

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GALVESTON
WEDNESDAY, JUNE 4, 2025 - 3:30 PM
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas
REGULAR MEETING**

**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

4.A **April 9, 2025**

4.B **May 7, 2025**

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

6.C **25Z-011 (9306 Vista Bella)** 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 side yard setback. Property is legally described as Ponticello Replat (2008), Abstract 121, Lot 12, Acres 0.479 in the City and County of Galveston, Texas.
Applicant: Zack Gavos

Property Owners: David & Angela Renee Raimer

- 6.D **25Z-013 (1804 65th Street)** Request for a variance from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-1) Addendum, regarding minimum lot width, depth and area. Property is legally described as Abstract 121 Hall & Jones Survey, West One-Half of Lot 18 (18-1), Bayou Shores-Wheelers Subdivision, in the City and County of Galveston, Texas.
Applicant: Laura Ward, New Elite Homes, LLC.
Property Owner: New Elite Homes, LLC.

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 05/30/2025 at 2:35 PM

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 – April 9, 2025

CALL MEETING TO ORDER

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

ATTENDANCE

Members Present: Lidija Bikova, James Fagan, Mark Metzger(Alternate), Becca Scoville (Alternate), Susan Syler

Members Absent: Carol Hollaway, Barbara Railey, Ex-Officio David Finklea

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

CONFLICT OF INTEREST

None

WELCOME NEW MEMBER

The board requested this item be moved to the next scheduled meeting.

APPROVAL OF MINUTES

The March 5, 2025, regular meeting minutes were approved as presented.

***Board Member Metzger arrives at 3:36 p.m.

PUBLIC COMMENT

None

DISCUSSION ITEMS

Staff opened the "Discussion of Zoning Board of Adjustment power to hear Landmark Commission appeals (Staff)" item.

***Donna Fairweather steps away at 3:39 p.m. and returns at 3:41 p.m.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

25Z-004 (8819 Stewart Road) Request for a variance from the Galveston Land Development Regulations, Article 10, Height and Density Development Zone regarding Build-to-Line and Wall Plane Articulation. Property is legally described as Hall & Jones Survey, Lot B, Chauhan Subdivision (2007), in the City and County of Galveston, Texas.

Applicant: Rafiq Ali, Catalyst Technical Group, Incorporated

Property Owner: Harold Smart, Vrone Hospitality, LLC on behalf of OKG LLC

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

Chairperson Bikova opened the public hearing on the case. A representative for the applicant, Himanshu Makwana, gave a presentation to the board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Fagan made a motion to approve the request.

The motion failed due to a lack of a second.

Board Member Syler made a motion to approve a variance for the Build-to-Line. Board Member Fagan seconded.

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

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

The motion passed.

Board Member Scoville (Alternate) made a motion on a variance for Wall Plane Articulation for deferral to the May 7, 2025, meeting in order for the applicant to provide front elevation and other information from staff. Board Member Syler seconded.

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

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

The motion failed.

Chairperson Bikova tabled the motion.

Chairperson Bikova re-opened the public hearing on the case. A representative for the applicant, Himanshu Makwana, provided the requested front elevation. The public hearing was closed, and the Chairperson called for a motion.

Board Member Metzger (Alternate) made a motion to approve a variance for Wall Plane Articulation. Board Member Fagan seconded.

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

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

The motion passed.

25Z-005 (1721 Postoffice / Avenue E) Request to appeal the City of Galveston Landmark Commission's decision regarding case 25LC-002: Request for a Certificate of Appropriateness for modifications to the structure including use of an alternative material, replacement of existing windows, and addition of covered porch to the rear façade. The property is legally described as Abstract 628 M.B. Menard Survey, Lot 2 & West 10-8.5 Feet of Lot 3, Block 437, in the City and County of Galveston, Texas.
Applicant: Robert Faickney

Property Owner: Donna Baker and Robert Faickney

Staff presented the staff report and reported that of 24 notices sent, four returned in favor, and three in opposition.

Chairperson Bikova opened the public hearing on the case. The applicant and property owner, Robert Faickney, gave a presentation to the board. See the attached list for presentations made to the board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Syler made a motion to reverse the Landmark Commissions decision. Board Member Scoville (Alternate) seconded.

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

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

The motion passed.

WELCOME NEW MEMBER

The board welcomed Mark Metzger.

THE MEETING ADJOURNED AT 4:47 PM





City of Galveston

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GALVESTON REGULAR MEETING – May 7, 2025

CALL MEETING TO ORDER

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

ATTENDANCE

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

Members Absent: None

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

CONFLICT OF INTEREST

None

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

25Z-007 (11222 Schwartz Drive) 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 3, Block 1, Sunny Beach, a subdivision in the City and County of Galveston, Texas.

Applicant: David K. Brown

Property Owners: David K. and Gaytha M. Brown

Staff presented the staff report and reported that of 24 notices sent, one returned in favor, and one in opposition.

Chairperson Bikova opened the public hearing on the case. The applicant, David K. Brown, gave a presentation to the board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Railey made a motion to approve the request. Board Member Syler seconded.

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

In favor: Bikova, Fagan, Hollaway, Railey, Syler

Opposed: None

Absent: None

Non-voting participant: Metzger(Alternate), Scoville (Alternate), Ex-Officio David Finklea

The motion passed.

25Z-008 (17427 Bristow Drive) 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, West ½ of Lot 33 (33-1), Gulf Palms, a subdivision in the City and County of Galveston, Texas.

Applicant: Ryan Gannon

Property Owners: Ryan and Kylee Gannon

Staff presented the staff report and reported that of 37 notices sent, one returned in favor, one returned with no comment, and one in opposition.

Chairperson Bikova opened the public hearing on the case. The applicant and property owner, Ryan Gannon, gave a presentation to the board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Syler made a motion to approve the request. Board Member Railey seconded.

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

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

The motion passed.

25Z-009 (6600 Seawall) Request for appeal of staff determination regarding maximum height of a vending kiosk. Property is legally described as Abstract 121 Hall & Jones Survey, Part of Lots 89, 90, and Abandoned Road (89-1), Trimble and Lindsey Section 1 and Part of Lot 1, Moseley Addition, in the City and County of Galveston, Texas.

Applicant: Paul Church

Property Owner: Galveston Fund 1, LLC.

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

Chairperson Bikova opened the public hearing on the case. The applicant, Paul Church, gave a presentation to the board. See the attached list for presentations made to the board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Syler made a motion to Affirm Staff's Determination. Board Member Hollaway seconded.

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

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

The motion passed.

25Z-010 (2421 and 2425 68th Street) Request for a variance from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-1) Addendum, regarding minimum lot width, depth and square footage. The properties are legally described Abstract 121 Hall & Jones Survey, Lots 16R and 17R, Reeves Special Subdivision (2002), in the City and County of Galveston, Texas.

Applicant: Brax Easterwood

Property Owners: Rodney and Ann Reeves

Staff presented the staff report and reported that of 19 notices sent, one returned in favor, and one with no comment.

Chairperson Bikova opened the public hearing on the case. The applicant, Brax Easterwood, gave a presentation to the board. See attached list for presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

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

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

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

The motion passed.

THE MEETING ADJOURNED AT 4:30 PM





25Z-011

STAFF REPORT

ADDRESS:

9306 Vista Bella

LEGAL DESCRIPTION:

Property is legally described as Ponticello Replat (2008), Abstract 121, Lot 12, Acres 0.479 in the City and County of Galveston, Texas

APPLICANT/REPRESENTATIVE:

Zack Gavos

PROPERTY OWNER(S):

David & Angela Renee Raimer

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 side yard setback

APPLICABLE REGULATIONS:

Article 3, Addendum for Residential, Restricted Single-Family District (R-0), and Sec. 12.401 of the LDR

EXHIBITS:

- A – Applicant's Submittal
- B – Motion Guide

STAFF:

Catherine Gorman, AICP
 Assistant Director/HPO
 (409) 797-3665
 cgorman@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
14				

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 with comment: *In addition to being restricted as open space, the property to the east, "Reserve E", the 10 feet next to the southeast property line of Lot 12 (9306 Vista Bella) includes a utility easement with a City waterline. As long as the applicant does not extend anything beyond the property line, there are no concerns with the request.*

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, Addendum in order to reduce the required minimum side setback from 3 feet to 0 feet to allow for a HVAC platform.

- In accordance with Sec. 12.401 of the Land Development Regulations (LDR), a special exception may be requested in the following circumstances:
- corner lots, or
 - lots opposite or adjoining permanent open spaces, including parks and playgrounds.

In this case, the applicant is requesting a special exception because the lot adjoins a permanent open space. The adjoining property to the east is owned by Artist Boat and is deed restricted as permanent open space. Artist Boat is a nonprofit organization that has a mission to promote awareness and preservation of coastal margins and the marine environment.

Setback Requirements

Article 3, District Yard, Lot and Setback Standards, Addendum for Restricted Single-Family Residential (R-0):

Front: 20 feet
Side: 3 feet
Rear: 10 feet

Setback	Required Setback	Proposed Setback
Side	3 feet	0 feet

Special Exception

- 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.

Land Development Requirements

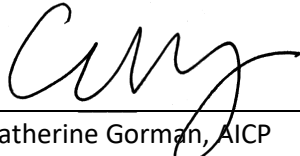
Approval Standards. The Board of Adjustment may grant a special exception as provided in Section 12.401(2)(a) and when the Zoning Board of Adjustment finds that such special exception will not affect adversely the value and use of adjacent and neighboring property or be contrary to the public interest.

The Applicant’s Justification is as follows:

**Applicant's
Justification**

There is a wetlands reserve to the east of this property, which is owned by Artist Boat. Because of the wetlands another structure will not be built adjacent to this home. The architectural plans submitted for the building permit called for a mechanical platform in this location, only smaller. The general welfare of the community was protected by keeping with the same architectural style as the rest of the house on the mechanical platform

Respectfully Submitted,



Catherine Gorman, AICP
Assistant Director/HPO

05/21/2025

Date

Architectural Drawings for Ramler Residence

Site Plan (Top Left): Shows the property layout with labels for "GALVESTON BAY", "RAMLER RESIDENCE", "PERRA BELLA SPUR", "RESERVE", "LOT 10", "LOT 11", "LOT 12", "LOT 13", "LOT 14", "LOT 15", "LOT 16", "LOT 17", "LOT 18", "LOT 19", "LOT 20", "LOT 21", "LOT 22", "LOT 23", "LOT 24", "LOT 25", "LOT 26", "LOT 27", "LOT 28", "LOT 29", "LOT 30", "LOT 31", "LOT 32", "LOT 33", "LOT 34", "LOT 35", "LOT 36", "LOT 37", "LOT 38", "LOT 39", "LOT 40", "LOT 41", "LOT 42", "LOT 43", "LOT 44", "LOT 45", "LOT 46", "LOT 47", "LOT 48", "LOT 49", "LOT 50", "LOT 51", "LOT 52", "LOT 53", "LOT 54", "LOT 55", "LOT 56", "LOT 57", "LOT 58", "LOT 59", "LOT 60", "LOT 61", "LOT 62", "LOT 63", "LOT 64", "LOT 65", "LOT 66", "LOT 67", "LOT 68", "LOT 69", "LOT 70", "LOT 71", "LOT 72", "LOT 73", "LOT 74", "LOT 75", "LOT 76", "LOT 77", "LOT 78", "LOT 79", "LOT 80", "LOT 81", "LOT 82", "LOT 83", "LOT 84", "LOT 85", "LOT 86", "LOT 87", "LOT 88", "LOT 89", "LOT 90", "LOT 91", "LOT 92", "LOT 93", "LOT 94", "LOT 95", "LOT 96", "LOT 97", "LOT 98", "LOT 99", "LOT 100".

Floor Plan (Top Right): Shows the layout of the residence with labels for "PERRA BELLA SPUR", "LOT 10", "LOT 11", "LOT 12", "LOT 13", "LOT 14", "LOT 15", "LOT 16", "LOT 17", "LOT 18", "LOT 19", "LOT 20", "LOT 21", "LOT 22", "LOT 23", "LOT 24", "LOT 25", "LOT 26", "LOT 27", "LOT 28", "LOT 29", "LOT 30", "LOT 31", "LOT 32", "LOT 33", "LOT 34", "LOT 35", "LOT 36", "LOT 37", "LOT 38", "LOT 39", "LOT 40", "LOT 41", "LOT 42", "LOT 43", "LOT 44", "LOT 45", "LOT 46", "LOT 47", "LOT 48", "LOT 49", "LOT 50", "LOT 51", "LOT 52", "LOT 53", "LOT 54", "LOT 55", "LOT 56", "LOT 57", "LOT 58", "LOT 59", "LOT 60", "LOT 61", "LOT 62", "LOT 63", "LOT 64", "LOT 65", "LOT 66", "LOT 67", "LOT 68", "LOT 69", "LOT 70", "LOT 71", "LOT 72", "LOT 73", "LOT 74", "LOT 75", "LOT 76", "LOT 77", "LOT 78", "LOT 79", "LOT 80", "LOT 81", "LOT 82", "LOT 83", "LOT 84", "LOT 85", "LOT 86", "LOT 87", "LOT 88", "LOT 89", "LOT 90", "LOT 91", "LOT 92", "LOT 93", "LOT 94", "LOT 95", "LOT 96", "LOT 97", "LOT 98", "LOT 99", "LOT 100".

Elevations (Bottom): Shows the exterior views of the residence with labels for "PERRA BELLA SPUR", "LOT 10", "LOT 11", "LOT 12", "LOT 13", "LOT 14", "LOT 15", "LOT 16", "LOT 17", "LOT 18", "LOT 19", "LOT 20", "LOT 21", "LOT 22", "LOT 23", "LOT 24", "LOT 25", "LOT 26", "LOT 27", "LOT 28", "LOT 29", "LOT 30", "LOT 31", "LOT 32", "LOT 33", "LOT 34", "LOT 35", "LOT 36", "LOT 37", "LOT 38", "LOT 39", "LOT 40", "LOT 41", "LOT 42", "LOT 43", "LOT 44", "LOT 45", "LOT 46", "LOT 47", "LOT 48", "LOT 49", "LOT 50", "LOT 51", "LOT 52", "LOT 53", "LOT 54", "LOT 55", "LOT 56", "LOT 57", "LOT 58", "LOT 59", "LOT 60", "LOT 61", "LOT 62", "LOT 63", "LOT 64", "LOT 65", "LOT 66", "LOT 67", "LOT 68", "LOT 69", "LOT 70", "LOT 71", "LOT 72", "LOT 73", "LOT 74", "LOT 75", "LOT 76", "LOT 77", "LOT 78", "LOT 79", "LOT 80", "LOT 81", "LOT 82", "LOT 83", "LOT 84", "LOT 85", "LOT 86", "LOT 87", "LOT 88", "LOT 89", "LOT 90", "LOT 91", "LOT 92", "LOT 93", "LOT 94", "LOT 95", "LOT 96", "LOT 97", "LOT 98", "LOT 99", "LOT 100".

Notes:

- NOTE: PERSPECTIVES FOR VISUAL PURPOSES ONLY. PLEASE REFER TO PLANS/ELEVATIONS FOR CONSTRUCTION.
- NOTE: PERSPECTIVES FOR VISUAL PURPOSES ONLY. PLEASE REFER TO PLANS/ELEVATIONS FOR CONSTRUCTION.

Architectural Firm: eas easterwood ARCHITECTS STUDIO

Address: 12225th Street - Suite 2017, ALVERSTON, TEXAS 77007

Phone: 409.304.8875

Website: CONTACT@EASSTUDIO.COM

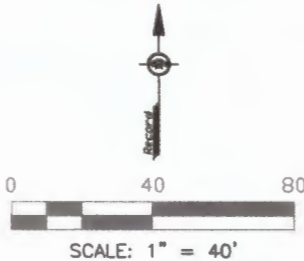
Permit Set: A1.1

Revision Schedule:

Number	Date
1	08/08/2022



9306 Vista Bella Drive

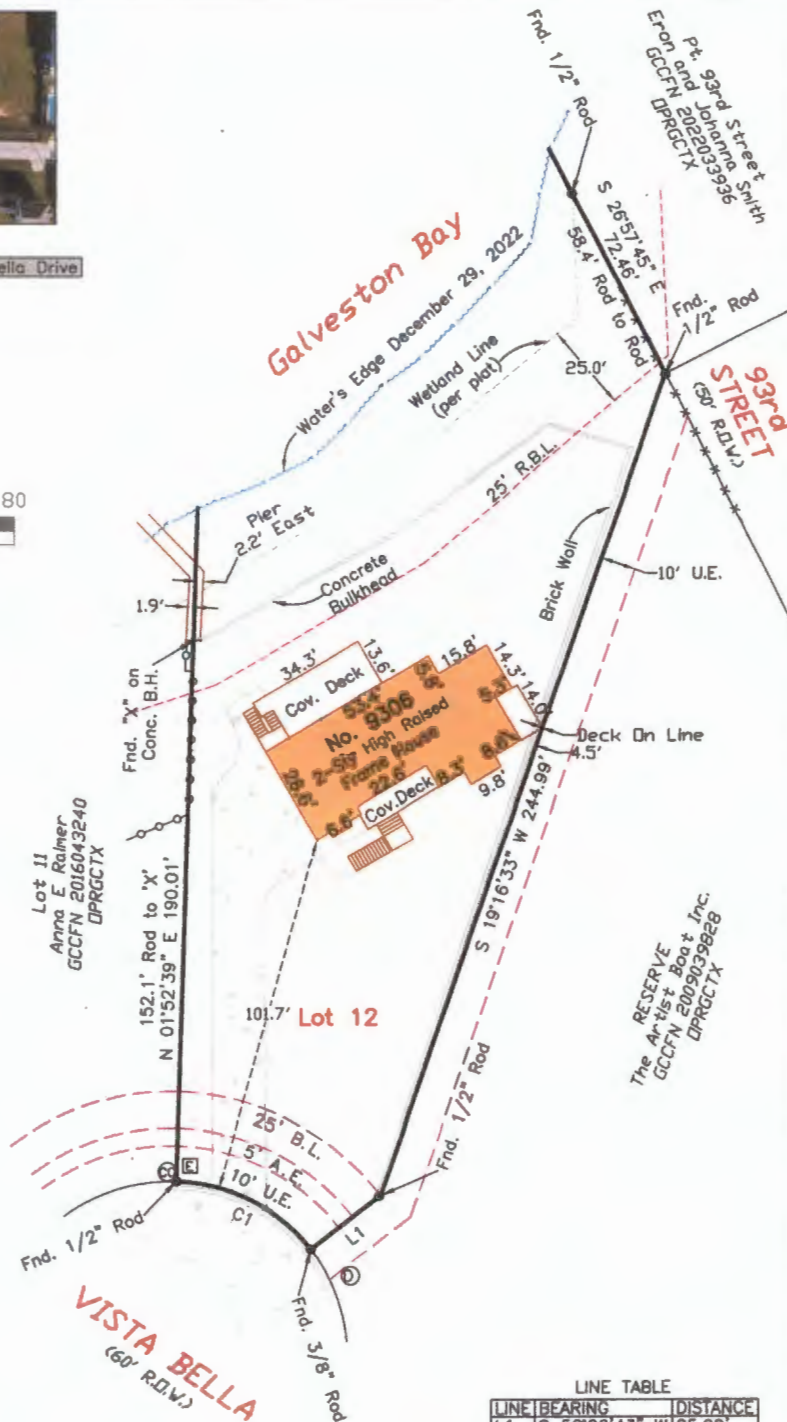


Survey of Lot Twelve (12) of PONTICELLO REPLAT, a subdivision in Galveston County, Texas, according to the map or plat thereof as recorded in Plat Record 2007A, Map Number 11 of the Map Records of Galveston County, Texas.

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

Brene Addison

Brene Addison
Registered Professional
Land Surveyor No. 6598



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 52°26'43" W	25.00'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	50.00'	44.13'	42.71'	N 62°50'19" W

NOTES:

- 1) This property is subject to the zoning ordinances and/or the building regulations of the City of Galveston.
- 2) This property lies within Zone VE (EL 14) as established by the FEMA Flood Insurance Rate Map No. 48167C0420G, dated August 15, 2019.
- 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by DSHA and/or the local power company.
- 4) Bearings are based on the monumentation of Vista Bella Drive.

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

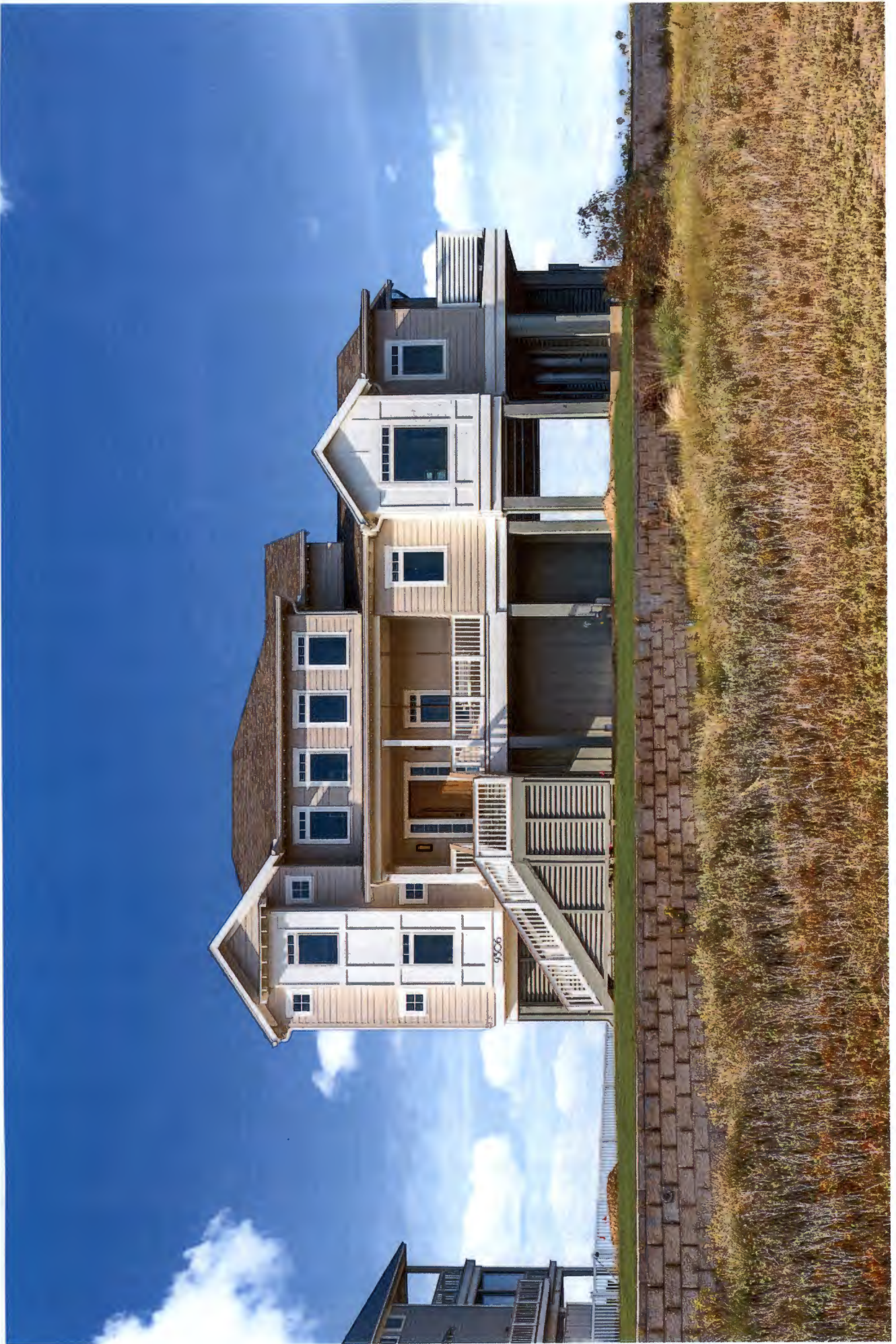
Legend:	
-o-o-o-	Plastic Fence
-x-x-	Vine Fence
-	Concrete
B.L.	Building Setback Line
U.E.	Utility Easement
A.E.	Aerial Easement
R.B.L.	Rear Building Line
- - -	Building Line
- - -	Easement Line
ⓔ	Electrical Box
Ⓢ	Clean-out
Ⓜ	Manhole

TRICON LAND SURVEYING, LLC
Mailing: 8341 Stewart Rd. #251
Galveston, TX 77551
Physical: 2011 59th Street
409-497-2772
TriconLandSurveying.com
T.B.P.E.L.S. Firm No. 10194308

Drafting: JA

Parcel ID: 502657

Surveyed for: Keepsake Design + Build



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.



25Z-013

STAFF REPORT

ADDRESS:

1804 65th Street

LEGAL DESCRIPTION:

The property is legally described as Abstract 121 Hall & Jones Survey, West One-Half of Lot 18 (18-1), Bayou Shores-Wheelers Subdivision, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Laura Ward, New Elite Homes, LLC.

PROPERTY OWNER:

New Elite Homes, LLC.

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Lot Width, Lot Depth, and Lot Area

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single Family (R-1) District, Minimum Lot Standards

EXHIBITS:

- A – Applicant's Submittal
- B – Motion Guide

STAFF:

Daniel Lunsford
 Senior Planner
 409-797-3659
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
33				

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: Structures shall comply with fire-rated construction requirements

Coastal Resources: No Objection

Fire Marshal: Structures shall comply with fire-rated construction requirements

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 variance from Article 3, Addendum in order to reduce the required minimum lot width, length/depth, and square footage. The subject property holds two identical structures built in 2024, spaced equally on the lot. The applicant wishes to request a variance to place each structure on a separate lot.

See the site plan and proposed replat in Exhibit A of the staff report, as well as a summary of variances below. The parcel in question is one-half of an original Bayou Shores-Wheelers subdivision lot, the existing lot is legally nonconforming in regard to lot length/depth as it is, and no other lots in the vicinity have previously been subdivided further than one-half of an original lot.

Note that Land Development Regulations 3.301(A) allows a lot area minimum of only 2,500 square feet in this instance.

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

Required Minimum Lot Area	2,500 square feet
Required Minimum Width	50 feet
Required Minimum Depth	100 feet

Requested Variance	Minimum Lot Dimensions (R-1 Zoning)	Regulation	Proposed Variance
	Lot Width	50 feet	25 feet (both proposed parcels)
	Lot Length/Depth	100 feet	72.5 feet (both proposed parcels)
	Lot Area	2,500 Square Feet	1,812.5 square feet (687.50 square feet variance; both proposed parcels)

Land Development Requirements **SEC. 13.401.B VARIANCES FROM DEVELOPMENT STANDARDS**

Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated:

- 1. The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.
- 2. Due to said special conditions, the enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.
- 3. The variance is not contrary to the public interest, in that:
 - a. It does not allow applicants to impair the application of these regulations for:
 - a. Self-imposed hardships;

- b. Hardships based solely on financial considerations, convenience, or inconvenience; or
 - c. Conditions that are alleged to be "special" but that are actually common to many properties within the same zoning district.
- b. The variance will not have a detrimental impact upon:
 - a. The current or future use of adjacent properties for purposes for which they are zoned;
 - b. Public infrastructure or services; and
 - c. Public health, safety, morals, and general welfare of the community.
- 4. The degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship.
- 5. The variance shall not be used to circumvent other procedures and standards of these regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).
- 6. By granting the variance, the spirit of these regulations is observed and substantial justice is done.

Applicants' Justification

Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated.

- 1. The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.**

The lot is several hundred square feet smaller than typical lots in the zoning district, creating unique constraints that limit standard development. To overcome this, This variance makes it possible to provide working families with lower incomes a rare opportunity to own a modern, lower priced affordable home that fits the lot while still offering space, function, and comfort. It dignified home in a growing community.

- 2. Due to said special conditions, the literal enforcement of the strict terms of these Land Development Regulations would impose an unnecessary hardship on the applicant.**

Enforcing the strict terms of the regulations on this undersized lot would prevent me from offering two families the opportunity to own a quality home. The variance is essential to transform this constrained lot into a valuable, This would not only create a financial hardship, but also block the opportunity to provide an affordable, well-designed home for a working family that cannot compete in today's high-cost housing market. Livable space that meets a real community need.

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

The variance supports affordable housing and blends with the neighborhood, giving working families a chance to own a home without harming the community's character or standards.

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.**

This is not a self-imposed or financial hardship. The lot's smaller size is uncommon in the area, and the variance allows for a fair use that supports affordable housing without undermining zoning intent. The requested variance to reduce the minimum lot size does not impair the intent or application of existing zoning regulations, as it maintains the spirit of the code by promoting orderly development, public safety, and neighborhood enhancement. The two homes currently under construction are fully compliant with all other applicable building and zoning standards, including height, setbacks, parking, and utility access. This request is not seeking to override the zoning code but rather to allow a reasonable adjustment based on the unique conditions of the lot and the advanced progress of development (70% complete). The variance does not create a precedent for broad non-compliance, nor does it affect surrounding properties' rights, infrastructure, or character. It supports the goals of the zoning ordinance by improving housing availability and neighborhood quality without disrupting community planning or land use policy

b. The variance will not have a detrimental impact upon:

- i. The current or future use of adjacent properties for purposes for which they are zoned;**
- ii. Public infrastructure or services; and**
- iii. Public health, safety, morals and general welfare of the community.**

The variance will not negatively affect neighboring properties, public services, or community welfare. It allows for an affordable home that aligns with the neighborhood's character and requires no additional infrastructure. The development maintains public safety and zoning intent while supporting a growing community.

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 degree of variance requested is the minimum needed to make reasonable use of the property and address the hardship caused by the lot's size. ensuring minimal impact on the surrounding area. it allows for the development of an affordable home without exceeding the necessary adjustments to the regulations.

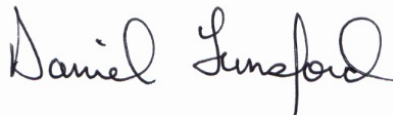
5. The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).

The variance will not circumvent other procedures or standards. No alternative development patterns or flexible measures within the regulations can address the unique constraints of this lot. The variance is the only viable option to create an affordable home while adhering to the overall intent of the zoning regulations.

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

Yes, granting the variance upholds the spirit of the Land Development Regulations by enabling the creation of affordable housing without compromising the integrity of the zoning district. It provides substantial justice by allowing a working family to own a home, which aligns with the community's broader goals of growth and inclusivity.

Respectfully submitted,



Daniel Lunsford
Senior Planner

05/27/2025

Date



Catherine Gorman, AICP
Assistant Director/HPO

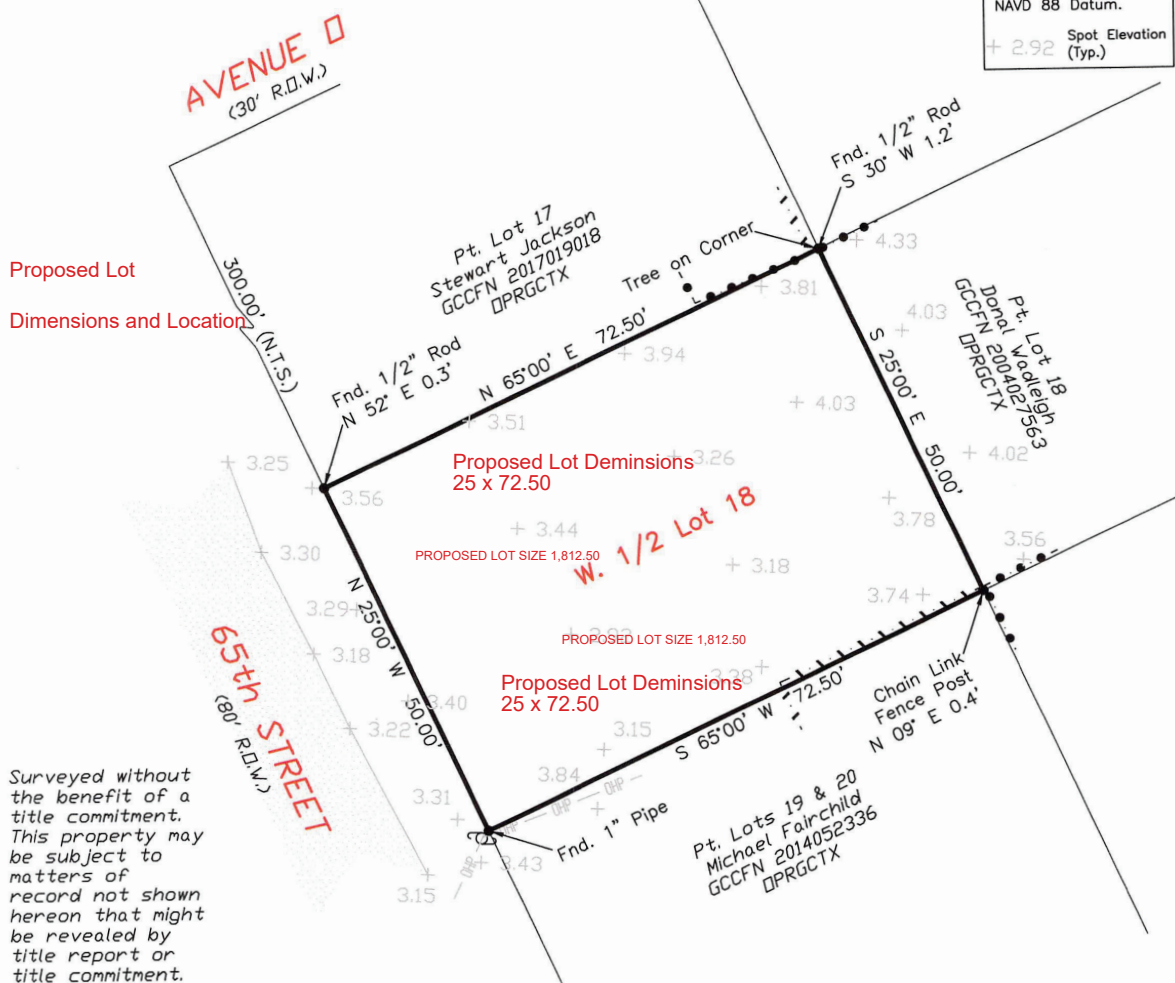
05/27/2025

Date

TLS Job No 24-0016

1804 65th Street, Galveston, TX. 77551

Survey Date: January 16, 2024

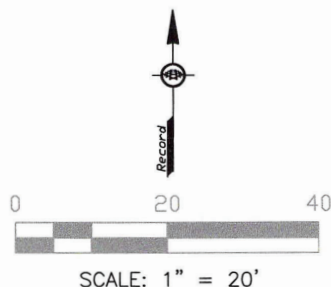


Survey of the West One-half (1/2) of Lot Eighteen (18), of BAYOU SHORES WHEELERS SUBDIVISION, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254, Page 116 and transferred to Plat Record 11, Map No. 29 of the Map Records of Galveston County, Texas.

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

Brene Addison

Brene Addison
Registered Professional
Land Surveyor No. 6598



NOTES:

- 1) This property is subject to the zoning ordinances and/or the building regulations of the City of Galveston.
- 2) This property lies within Zone AE (EL 11) as established by the FEMA Flood Insurance Rate Map No. 48167C0439G, dated August 15, 2019.
- 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA and/or the local power company.
- 4) Bearings are record, as shown on plat of Bayou Shores-Wheelers Subdivision, based on the monumentation of the East right-of-way line of Biouu Ave., being a found 1/2 inch rod at the Southwest corner of Lot 43 and a found 1/2 inch rod at the Northwest corner of Lot 39

Legend:

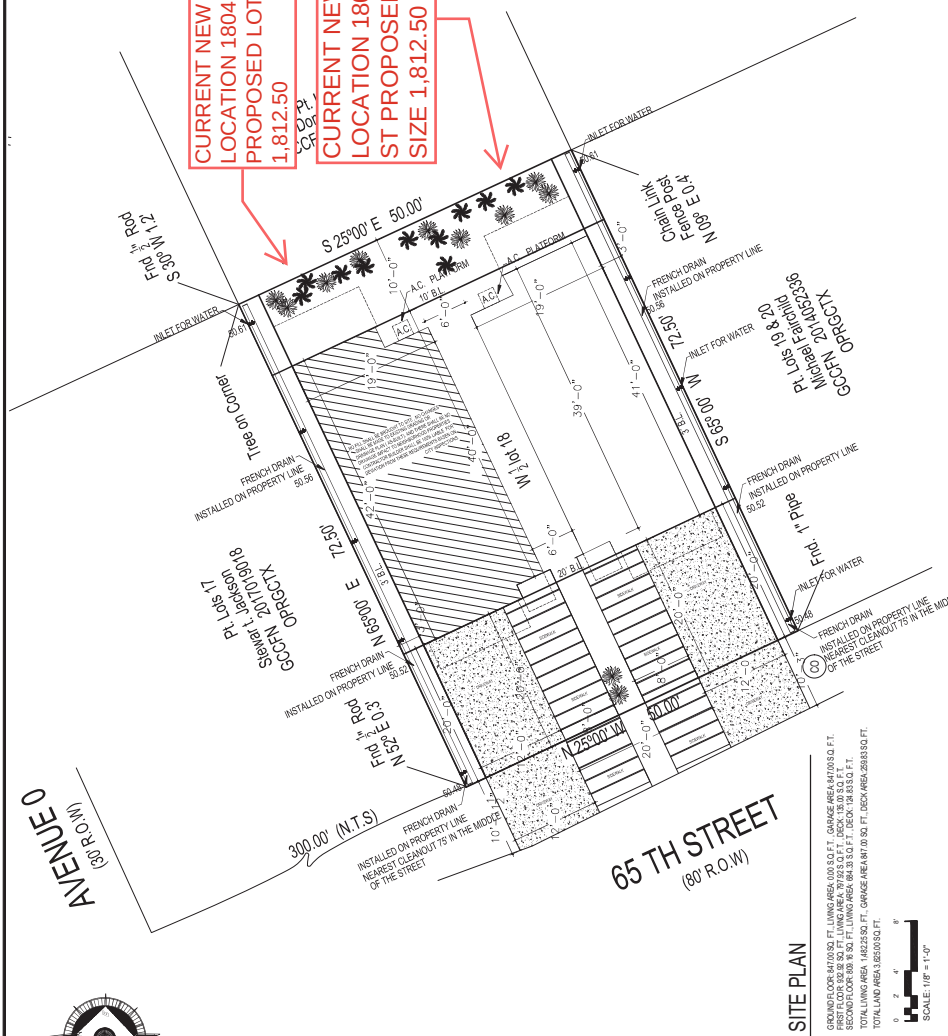
- Overhead Power
- • • Chain Link Fence
- - - Wood Fence
- Asphalt
- Power Pole
- (N.T.S.) Not to Scale

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

Drafting: JA

Parcel ID: 121503

Surveyed for:
Michael Champion



PROPOSED LOT SIZE 1,812.50

LOT SIZE:	3,625.00 SQ FT
HOUSE FOOT PRINT:	789.67 SQ FT
PROPOSED DRIVEWAY AND SIDEWALK (ASPHALT OR CONCRETE):	409.89 SQ FT
TOTAL (HOUSE DRIVEWAY):	99.98 SQ FT
TOTAL % LOT COVERAGE	509.87 SQ FT
CONSTRUCTION: NEW	35.84%
PROPOSED USE: TWO STORY HOUSE	
LIVING AREA	1,252.78 SQ FT
GARAGE	730.00 SQ FT
DECK	242.16 SQ FT
TOTAL AREA	2,224.94 SQ FT
DRIVEWAY	509.87 SQ FT
TOTAL HOUSE AREA (ALL STRUCTURES):	2,743.81 SQ FT

5/7/2025

Justification for Lot Division Request

I am kindly asking for your consideration in approving the division of my current lot into two separate parcels. I've built two high-quality homes on this property. Please feel free to drive by and you will see how I have improved the neighborhood showing my intention of enhancing the character of the neighborhood and contributing meaningfully to Galveston's continued development.

Galveston is growing in dynamic and positive ways, and I truly value being part of that progress. It's an honor to invest in this community and support thoughtful growth that benefits both current and future residents. I am requesting a variance to reduce the minimum lot size from 3,675 square feet to 1,812 square feet per lot. This request supports a project that is already well underway and currently 70% completed—two homes that have been approved and are being built to modern standards. The purpose of this variance is to continue revitalizing the area by completing a project that not only aligns with the city's development goals but also improves neighborhood aesthetics, housing availability, and property values.

Granting this variance will allow for the efficient use of land that is already being developed, ensure that no construction progress is reversed or wasted, and contribute positively to the transformation taking place in Galveston. These homes represent quality, intentional development, not density for profit's sake—but rather, a step forward in making the neighborhood more livable, attractive, and sustainable.

I respectfully ask for approval of this variance so we can complete what has been started and bring further value and improvement to the Galveston community. By dividing the lot, I will be able to offer one of these homes at an attainable price, helping a starting family find stability and opportunity in a city that's full of promise. This request reflects my commitment to responsible development and to supporting the shared vision for Galveston's future. Thank you for your time and thoughtful consideration.

Michael champion

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.