

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GALVESTON
WEDNESDAY, SEPTEMBER 3, 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 July 9, 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.A **25Z-015 (4217 Las Palmas)** 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 Page 41, Lot 86 Block 1 Palm Beach, in the City and County of Galveston, Texas.

Applicant: James Casey

Property Owners: Michael W. Kavanagh

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 08/27/2025 at 03:40 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 – July 9, 2025

CALL MEETING TO ORDER

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

ATTENDANCE

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

Members Absent: Ex-Officio David Finklea

Staff Present: Tim Tietjens, Development Services Executive Director; Teresa Evans, Special Assistant to Executive Director of Development Services; Catherine Gorman, AICP, Assistant Director/HPO; Daniel Lunsford, Senior Planner; Donna Fairweather, Sr. Assistant City Attorney; Karina Rosales, Planning Technician.

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The June 4, 2025, Regular Meeting minutes were accepted as presented.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

25Z-012 (1513 47th Street) Request for a variance from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-1) Addendum, regarding minimum lot square footage. The property is legally described as Abstract 628 M.B. Menard Survey, North 1/2 of Lot 13 & East 17-10 Feet of Lot 14 (13-2), Block 63, Denver Resurvey, in the City and County of Galveston, Texas.

Applicant: Milan Randelovic

Property Owner: Milan Randelovic

Staff presented the staff report and reported that of 24 notices sent, and one returned with no comment.

Chairperson Bikova opened the public hearing on the case. The applicant and property owner, Milan Randelovic, gave a presentation to the board. Please see the attached list of presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Vice-Chairperson Hollaway made a motion to approve the request. Board Member Scoville seconded.

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

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

The motion passed.

25Z-014 (1410 Seawall) Request for appeal of staff determination regarding Section 11.301 (C) Nonconforming Buildings, Structures, and Elements of Buildings or Structures of the Land Development Regulations. Property is legally described as M.B. Menard Survey (47-2000-1), Portion of Southwest Block 47 and Portion of Northwest Block 72, Galveston Outlots; Portion of Adjacent Avenue O; in the City and County of Galveston, Texas.

Applicant: Chris Hellerman

Property Owner: GTX Hospitality c/o John Thokala

Staff presented the staff report and reported that of 13 notices sent, none returned.

Chairperson Bikova opened the public hearing on the case. A representative for the applicant, Scot Clinton, gave a presentation to the board. Please see the attached list of presentations made to the commission.

***Donna steps away at 3:55 p.m. and returns at 4:00 p.m.

***Board Member Metzger steps way at 4:23 p.m. and returns at 4:26 p.m.

***Board Member Syler steps away at 4:26 p.m. and returns at 4:29 p.m.

The public hearing was closed, and the Chairperson called for a motion.

Board Member Fagan made a motion to affirm staff's determination – the structure has been destroyed, there is no structure existing, including foundation, the cost is 100% to rebuild, and it would not be reconstruction, but in fact, a new build. Board Member Hollaway seconded.

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

In favor:	Bikova, Fagan, Hollaway, Scoville (Alternate),
Opposed:	Syler
Absent:	Ex-Officio David Finklea
Non-voting participant:	Metzger (Alternate),

The motion passed.

THE MEETING ADJOURNED AT 4:38 PM





25Z-015

STAFF REPORT

ADDRESS:

4217 Las Palmas

LEGAL DESCRIPTION:

Property is legally described as Abstract 121 Page 41, Lot 86 Block 1 Palm Beach, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

James Casey

PROPERTY OWNER:

Michael W. Kavanaugh

ZONING:

Residential, Single-Family (R-1)

REQUEST:

Request for a special exception from the Galveston Land Development Regulations, Article 3, District Yard, Lot and Setback Addendum, for the Residential, Single-Family (R-1) zoning district, to reduce the front yard setback.

APPLICABLE REGULATIONS:

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

EXHIBITS:

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

STAFF:

Daniel Lunsford, Planning Manager
 (409) 797-3672
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
37				

Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

City Department Notification Responses:

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

Private Utilities Notification Responses:

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



Executive Summary The applicant is requesting a special exception from Article 3, Addendum in order to reduce the required minimum front setback from 20 feet to 14.3 feet.

In September 2024, the applicant was approved to build a house at the subject tract; the site plan approved at that time showed the proposed structure as conforming to the minimum 20 foot wide front setback. Upon review of the as-built survey submitted as part of certificate of occupancy requirements, Planning staff discovered that the structure was built approximately 3.3 feet past the front setback. The applicant was notified and submitted a special exception request. The applicant is now requesting to match the existing front setback at 4227 Las Palmas, which is approximately 14.3 feet; this would make the structure at 4217 Las Palmas conforming by 2.4 feet (see Exhibit A for further details).

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

Special Exception **Article 3, District Yard, Lot and Setback Standards, Addendum for Single-Family Residential (R-1):**
Front: 20 feet
Side: 3 feet
Rear: 10 feet

Setback	Required Setback	Proposed Setback
Front	20 feet	14.3 feet (5.7 feet difference)

Land Development Requirements **SEC. 12.401(2)(a) Special Exceptions**

- 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.
 - Front and rear yard requirements 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.

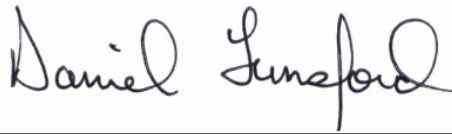
Approval Standards. The Board of Adjustment may grant a special exception as provided in Section 12.401(2)(a) and when the Zoning Board of Adjustment finds that such special exception will not affect adversely the value and use of adjacent and neighboring property or be contrary to the public interest.

**Applicant's
Justification**

The Applicant's Justification is as follows:

Front covered porch on south corner is @ 16.7'. Setback is 20'. 4227 is @ 14.3 setback. Asking for 4217 setback to be 14.3

Respectfully Submitted,



Daniel Lunsford
Planning Manager

August 26, 2025

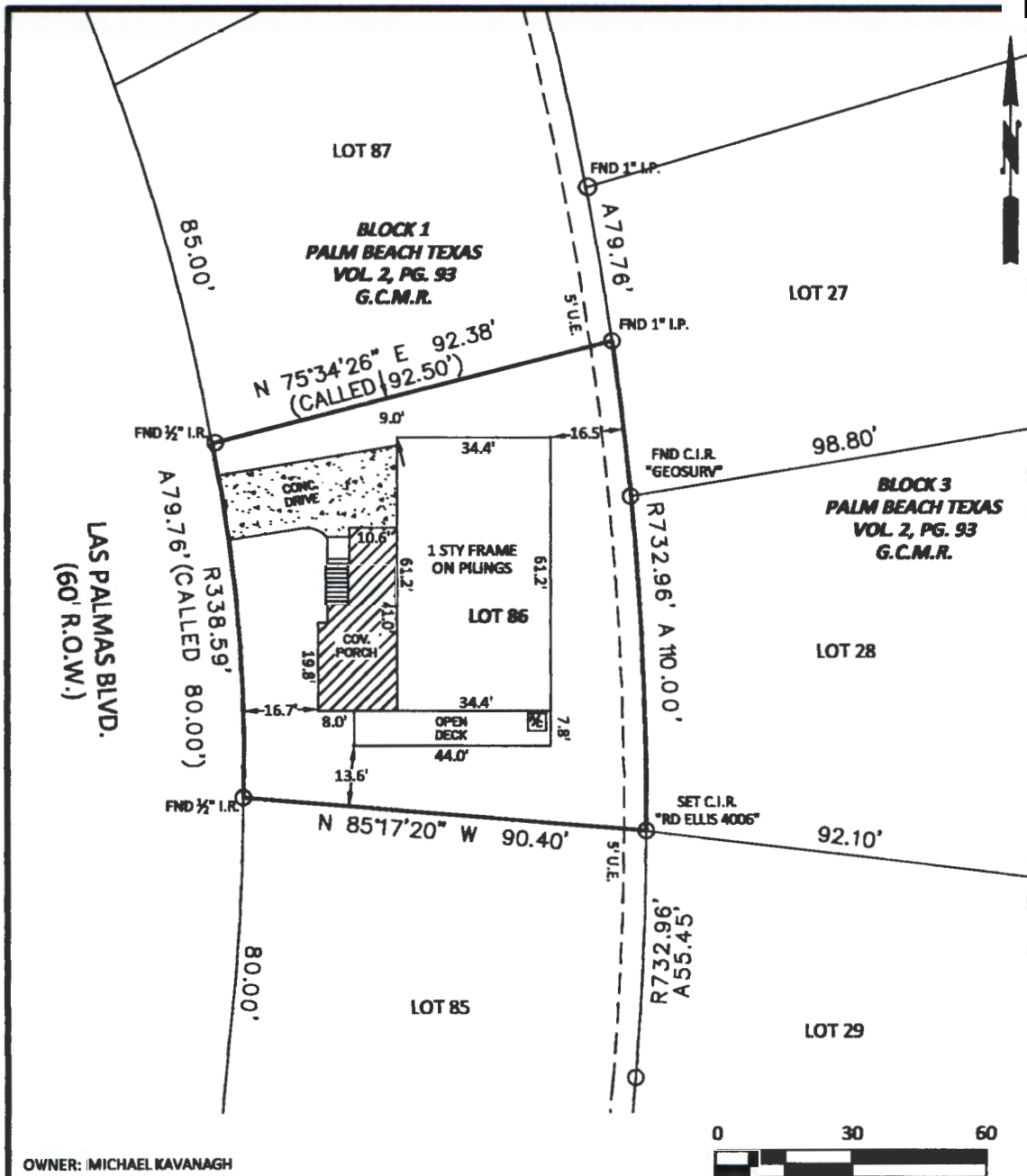
Date



Catherine Gorman, AICP
Assistant Director/HPO

August 26, 2025

Date



OWNER: MICHAEL KAVANAGH
PROPERTY ADDRESS: 4217 LAS PALMAS BLVD. GALVESTON, TX.

Lot 86, Block 1, of Palm Beach Texas, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 79, of the Deed Records of Galveston County, Texas and transferred to Volume 2, Page 93, of the Map Records of Galveston County, Texas.

Basis of Bearing: Grid North, Texas State Coordinate System NAD83, Texas South Central Zone.

I, the undersigned, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this survey was made on the ground of the property legally described hereon and is true and correct to the best of my knowledge and belief.

Robert D. Ellis

Robert D. Ellis, R.P.L.S.
Tx. Reg. No. 4006

NOTE:

This survey was prepared without the benefit of a title report. Easements or encumbrances are per the recorded plat only. Surveyor did not search encumbrances by separate instrument.

Date: 06-04-25
Scale: 1" = 30'
Title Co.
GF No.

LEGEND
I.R. - IRON ROD
I.P. - IRON PIPE
C.I.R. - CAPPED IRON ROD
F.P. - FENCE POST
G.C.M.R. - GALVESTON COUNTY
MAP RECORDS
G.C.D.R. - GALVESTON COUNTY
DEED RECORDS



Ellis Surveying Services, LLC
2805 25th Avenue North Texas City, TX 77590
Tel: (409) 938-8700 Fax (866) 678-7685
Texas Firm Reg. No. 100340-00





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.