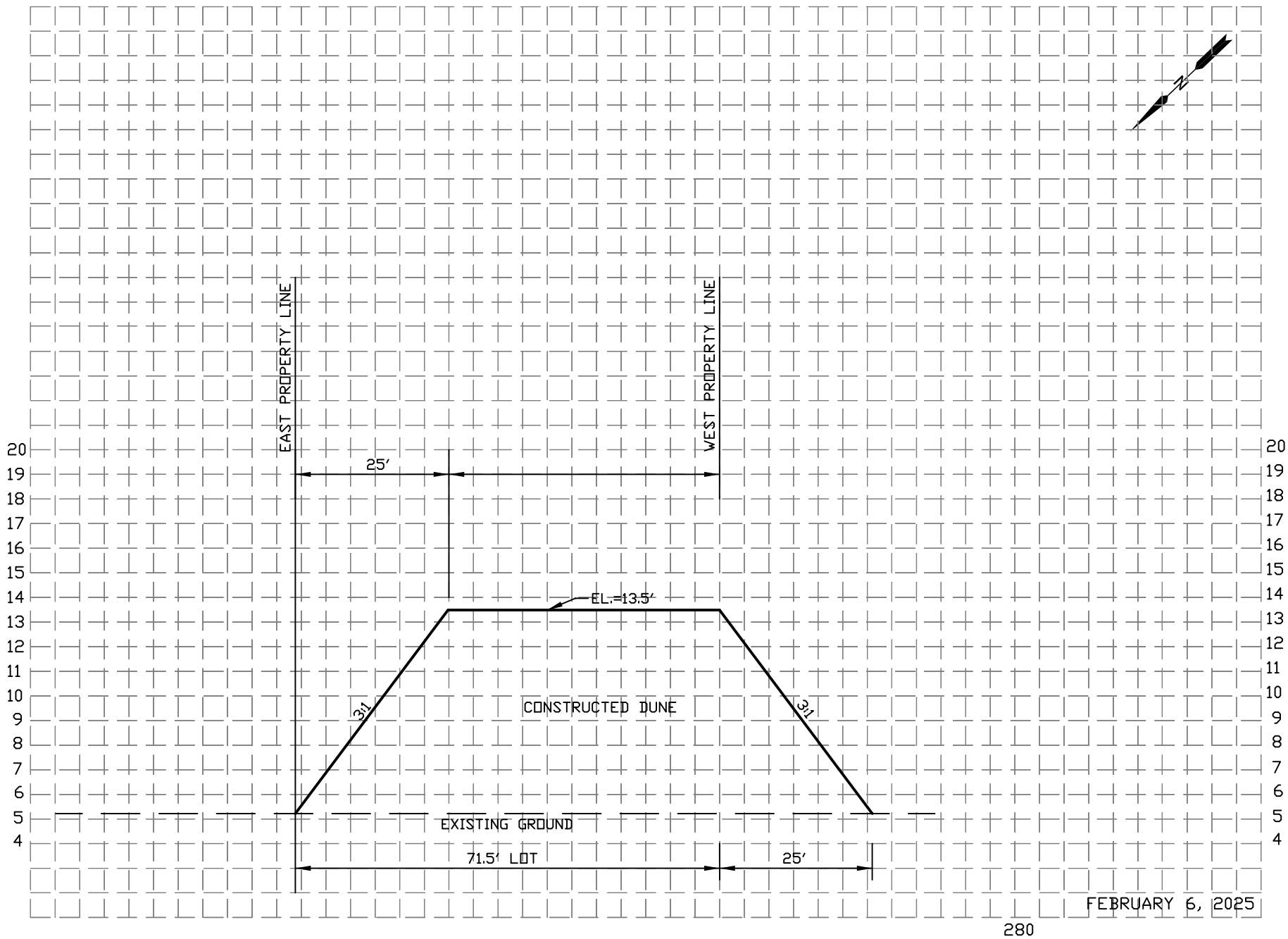
N

SHEET 1 OF 1 FEBRUARY 6, 2025

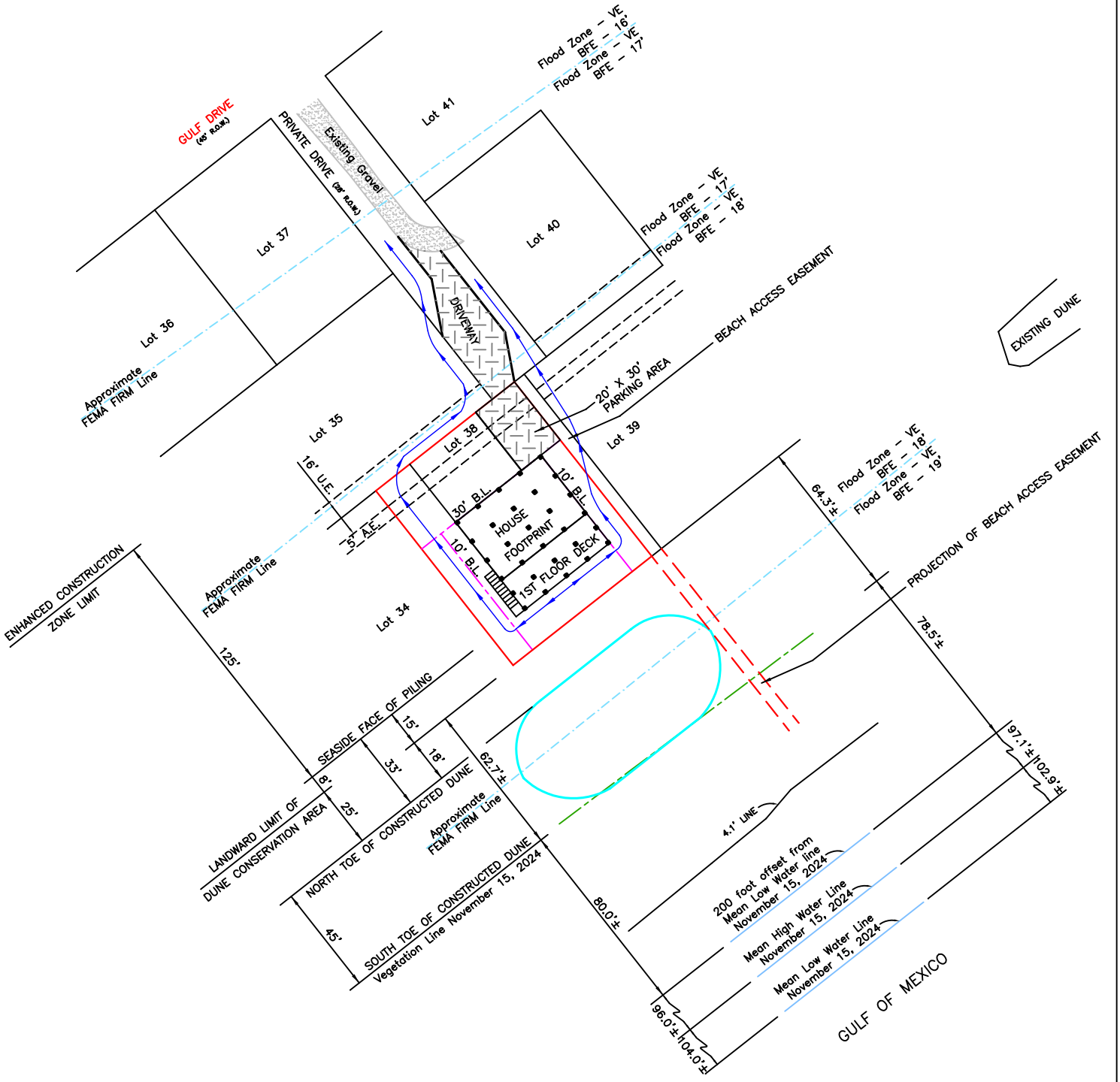


DAREL SEYMOUR 23110 GULF DR., CROSS SECTION A AT HOME AND CONSTRUCTED DUNE

(FACING NORTH-EASTWARD)



DAREL SEYMOUR 22316 GULF DR., CROSS SECTION B OF CONSTRUCTED DUNE
(PARALLEL TO BEACH, FACING SOUTH-EASTWARD)



DAREL SEYMOUR
21316 GULF DR.
LOT 38
DUNE MITIGATION PLAN
DRAINAGE LAYOUT

GALVESTON COUNTY, TEXAS

LOT BOUNDARY
BUILDING LINE
CRUSHED CONCRETE
CONSTRUCTED DUNE FOOTPRINT
LINE OF VEGETATION

N

SHEET 1 OF 1 FEBRUARY 6, 2025

D – Site Photos

Southerly view of the 28-foot access easement. Gulf Dr. is in the foreground.
November 25, 2024

North view of 21316 Gulf Dr. This picture was taken near the Line of Vegetation. The seaward side of the constructed dune will coincide with the Line of Vegetation. November 25, 2024

South view of the lot as seen from the North property line. November 25, 2024

East view of the lot in the vicinity of the proposed home. November 25, 2024

West view of the lot in the vicinity of the proposed home. November 25, 2024

Northerly view of the Line of Vegetation. The vegetation in the foreground is near elevation 4.1 feet. November 25, 2024

East view of the area where the dune will be constructed. November 25, 2024

West view of the area where the dune will be constructed. November 25, 2024

Two pictures from the GLO which depict acceptable signage and bollard and rope barrier.

Pictures of future dune staked out

Facing East

Facing South East

Facing South

Facing South West

Facing West

Facing North West

Facing North

Facing North East

E – GLO Comment Letter

TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

April 22, 2025

Via Electronic Mail

Hunter Cummings
Deputy Coastal Resources Manager
Development Services Department
City of Galveston
3015 Market St.
Galveston, Texas 77550

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston
Site Address: 21316 Gulf Drive, Galveston
Legal Description: ABST 121 Page 19 Lot 38 Sea Isle Sec 21
Lot Applicant: Darel Seymour
Case Number: 25BF-015
GLO ID No.: BDCOG-25-0057

Dear Mr. Cummings:

The General Land Office (GLO) has reviewed the application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to construct a single-family residence with a crushed concrete parking area and to restore dunes seaward of the proposed structure. The applicant also proposes to install a crushed concrete driveway within the private drive landward of the property. The proposed construction is located within 200 feet of the line of vegetation and within the Dune Conservation Area. According to the Bureau of Economic Geology, the area is stable.

Based on the information provided to our office for review, we have the following comments:

- The applicant proposes construction activities within the Dune Conservation Area, which is prohibited under the City's Plan.[1] Section 4.2 of the City's Erosion Response Plan (ERP) and Section B of the City's Plan are based on the requirements for the development of erosion response plans, building setback lines, and considerations for exemptions to the prohibition of construction found in 31 Tex. Admin. Code § 15.17.[2] Those requirements only allow the City to issue an exemption to the general prohibition on construction seaward of the setback line (or within the Dune Conservation Area) and do not provide the City authority to issue exemptions from other specific construction limitations listed in the City's Plan or 31 Tex. Admin. Code § 15.

[1] City of Galveston Dune Protection and Beach Access Plan Appendix C § 4.1.
[2] City of Galveston Dune Protection and Beach Access Plan Appendix C § 4.2 and City of Galveston Dune Protection and Beach Access Plan § B; *see also*, Tex. Nat. Res. Code § 33.607 (relating to the elements required in an erosion response plan).

- The City of Galveston Erosion Response Plan states that for the purposes of determining construction setbacks and the location of the Dune Protection Line, a restored dune shall be defined as having more than 50% vegetative cover, a 3:1 slope, an average height of 75% of the island's base flood elevation, a naturally established connection to the dune contour and elevation of the adjacent property, with, and not extending further seaward than 4.1 feet elevation from mean sea level, which results in a dune that is a minimum of 50 feet wide and a dune height of 10 feet.[3] The City must ensure that the dunes are effectively restored on site in compliance with this requirement before the construction setbacks and location of the Dune Protection Line is re-established.

- Sections M(1)(i)(2) of the City's Plan prohibits paving or altering the ground below the lowest habitable floor within the Dune Conservation Area.[4]
    - The applicant proposes a crushed concrete driveway and parking area within the Dune Conservation Area. The City has indicated that a City ordinance requires an improved Right of Way surface for new structures. However, this requirement is only applicable to the driveway within the Right of Way and does not appear to be applicable to the crushed concrete parking area proposed on site.
    - Should the dunes be effectively restored on site in compliance with Section 1.7 of the City's Erosion Response Plan, the construction setbacks and location of the Dune Protection Line will be re-established at 25 feet from the north toe of the dunes. Paving or altering the ground between the line of vegetation and 25 feet landward of the north toe of the dune is prohibited.[5]

- The applicant should direct all stormwater inland away from the critical dune area, public beach and adjacent properties. Construction must provide for the gradual and dispersed drainage of storm water runoff, such that runoff within the lot approximates natural rates, volumes, and direction of flow to avoid erosion and dune damage.[6]

<u>Dune restoration</u>

- The applicant proposes to impact 2,721 square feet of dune vegetation. However, the application materials indicate that there are no existing dunes on or seaward of the property. Under 31 Tex. Admin. Code § 15.2(30), dune vegetation is defined as "flora indigenous to natural dune complexes, and growing on naturally-formed dunes or man-made vegetated mounds on the Texas coast and can include coastal grasses and herbaceous and woody plants." Since there are no critical dunes on site, any existing vegetation is not considered protected dune vegetation and mitigation is not required. The GLO encourages the applicant to use the existing vegetation on site to vegetate the restored dunes, as proposed.

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[3] City of Galveston Dune Protection and Beach Access Plan Appendix C § 1.7.
[4] City of Galveston Dune Protection and Beach Access Plan § M(1)(i)(2).
[5] City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.4(1).
[6] City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(3).

- Only indigenous dune vegetation that will help achieve the same protective capability or greater capability as the vegetation on surrounding natural dunes may be used to restore dunes.[7] The applicant proposes to use existing vegetation from on-site to vegetate the restored dunes.

- Any sand, soil, sediment, or dredged spoil deposited within critical dune areas or seaward of the local dune protection line must be of an acceptable mineralogy or grain size as compared to the sediments found onsite.[8]

- The dunes must be restored to be continuous with any surrounding naturally formed dunes and must approximate the natural position, contour, volume, elevation, and sediment content of any naturally formed dunes in the restoration area.[9]

- Sand obtained by scraping or grading dunes or the beach may not be used to restore dunes.[10]

Please be advised that structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of mean high tide may be allowed to make certain repairs under the Beach/Dune rules and local government plans.

If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned land. Repairs are prohibited and the state may take action to remove the structure.

In the event of a material change to the site conditions or the proposed construction, a new or amended beachfront construction certificate and dune protection permit is required.[11] If you have any questions, please contact me at (512) 463-1278 or at michelle.leslie@glo.texas.gov.

Sincerely,

Michelle Leslie

Michelle Leslie
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

[7] 31 Tex. Admin. Code § 15.7(e)(4).
[8] 31 Tex. Admin. Code § 15.4(c)(3).
[9] 31 Tex. Admin. Code § 15.7(e)(3).
[10] 31 Tex. Admin. Code § 15.7(e)(5)(E).
[11] 31 Tex. Admin. Code § 15.3(t)(5).