

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GALVESTON
WEDNESDAY, JANUARY 7, 2026 - 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. 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)
5. Old Business and Associated Public Hearings
 - 5.A **25Z-019 (1410 Seawall)** Request for a variance from the Galveston Land Development
Regulations, Article 10, Height and Density Development Zone regarding Build-to-Line and
Parking Location in a Commercial, Height and Density Development Zone, Zone 3 (C-
HDDZ-3) zoning district. Property is legally described as Abstract 628, M B Menard Survey
(47-2000-1), Part of Southwest Block 47 and Part of Northwest Block 72, Galveston
Outlots, and Part of Adjacent Avenue O, in the City and County of Galveston, Texas.
Applicant: Chris Hellerman
Property Owner: John Thokala, GTX Hospitality
6. New Business and Associated Public Hearings
 - 6.A **25Z-020 (14142 Grambo and Adjacent Vacant Parcel)** Request for a variance to
decrease minimum lot depth from 100 feet to 91.42 feet. The properties are legally
described as Abstract 121, Page 40, Lot 27 & East 1/2 of Lot 26, Block 4, Pirates Cove;
and Abstract 121, Page 40, Lot 28, Block 4, Pirates Cove; in the City and County of
Galveston, Texas.
Applicant: Tricon Land Surveying
Property Owner: Titus Harris, Emily Harris, Titus H. Harris Marital Trust
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 12/19/2025 at 04:15 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.



25Z-019

MEMORANDUM

TO: Lidija Bikova, Board Chairperson, and Zoning Board of Adjustment Members

FROM: Catherine Gorman, AICP
Assistant Director/HPO
Development Services Department

DATE: December 18, 2025

RE: **25Z-019 (1410 Seawall)** Request for a variance from the Galveston Land Development Regulations, Article 10, Height and Density Development Zone regarding Build-to-Line and Parking Location in a Commercial, Height and Density Development Zone, Zone 3 (C-HDDZ-3) zoning district. Property is legally described as Abstract 628, M B Menard Survey (47-2000-1), Part of Southwest Block 47 and Part of Northwest Block 72, Galveston Outlots, and Part of Adjacent Avenue O, in the City and County of Galveston, Texas.
Applicant: Chris Hellerman
Property Owner: John Thokala, GTX Hospitality

At the December 3, 2025 Zoning Board of Adjustment meeting, the above referenced request was deferred until the January 7, 2026 meeting in order for the applicant to provide additional information. The Board requested information about the cost of construction in the former location and increased costs associated with locating the building in the footprint required by the Height and Density Development Zone regulations.

Exhibits:

- A. Variance Application Addendum
- B. Original staff report

VARIANCE APPLICATION ADDENDUM:
211.009(b-1)(1) Supporting Documentation

At its meeting on December 3, 2025, regarding Case 25Z-019 (1410 Seawall) (the “Hearing”), the City of Galveston Zoning Board of Adjustment (the “ZBA”) requested the applicant, RRH, LLC (the “Applicant”) provide supporting documentation related to the Applicant’s variance request from Division 10.300 of the City of Galveston’s Land Development Regulations – the Height and Density Development Zone (the “HDDZ”). Namely, the Applicant is requesting a variance from the “Setback & Build-to Line” found in Table 10.306B of the HDDZ which requires a 0’ Minimum Setback and 60% Build-to Line for structures facing Seawall Boulevard. The Applicant is also requesting a variance from Section 3.305 of the City of Galveston’s Land Development Regulations requiring parking to be in the rear of the building for Commercial Zones. The Applicant’s variance application (the “Application”) outlines the unnecessary hardship that exists on the property requiring the variance to be considered for the property that is subject to the Application.

The Application also provides that Texas Local Government Code 211.009(b-1)(1) (the “Statute”) requires the ZBA to consider:

“...whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship [if] the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code...”

The Applicant discussed the Statute with the ZBA at the Hearing, and the ZBA requested that the Applicant provide additional information regarding the calculation of the value of the structure contemplated in the Statute – this Addendum serves to provide the ZBA with such additional information.

Cost to build at current location.

As presented to the ZBA in July of 2025, the Applicant showed that the cost to rebuild the structure at its original location would have been around \$1,100,000. If the Application is approved, then the rebuild would occur at the previous location –the variance would authorize the rebuild to occur at the previous location. Since July, construction costs have increased, and the estimated cost to rebuild the structure is approximately \$1,146,000 (the “Existing Location Costs”). An itemized estimate of the Existing Location Costs is attached as “Exhibit A-1”.

Cost of compliance with HDDZ.

In order to show a financial hardship that justifies the granting of the variance requested in the Application, the Statute requires the Applicant to show that the cost to comply with the HDDZ exceeds fifty percent of the appraised value of the structure on the most recent appraisal roll. Because the fire that destroyed the structure contemplated in the Application occurred in late 2023, the 2024 and 2025 appraisal roles do not include a valuation for the structure. The 2023, 2024, and 2025 Galveston Central Appraisal District property information sheets are attached to this Addendum as “Exhibit B”, “Exhibit C”, and “Exhibit D”, respectfully. The Statute could be interpreted to mean that since the 2025 appraisal roll does not include a value of the structure, then the value is \$0. That interpretation would mean that any cost to comply would justify a variance,

because all costs to comply would be more than 50% of a \$0 valuation – that is not the Applicant’s position. The Applicant’s position is that, in this case, an equitable application of the Statute would allow the ZBA to consider the value of the structure as reflected in the 2023 appraisal roll, which would be the most recent certified roll available to the City of Galveston (the “City”) prior to the destruction of the structure that is the basis for the Application. In 2023, the non-homestead improvement value for the structure was \$378,900. (On the Galveston Central Appraisal District website for Property 106552 – found here: [Galveston CAD Property Search](#) – another value for the building is provided as being \$524,260.) A conservative consideration by the ZBA would have the building use the higher of the two values provided by GCAD, which would mean that in order to prove a financial hardship exists, the Applicant would have to show that the cost to comply with the HDDZ would exceed 50% of the \$524,260 or \$262,130.

Compliance exceeds 50% of the appraised value of the structure.

As provided in “Exhibit A-1”, the cost to rebuild the structure at its current location would be more than 100% of the highest, most recent appraised value of the structure. In “Exhibit A-2”, the Applicant has provided an estimate for the design, engineering, and site preparation costs for a structure to satisfy the HDDZ – with such costs not including the actual construction costs for the structure. The estimated design, engineering, and site preparation costs are \$1,370,343 – meaning that the pre-construction costs to comply are more than 100% of the highest, most recent appraised value of the structure. If the construction costs for the HDDZ compliant structure are similar to the estimates provided in “Exhibit A-1”, then the Applicant’s cost of compliance would exceed 400% of the highest, most recent appraised value of the structure.

For the reasons provided above, and based on the valuations and estimates attached hereto, the Applicant respectfully requests that the ZBA find that the Applicant’s cost of compliance to the HDDZ exceeds fifty percent of the most recent appraisal roll submitted to the City for the structure at issue under the Application, and that the requested variances be granted because an unnecessary financial hardship exists for the Applicant in its attempt to satisfy the HDDZ.

Respectfully submitted,



Justin D. Pruitt

WILSON, CRIBBS & GOREN, P.C.

Exhibits:

A-1 – Existing Location Costs

A-2 – New Development Preconstruction Costs

B – GCAD Appraisal Sheet (2023)

C – GCAD Appraisal Sheet (2024)

D – GCAD Appraisal Sheet (2025)

A-1 – EXISTING LOCATION COSTS

EXISTING LOCATION BUILDING COSTS	
Concrete sawing and trenches	\$15,050.00
Framing	\$154,854.00
Foundation	\$93,807.00
Roofing with caps, downspouts, ladder and hatch	\$60,000.00
Storefronts and doors	\$34,500.00
EIFS exterior	\$54,315.00
Insulation	\$10,050.00
Drywall ceilings	\$1,290.00
Drywall walls	\$15,000.00
Cement board	\$3,528.00
Plywood / blocking	\$1,750.00
FRP	\$8,437.50
Suspended ceilings kitchen	\$7,850.00
Suspended ceiling dining	\$20,800.00
Paint	\$12,000.00
Doors and Hardware	\$4,000.00
Restroom Accessories	\$2,850.00
Restroom partitions	\$5,250.00
Lighting	\$17,500.00
Electrical service	\$20,000.00
Electrical Gear	\$20,000.00
Electrical	\$101,200.00
Plumbing	\$90,000.00
Plumbing water heater / gas	\$12,000.00
HVAC	\$96,250.00
Fire Sprinkler	\$52,600.00
Fire Alarm	\$10,000.00
Fire line site	\$30,000.00
Project Markup	\$190,976.30
TOTAL:	\$1,145,857.80

A-2 – NEW DEVELOPMENT PRECONSTRUCTION COSTS

PRECONSTRUCTION		
Corner staking	\$1,320.00	prep for land surveys
Topographical Survey	\$3,750.00	required for civil engineering to place building in correct location
Geotechnical Report	\$5,750.00	required for civil engineering to understand how to design structure and foundation
Permit Allowance	\$8,000.00	fees to the city to review new construction design and building permits
Civil Engineering	\$35,000.00	new design of all land elements on property
Architectural Design (custom)	\$55,000.00	custom design that goes does not follow Denny's prototype
Structural Engineering	\$35,000.00	new design for new foundation and structure
MEP Engineering	\$15,000.00	new design for HVAC, gas, plumbing and electrical for project
Wind Engineering/Consulting	\$6,000.00	new design for required wind load analysis
Landscape and Irrigation Design	\$9,500.00	new design for new project layout
Photometrics (exterior)	\$2,000.00	new analysis of building and parking lot lighting required by city for new project layout
ADA Pre-Inspection	\$1,200.00	new ADA design and inspection of plans required by State of Texas
Material Testing	\$12,250.00	new analysis of soil testing for new land project
Misc. Reprographics	\$3,850.00	printing of all plans for a new subcontractors
Water Impact Fee	\$20,000.00	new water design fees for new construction
Sewer Impact Fee	\$10,000.00	new sewer design fees for new construction
Form Survey and Elevation Certificate	\$3,250.00	required survey for new foundation location and elevation above sea level for flood risk
As-Built Survey	\$4,950.00	new survey required for all final locations of new utility locations, drainage and other land components
Utility Company Construction	\$5,500.00	new utilities alterations required by utility company
GENERAL CONDITIONS		
Insurance	\$15,693.19	additional insurance costs to cover all aspects of the projects due to additional time
Port-a-Let	\$500.00	additional costs due to additional needs for a portable restroom
Job Office	\$800.00	additional costs due to additional time needed for an on site job office/trailer
Closeout and Cleanup	\$8,800.00	additional costs due to additional site cleanup for three months
Additional Fencing	\$3,000.00	additional costs due to additional time
SITework		
SWWPPP	\$7,480.00	(Storm Water Pollution Prevention Plan) document required for construction projects that outlines how the site will manage stormwater runoff to comply with environmental regulations and protect water quality.
Traffic control plan/Modifications and permitting	\$30,000.00	required to account for construction equipment in and around the property due to adjacent street. Resolving damage to existing sidewalk caused by equipment
Demo all existing concrete and asphalt	\$35,000.00	remove all concrete sidewalks, curb, asphalt parking lot, etc. from the property
Strip to 12" of existing soils	\$8,863.25	excavate existing top soil
Remove Strippings	\$26,115.00	remove all top soil from property
Select fill for 24" pad	\$15,228.80	new soil for foundation
Scarify and recompact top 12"	\$21,338.00	compaction of new soil and surrounding sub surface material
Grade Site	\$12,086.25	level site per civil engineering designs
Foundation	\$93,807.00	new foundation installation
Backfill Curbs	\$7,950.00	backfill areas around al new curbs
Stabilization	\$26,400.00	additional material required for new foundation and foundation location
Storm Sewer 18" HDPE	\$9,181.25	new large storm sewer piping
Storm Sewer 8" HDPE	\$5,826.25	new small storm sewer piping
Storm Sewer Inlets	\$5,950.00	new surface drain grates
Storm Sewer Connect to existing inlets	\$4,080.00	connections from sewer piping to drain grates
2" PVC Domestic water line	\$6,380.00	new water line to building
2" Backflow Preventer w/ Mesh Cage	\$2,860.00	new backflow preventer in new location
6" Sanitary Sewer	\$4,235.00	new sanitary sewer running to new location
Sanitary Sewer Manhole Connection	\$6,541.70	new manhole unit connected to sanitary sewer lines
Grease Trap	\$75,000.00	new grease trap required in new location and new codes
Sleeving for Gas Service	\$2,475.00	additional protection for new gas lines to building
4" Concrete Sidewalks	\$14,985.85	new sidewalks based on new location
6" Concrete	\$149,956.00	new parking lot concrete based on new location
Dumpster Slab and Apron 7"	\$7,200.00	new dumpster foundation based on new location
Concrete Curb	\$11,200.00	new concrete curbs based on new property layout
Light Pole Bases	\$5,500.00	new (additional) light pole bases required for large parking lot behind building (building lights will not work)
CMU (block wall) For Dumpster	\$10,200.00	new dumpster enclosure
Electrical to new location	\$20,000.00	run new electrical main wiring to building from utility main source
Additional lighting (fixtures and bases) for new locatio	\$20,000.00	new (additional) parking lot light poles due to new parking lot layout
Plumbing to new location (incl. Fire tap)	\$30,000.00	run new plumbing lines to new building location from utility main source
Water Detention and/or drainage (minimum)	\$200,000.00	additional ruf off drainage or water runoff retention requirements due to updated codes
Project Markup	\$228,390.51	standard 20% project management, supervision, overhead and profit
TOTAL: \$1,370,343.05		

B – GCAD APPRAISAL SHEET (2023)

Galveston CAD Property Search

Property Details

Account		
Property ID:	106552	Geographic ID: 3510-0047-2000-001
Type:	R	
Property Use:		Condo:
Location		
Situs Address:	1410 SEAWALL BLVD GALVESTON, TX 77550	
Map ID:	358-A	Mapsco:
Legal Description:	ABST 628 M B MENARD SUR (47-2000-1) PT OF SW BLK 47 & PT OF NW BLK 72 GALVESTON OUTLOTS & PT OF ADJ AVE O	
Abstract/Subdivision:	S3510	
Neighborhood:	(RESTR-T-S10) RESTAURANT	
Owner		
Owner ID:	710419	
Name:	CAVALIER TEXAS LP	
Agent:	ASSESSMENT ADVISORS	
Mailing Address:	545 E JOHN CARPENTER FRWY IRVING, TX 75062	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$378,900 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$1,421,100 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$1,800,000 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$1,800,000 (=)
HS Cap Loss:	\$0 (-)
Circuit Breaker:	\$0 (-)
Assessed Value:	\$1,800,000
Ag Use Value:	\$0

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: CAVALIER TEXAS LP **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
C30	GALVESTON CITY	0.408850	\$1,800,000	\$1,800,000	\$7,359.30	
GGA	GALVESTON COUNTY	0.334147	\$1,800,000	\$1,800,000	\$6,014.65	
J01	GALV COLLEGE	0.124000	\$1,800,000	\$1,800,000	\$2,232.00	
N01	NAV DISTRICT #1	0.025419	\$1,800,000	\$1,800,000	\$457.54	
RFL	CO ROAD & FLOOD	0.007753	\$1,800,000	\$1,800,000	\$139.55	
S10	GALVESTON ISD	0.847500	\$1,800,000	\$1,800,000	\$15,255.00	

Total Tax Rate: 1.747669

Current Estimated Taxes: \$31,458.04

Estimated Taxes Without Exemptions or Limitations: \$31,458.04

Property Improvement - Building

Description: COMMERCIAL **Type:** COMMERCIAL **Living Area:** 4974.0 sqft **Value:** \$524,260

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	RTBA	1975	4974
CPY	CANOPY	RTBA	1975	1042
ASPH	ASPHALT PAVING	*	1975	30500

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
FR	FR	1.01	43,997.00	0.00	0.00	\$1,421,100	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2023	\$378,900	\$1,421,100	\$0	\$1,800,000	\$0	\$1,800,000
2022	\$300,560	\$879,940	\$0	\$1,180,500	\$0	\$1,180,500
2021	\$300,540	\$659,960	\$0	\$960,500	\$0	\$960,500
2020	\$190,040	\$659,960	\$0	\$850,000	\$0	\$850,000
2019	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2018	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2017	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
12/18/2024	SWD	SPECIAL WARRANTY DEED	CAVALIER TEXAS LP	EN CORE INVESTMENT CORP	2024057259	2024057259	2024057259
3/3/2022	SWD	SPECIAL WARRANTY DEED	BRE/LQ TX PROPERTIES LP	CAVALIER TEXAS LP	2022015789	2022015789	2022015789
1/25/2006	URD	UNRECORDED DEED	LA QUINTA INNS INC	BRE/LQ TX PROPERTIES LP			

C – GCAD APPRAISAL SHEET (2024)

Galveston CAD Property Search

Property Details

Account		
Property ID:	106552	Geographic ID: 3510-0047-2000-001
Type:	R	
Property Use:		Condo:
Location		
Situs Address:	1410 SEAWALL BLVD GALVESTON, TX 77550	
Map ID:	358-A	Mapsco:
Legal Description:	ABST 628 M B MENARD SUR (47-2000-1) PT OF SW BLK 47 & PT OF NW BLK 72 GALVESTON OUTLOTS & PT OF ADJ AVE O	
Abstract/Subdivision:	S3510	
Neighborhood:	(RESTR-T-S10) RESTAURANT	
Owner		
Owner ID:	710419	
Name:	CAVALIER TEXAS LP	
Agent:	ASSESSMENT ADVISORS	
Mailing Address:	545 E JOHN CARPENTER FRWY IRVING, TX 75062	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$144,110 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$1,421,100 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$1,565,210 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$1,565,210 (=)
HS Cap Loss:	\$0 (-)
Circuit Breaker:	\$0 (-)
Assessed Value:	\$1,565,210
Ag Use Value:	\$0

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Property Taxing Jurisdiction

Owner: CAVALIER TEXAS LP **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
C30	GALVESTON CITY	0.408850	\$1,565,210	\$1,565,210	\$6,399.36	
GGA	GALVESTON COUNTY	0.333460	\$1,565,210	\$1,565,210	\$5,219.35	
J01	GALV COLLEGE	0.119500	\$1,565,210	\$1,565,210	\$1,870.43	
N01	NAV DISTRICT #1	0.023932	\$1,565,210	\$1,565,210	\$374.59	
RFL	CO ROAD & FLOOD	0.000040	\$1,565,210	\$1,565,210	\$0.63	
S10	GALVESTON ISD	0.844900	\$1,565,210	\$1,565,210	\$13,224.46	

Total Tax Rate: 1.730682

Current Estimated Taxes: \$27,088.82

Estimated Taxes Without Exemptions or Limitations: \$27,088.82

📌 Property Improvement - Building

Type: COMMERCIAL **Living Area:** 0 sqft **Value:** \$144,110

Type	Description	Class CD	Year Built	SQFT
ASPH	ASPHALT PAVING	*	1975	30500

📌 Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
FR	FR	1.01	43,997.00	0.00	0.00	\$1,421,100	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$144,110	\$1,421,100	\$0	\$1,565,210	\$0	\$1,565,210
2023	\$378,900	\$1,421,100	\$0	\$1,800,000	\$0	\$1,800,000
2022	\$300,560	\$879,940	\$0	\$1,180,500	\$0	\$1,180,500
2021	\$300,540	\$659,960	\$0	\$960,500	\$0	\$960,500
2020	\$190,040	\$659,960	\$0	\$850,000	\$0	\$850,000
2019	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2018	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2017	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
12/18/2024	SWD	SPECIAL WARRANTY DEED	CAVALIER TEXAS LP	EN CORE INVESTMENT CORP	2024057259	2024057259	2024057259
3/3/2022	SWD	SPECIAL WARRANTY DEED	BRE/LQ TX PROPERTIES LP	CAVALIER TEXAS LP	2022015789	2022015789	2022015789
1/25/2006	URD	UNRECORDED DEED	LA QUINTA INNS INC	BRE/LQ TX PROPERTIES LP			

D - GCAD APPRAISAL SHEET (2025)

Galveston CAD Property Search

Property Details

Account		
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Type:	R	
Property Use:		Condo:
Location		
Situs Address:	1410 SEAWALL BLVD GALVESTON, TX 77550	
Map ID:	358-A	Mapsco:
Legal Description:	ABST 628 M B MENARD SUR (47-2000-1) PT OF SW BLK 47 & PT OF NW BLK 72 GALVESTON OUTLOTS & PT OF ADJ AVE O	
Abstract/Subdivision:	S3510	
Neighborhood:	(RESTR-T-S10) RESTAURANT	
Owner		
Owner ID:	747332	
Name:	EN CORE INVESTMENT CORP	
Agent:		
Mailing Address:	616 W PIERCE ST HOUSTON, TX 77019-4454	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$144,110 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$1,421,100 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$1,565,210 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value:	\$1,565,210 (=)
HS Cap Loss:	\$0 (-)
Circuit Breaker:	\$0 (-)
Assessed Value:	\$1,565,210
Ag Use Value:	\$0

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Property Taxing Jurisdiction

Owner: EN CORE INVESTMENT CORP **%Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
C30	GALVESTON CITY	0.408687	\$1,565,210	\$1,565,210	\$6,396.81	
GGA	GALVESTON COUNTY	0.322660	\$1,565,210	\$1,565,210	\$5,050.31	
J01	GALV COLLEGE	0.119400	\$1,565,210	\$1,565,210	\$1,868.86	
N01	NAV DISTRICT #1	0.023740	\$1,565,210	\$1,565,210	\$371.58	
RFL	CO ROAD & FLOOD	0.003000	\$1,565,210	\$1,565,210	\$46.96	
S10	GALVESTON ISD	0.841500	\$1,565,210	\$1,565,210	\$13,171.24	

Total Tax Rate: 1.718987

Current Estimated Taxes: \$26,905.76

Estimated Taxes Without Exemptions or Limitations: \$26,905.76

📌 Property Improvement - Building

Type: COMMERCIAL **Living Area:** 0 sqft **Value:** \$144,110

Type	Description	Class CD	Year Built	SQFT
ASPH	ASPHALT PAVING	*	1975	30500

📌 Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
FR	FR	1.01	43,997.00	0.00	0.00	\$1,421,100	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$144,110	\$1,421,100	\$0	\$1,565,210	\$0	\$1,565,210
2024	\$144,110	\$1,421,100	\$0	\$1,565,210	\$0	\$1,565,210
2023	\$378,900	\$1,421,100	\$0	\$1,800,000	\$0	\$1,800,000
2022	\$300,560	\$879,940	\$0	\$1,180,500	\$0	\$1,180,500
2021	\$300,540	\$659,960	\$0	\$960,500	\$0	\$960,500
2020	\$190,040	\$659,960	\$0	\$850,000	\$0	\$850,000
2019	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2018	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830
2017	\$190,870	\$659,960	\$0	\$850,830	\$0	\$850,830

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
12/18/2024	SWD	SPECIAL WARRANTY DEED	CAVALIER TEXAS LP	EN CORE INVESTMENT CORP	2024057259	2024057259	2024057259
3/3/2022	SWD	SPECIAL WARRANTY DEED	BRE/LQ TX PROPERTIES LP	CAVALIER TEXAS LP	2022015789	2022015789	2022015789
1/25/2006	URD	UNRECORDED DEED	LA QUINTA INNS INC	BRE/LQ TX PROPERTIES LP			



STAFF REPORT



Background

The subject site is the former location of a Denny’s restaurant, which was destroyed in a fire in October 2023. A building permit was issued in November 2024 for construction of a replacement building reusing the existing slab/foundation and construction commenced. However, during construction, it was discovered that the slab/foundation lacked the necessary structural rebar reinforcement to support the construction. The slab/foundation was then removed.

Following the removal of the slab/foundation, in March 2025, the applicant sought a determination from the Director of the Development Services Department that the Denny’s site was considered legally nonconforming, or “grandfathered”, and could be rebuilt in its original footprint. The Director’s decision, at that time, was that the building had been destroyed, was not nonconforming, and any new construction must be built under the current regulations.

The applicant appealed that decision to the Zoning Board of Adjustment (Case No. 25Z-014) arguing that the foundation issue was not caused by the fire and therefore should not be included in the repair cost calculation. They also argued that, even if the foundation cost is included, the total cost still does not exceed the 50% threshold. The applicant sought reversal of the Director’s determination.

On July 9, 2025, the Zoning Board of Adjustment heard the appeal request and voted to affirm the Director’s determination finding that:

- No structure is existing, including the foundation;
- Costs are 100% to rebuild; and
- The proposal is not reconstruction, it is a new build.

Executive Summary

The applicant is requesting a variance from the required minimum setback of 0 feet and 60% Build-to-Line along Seawall. The Height and Density Development Zone (HDDZ) standards require that any building be constructed directly adjacent to the front property line along Seawall. The applicant is requesting a variance in order to construct the building at 59 feet, 6 inches from the front property line.

The applicant is also requesting a variance from Section 8.302(A), Parking in the Commercial District, which requires that parking be located in the rear of the building. The request is to allow parking in the front of the building.

Requested Variances

	Requirement	Proposed Variance
Front setback	0 feet	59 feet, 6 inches
Build-to-Line	60%	0%
Parking Location	Rear of building	Front of building

**Land Development
Requirements**

SEC. 13.401.B VARIANCES FROM DEVELOPMENT STANDARDS

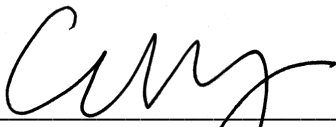
Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated:

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

See Exhibit A for the Applicant's Justification

Respectfully submitted,



Catherine Gorman, AICP
Assistant Director/HPO

11/18/2025

Date

APPLICANT'S JUSTIFICATION FOR THE VARIANCE REQUEST

Background

The structure on the property was deemed to be nonconforming because it was in place before the City adopted Division 10.300 of the City's Land Development Regulations – the Height and Density Development Zone (the “HDDZ”). The nonconforming status meant that the structure could remain at its location as long as it was not expanded or intensified. When a nonconforming structure is damaged or destroyed by any means to an extent that repairs on the structure would constitute a “substantial improvement”, meaning that the reconstruction cost is greater than fifty percent (50%) of the cost of replacement of the building, then the nonconforming status of the structure is terminated and the structure may only be reconstructed if it is in conformity with the regulations then in place on the property.

On or about October 31, 2023, a fire damaged a portion of the structure. The City's Executive Director of Development Services (the “Director”) determined that the repairs would not be a “substantial improvement” because the costs to repair the fire damaged portion of the building were less than fifty percent (50%) of the cost to replace the structure. However, when repairs were commenced, the foundation of the structure was found to be insufficient to support the structure. The insufficiency of the foundation of the structure was not related to fire damage to the structure. However, the Director modified his decision and included the costs to repair the foundation in his calculation of the costs to repair the fire damage. Including the foundation costs in the amount required to repair the fire damage exceeded the cost to repair the structure, so the Director ordered the repairs to be stopped and directed the nonconforming status of the structure to be removed – requiring the Applicant to satisfy all requirements of the HDDZ.

On July 10, 2025, the Applicant appealed the decision of the Director to the Zoning Board of Adjustment (the “ZBA”). The ZBA upheld the determination of the Director and formally and permanently removed the nonconforming status of the structure and stopped the use. Section 211.019 of the Texas Local Government Code requires the City to pay the Applicant for the stopping of the nonconforming use. The City has not satisfied its obligations under Sec. 211.019 and this variance request is not a waiver by the Applicant for the City of such obligations. If the City fails to satisfy Sec. 211.019, then the Applicant may continue the nonconforming use. The Applicant desires to reconstruct the structure in the same location and in the same configuration and intensity of use as the structure held before the fire. The purpose of this Variance application is to request that the ZBA allow the Applicant to reconstruct the structure with two exceptions to the HDDZ.

Variance Requests

Setback & Build-to Line. In Table 10.306B of Division 10.300 of the LDR (and related provisions that may be referenced in other portions of the LDR), the HDDZ requires a 0' Minimum Setback and 60% Build-to Line for structures in Seawall A facing Seawall Boulevard. The Applicant is requesting the ZBA to grant a variance to those requirements so that the rebuild of the structure will be on the previous pad site 59' 6” off of Seawall Boulevard.

Parking in Rear of Building. Section 3.305 of the LDR parking is required to be in the rear of the building for Commercial Zones. The Applicant is requesting the ZBA to grant a variance from

that requirement to allow parking in front of the structure. Sec. 3.305 authorizes the Director to approve an alternate design if parking in the rear is not feasible - which is the case for this location.

Financial Cost of Compliance

In making its decision regarding whether a hardship exists so that a granting of a variance is justified, the ZBA may consider the financial impact on the owner in order to comply with an applicable regulation (see Texas Local Government Code 211.009(b-1)). Here, in order to determine if an unnecessary hardship exists in order to justify the requested variances, the ZBA may consider whether the financial cost of compliance of the HDDZ is greater than fifty percent (50%) of the appraised value of the structure as shown on the most recent appraisal roll. Here, the Applicant's cost to comply with the HDDZ would be significantly higher than fifty percent (50%) of the appraised value of the structure. Requiring the Applicant to comply with the HDDZ creates an unnecessary hardship because the Applicant's costs to comply well exceed the value of the structure, therefore, the Applicant seeks the requested variances from the applicable portions of the HDDZ that would require the relocation of the foundation or the structure to abut Seawall Boulevard and locate the parking in the rear of the building.

THIS REQUEST IS TO GRANT THE OWNER A VARIANCE FROM THE LISTED PORTIONS OF THE HDDZ THAT WOULD REQUIRE THE STRUCTURE TO ABUT SEAWALL BOULEVARD AND HAVE THE PARKING FOR THE STRUCTURE TO BE LOCATED BEHIND THE BUILDING. WITHOUT THE VARIANCES, THE APPLICANT WOULD BE REQUIRED TO REBUILD THE FOUNDATION AND THE STRUCTURE AT A COST WELL IN EXCESS OF THE VALUE OF THE STRUCTURE. THE APPLICANT DESIRES TO REBUILD THE STRUCTURE IN THE SAME LOCATION AS IT WAS LOCATED BEFORE THE FIRE AND TO USE THE STRUCTURE IN THE SAME MANNER AS IT WAS BEING USED PRIOR TO THE FIRE.

VARIANCE HARDSHIP JUSTIFICATION QUESTIONS

1. How is the request for the variance rooted in special conditions of your property that do not generally exist on other properties in the same zoning district?

By losing the nonconforming status on the structure, the relocation and subsequent use of the structure will be functionally and financially impossible. The removal of the nonconforming status of the structure that mandates the structure to be moved approximately 60' to abut Seawall Avenue and to reconfigure the site to allow parking at the rear of the building is a unique situation, is unique to this structure, and (to the knowledge of the Applicant) does not exist on other similar properties in the zoning district.

2. Due to said special conditions, how would the enforcement of the strict terms of these regulations impose an unnecessary hardship on you?

As mentioned above, the Applicant's cost to comply with the HDDZ would be significantly higher than fifty percent (50%) of the appraised value of the structure. Requiring the Applicant to comply with the cited HDDZ provision creates an unnecessary hardship because the Applicant's costs to comply well exceed the value of the structure. Specifically, in order to comply with the HDDZ, the Applicant would be required to shift the foundation approximately sixty (60') towards Seawall Boulevard and to allow for parking in the back of the building. The HDDZ requires a complete and drastic redevelopment of the site to include a new concrete parking lot, sidewalks, underground detention, and relocation of utilities. The HDDZ's requirements would affect the total allowable square footage of the restaurant, requiring it to be much smaller than its original size – making the Denny's in this location impossible.

3. Explain how the variance is not contrary to the public interest.

This request aligns with the stated purposes of Section 10.301(A) of the HDDZ. Namely, granting the variance to allow the Denny's to be built in the same location as it was prior to the fire would allow Denny's to continue to promote development and redevelopment that: is compatible in height, mass, and scale with surrounding neighborhoods; preserves view corridors and access to Gulf of Mexico breezes; meets community objectives and supports an overall future vision for the island; promotes sustainable design within the overlay zones of the area; and, allows for the continued growth and expansion of the local economy.

4. Explain how the variance does not allow you 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.

(A) The hardship is not self-imposed. The Director's calculation of repair costs and the subsequent termination of the structure's nonconforming status created the necessity to conform to the HDDZ.

(B) The hardship is not based solely on financial inconvenience. Rather, the hardship creates financial impossibility for the redevelopment of the site. For the purposes of Texas Local Government Code 211.009(b-1), the Applicant's cost to comply with the HDDZ would be

significantly higher than fifty percent (50%) of the appraised value of the structure.

(C) The conditions requiring the variance are not common to many properties in the district. The conditions are special to this site and this structure. The Applicant is not aware of any other fire-damaged restaurants that have lost their nonconforming status due to calculating a repair cost that includes repairs to the foundation of such structure.

5. Explain how the degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship.

The degree of variance from the regulations is negligible considering that, prior to the fire, the building existed and operated without issue for years with no impact on the surrounding uses. The purpose of the HDDZ is to promote redevelopment in the district. Without the variance, the structure will not be rebuilt, and the site will simply be a vacant area or a parking lot.

6. Explain how 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).

The structure was nonconforming prior to the Director's calculation of repair costs. A nonconforming structure must meet all applicable City codes and regulations. The building was in conformance with all codes and regulations until the fire. If the variance is granted, the structure will continue to satisfy all applicable City codes – it will just do so at the building's original footprint. If a variance is not granted, then there is no other option for the Denny's at this location – there is no chance of circumventing any regulation because there is no alternative location.

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

As stated above, the purpose of the variance is to allow the Denny's to be rebuilt at the same location and in the same manner it existed before the fire. But for the Director's calculation of costs to repair the structure, the Denny's would be repaired and operating without any change to its nonconforming status. The granting of the variance allows the Denny's to be rebuilt in the spirit of the City's stated purpose for the district to grow and redevelop in harmony with surrounding uses in the district.



**DENNY'S
GALVESTON**
1410 SEAWALL BLVD, GALVESTON, TEXAS 77550

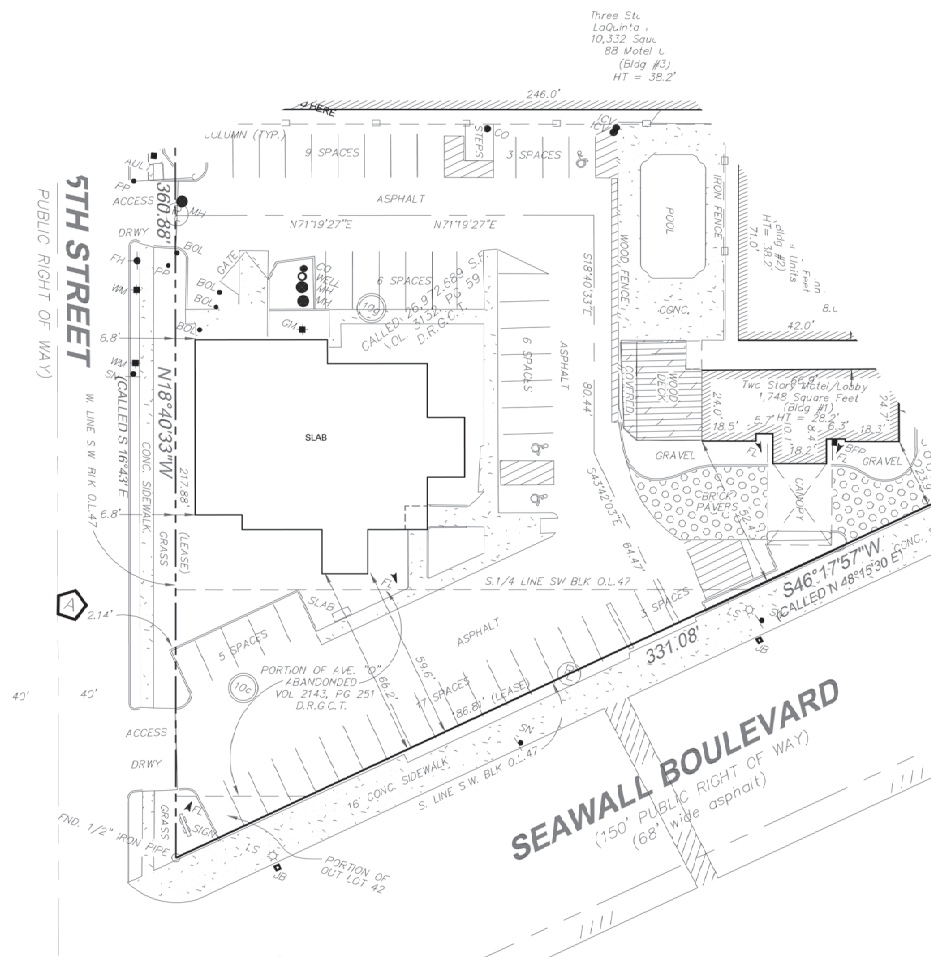
BID SET
SUBMITTED FOR PERMIT
NOT APPROVED

DATE _____

04-24-2024

EP SITE PLAN

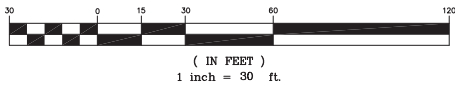
EP1.1



01 EP SITE PLAN
SCALE: 1" = 20'-0"



GRAPHIC SCALE



AVENUE N. 1/2
(50' PUBLIC RIGHT-OF-WAY)

SITE PHOTOGRAPH



REMAINDER OF
CALLED 87,256.25 SQ. FT. TRACT
GCCF NO. 2022015789

LEGAL DESCRIPTION

A 0.6245 ACRE 27,203 SQUARE FOOT TRACT OUT OF A 87,256.25 SQUARE FOOT TRACT BEING PART OF THE SOUTHWEST BLOCK OF OUTLOT NO. 47, PART OF THE NORTHWEST BLOCK OF OUTLOT NO. 72, PART OF AVENUE "O", 70 FOOT RIGHT OF WAY, ABANDONED LYING BETWEEN THE SOUTHWEST BLOCK OF OUTLOT NO. 47 AND THE NORTHWEST BLOCK OF OUTLOT NO. 72 AND THE SOUTHERLY 10.0 FEET OF AVENUE N, 70 FOOT RIGHT OF WAY, ADJOINING THE NORTHERLY LINE OF THE SOUTHWEST BLOCK OF OUTLOT NO. 47, CITY AND COUNTY OF GALVESTON, TEXAS ACCORDING TO THE MAP OR FALT OF THE CITY OF GALVESTON NOW IN COMMON USE.

COMMENCING AT THE NORTHWEST CORNER OF THE SAID 87,256.25 SQUARE FOOT TRACT, SAID POINT LYING IN THE EASTERLY RIGHT OF WAY LINE OF 15TH STREET;

THENCE, SOUTH 18 DEGREES 35 MINUTES 44 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY LINE OF 15TH STREET A DISTANCE OF 142.92 FEET TO A "X" SET TO A POINT FOR CORNER AND THE POINT OF BEGINNING;

THENCE ACROSS THE 87,256.25 SQUARE FOOT TRACT THE FOLLOWING 3 CALLS;
NORTH 71 DEGREES 24 MINUTES 16 SECONDS EAST A DISTANCE OF 142.00 FEET TO A MAG NAIL SET FOR CORNER.

SOUTH 18 DEGREES 35 MINUTES 44 SECONDS EAST A DISTANCE OF 80.44 FEET TO A MAG NAIL FOR CORNER.

SOUTH 43 DEGREES 37 MINUTES 14 SECONDS EAST A DISTANCE OF 64.47 FEET TO A MAG NAIL SET ON THE NORTHWEST ROW LINE OF SEAWALL BOULEVARD FOR CORNER.

THENCE SOUTH 46 DEGREES 22 MINUTES 48 SECONDS, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SEAWALL BOULEVARD, 150 FOOT RIGHT OF WAY, A DISTANCE OF 185.81 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET FOR CORNER.

THENCE NORTH 18 DEGREES 35 MINUTES 44 SECONDS WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF 15TH STREET, 80 FOOT RIGHT OF WAY, A DISTANCE OF 217.88 FEET TO THE PLACE OF BEGINNING AND CONTAINING 27,203 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATION

PROPERTY SUBJECT TO CITY ORDINANCES AND SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS. I, hereby certify that this survey was made on the ground and completed on this 24th day of September, 2024 and that this plat correctly represents the facts found at the time of survey showing any improvements. There are no encroachments apparent on the ground, except as shown. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for Category 1A, Condition II Survey. This survey is certified for boundary only and for this transaction only. Surveyor did not abstract property. Easements, building lines, etc., shown are as identified by:

GP FTH-18-FAH21021890 of FIDELITY NATIONAL TITLE INSURANCE COMPANY

Fred W. Lawton
Fred W. Lawton, Registered Professional Land Surveyor No. 2321



SURVEY OF

A 0.6245 ACRE 27,203 SQUARE FOOT TRACT OUT OF A 87,256.25 SQUARE FOOT TRACT BEING PART OF THE SOUTHWEST BLOCK OF OUTLOT NO. 47, PART OF THE NORTHWEST BLOCK OF OUTLOT NO. 72, PART OF AVENUE "O", 70 FOOT RIGHT OF WAY, ABANDONED LYING BETWEEN THE SOUTHWEST BLOCK OF OUTLOT NO. 47 AND THE NORTHWEST BLOCK OF OUTLOT NO. 72 AND THE SOUTHERLY 10.0 FEET OF AVENUE N, 70 FOOT RIGHT OF WAY, ADJOINING THE NORTHERLY LINE OF THE SOUTHWEST BLOCK OF OUTLOT NO. 47, CITY AND COUNTY OF GALVESTON, TEXAS.

ADDRESS: 1410 SEAWALL BOULEVARD
GALVESTON, TEXAS 77550

REV: 10-16-24 DUMPSTER

JOB NO.: 0225-24 SCALE: 1" = 30' DATE: 09-24-24



SOUTH TEXAS SURVEYING ASSOCIATES, INC.
11281 Richmond Ave. Bldg J, Suite 101, Houston, Texas 77082
TEL. 281-556-6918 FAX 281-556-9331
Firm Number: 10045400

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K:\COMRES 2024\0225-24.DWG (BP)

JOB NO: 0225-24

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.



25Z-020

STAFF REPORT

ADDRESS:

14142 Grambo and Adjacent Vacant Parcel

LEGAL DESCRIPTION:

The properties are legally described as Abstract 121, Page 40, Lot 27 & East 1/2 of Lot 26, Block 4, Pirates Cove; and Abstract 121, Page 40, Lot 28, Block 4, Pirates Cove; in the City and County of Galveston, Texas

APPLICANT/REPRESENTATIVE:

Tricon Land Surveying

PROPERTY OWNER:

Titus Harris, Emily Harris, Titus H. Harris Marital Trust

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Lot Depth

APPLICABLE ZONING LAND USE

REGULATIONS:

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

EXHIBITS:

A – Applicant's Submittal

STAFF:

Rebekah Annan

Planner

409-797-3645

rannan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
17				

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 variance from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-1) Addendum regarding minimum lot depth, in order to replat five lots into two. The requested variance is from 100 feet to 91.42 feet.

Lot depth is measured as the mean horizontal distance between the front and rear lot lines. When side property lines are of different lengths, lot depth is determined by averaging the lengths of the side property lines.

The applicant is proposing to combine five lots into two newly created lots – 14134 Grambo and 14142 Grambo. The proposed lot addressed 14134 Grambo meets the minimum lot size requirements and no variance is requested.

Area Requirements **Article 3, District Yard, Lot and Setback Standards, Addendum for Single-Family Residential (R-1):**
Required Minimum Lot Area: 5,000 square feet
Required Minimum Length: 100 feet
Required Minimum Width: 50 feet

Requested Variance	Minimum Lot Dimensions (R-1 Zoning)	Regulation	Proposed Variance
	Lot Length/Depth	100 feet	91.42 feet

Land Development Requirements **SEC. 13.401.B VARIANCES FROM DEVELOPMENT STANDARDS**
Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated:

- 1. The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.
- 2. Due to said special conditions, the enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.
- 3. The variance is not contrary to the public interest, in that:
 - a. It does not allow applicants to impair the application of these regulations for:
 - a. Self-imposed hardships;
 - b. Hardships based solely on financial considerations, convenience, or inconvenience; or
 - c. Conditions that are alleged to be "special" but that are actually common to many properties within the same zoning district.
 - b. The variance will not have a detrimental impact upon:
 - a. The current or future use of adjacent properties for purposes for which they are zoned;
 - b. Public infrastructure or services; and

- c. Public health, safety, morals, and general welfare of the community.
4. The degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship.
5. The variance shall not be used to circumvent other procedures and standards of these regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).
6. By granting the variance, the spirit of these regulations is observed and substantial justice is done.

Applicants' Justification

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

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

Existing lots in Pirates Cove, developed prior to the 2015 LDRs, are only 70 feet deep at the closest two points, not conforming to the requirement of 100 feet; however, much of the property does meet the 100 feet requirement. The owners would like to replat these (5) lots into two lots by equally splitting Lot 28 lot in half. This will allow each of the two existing single-family dwellings to be on its own lot.

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.**

The owners of 14134 Grambo Blvd. cannot add on to their existing house without the alteration of the property lines facilitated by this replat which will reset the setback lines. The original development conformed prior to the 2015 LDRs.

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

Re-platting the lots will not affect the character of the area or affect neighboring sites. It follows the prior reasonable precedent for addressing similar unique situations without undermining the overall zoning goals.

4. **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.**

Re-platting these 5 lots into 2 lots is more in line with the intention of the LDRs versus leaving 2 remaining small half lots. This will allow the owners of 14142 Grambo Blvd. and 14134 Grambo Blvd. To achieve the best use of their respective properties. This type of variance has been granted in same or similar situations in this subdivision and zoning district.

5. 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 zoning will remain R-1 and maintain single-family residences which conforms with the current community as a whole. All utilities are currently present at the site and will not be altered. The character and use of the site will not change and will not affect the community in any negative way.

6. The degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship.

Allowing for the five legally nonconforming lots to be re-platted into two separate larger lots with the depth remaining at 70-foot (at the closest 2 points) rather than a 100-foot, as shown in the attached survey, will allow the property owners to fully utilize and develop their properties.

7. 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 only be used to allow for a replat of five lots into two separate singular lots. All future work on the newly created lots will be done in accordance with the LDRs and the Pirates Property Association rules.

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

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.

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

The variance allows for the replat and highest use of the land, and the depth of the lot remains the same as the original development.

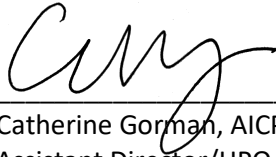
Respectfully submitted,



Rebekah Annan
Planner

12/16/25

Date

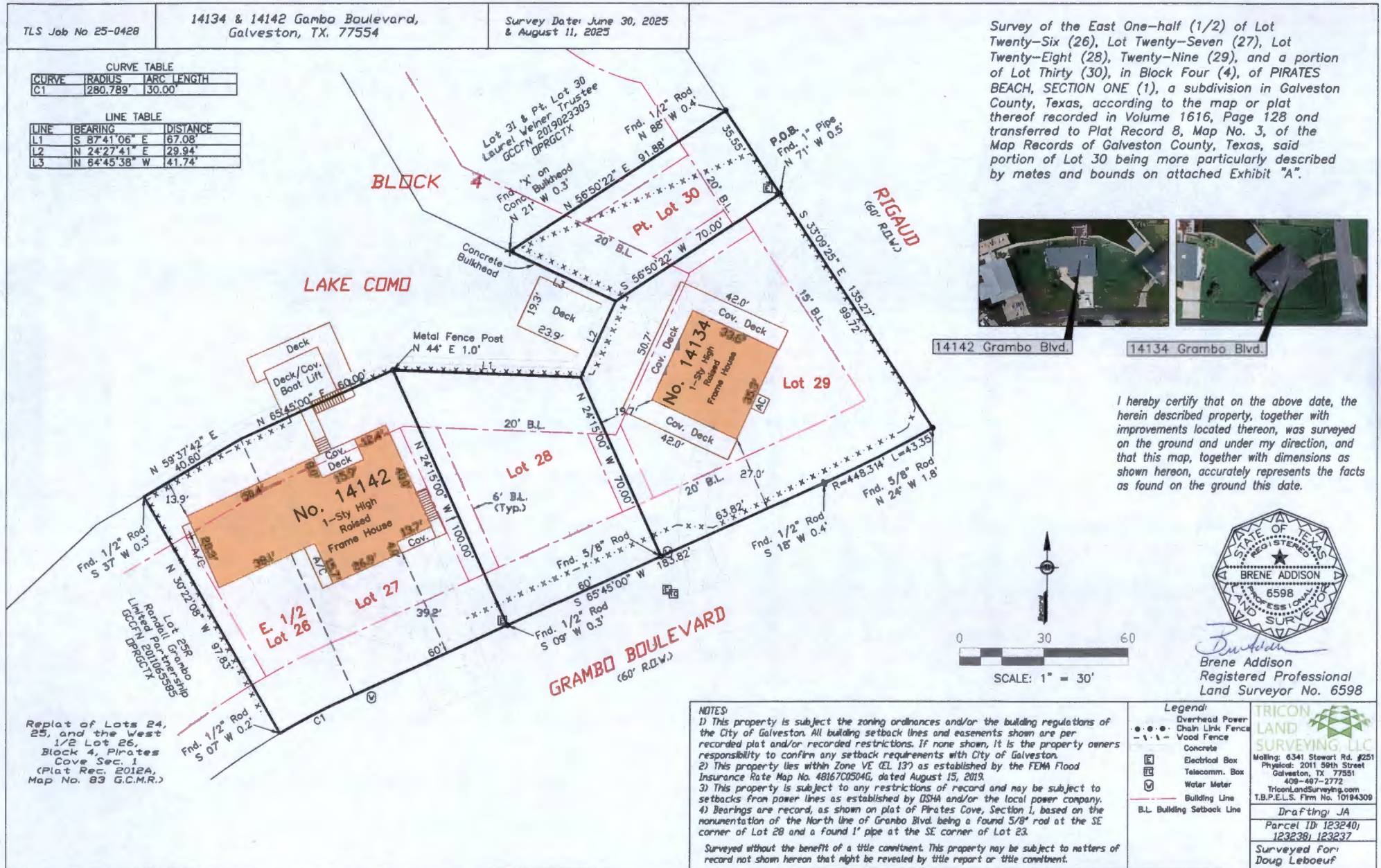


Catherine Gorman, AICP
Assistant Director/HPO

12/16/2025

Date

Exhibit A



CURVE TABLE		
CURVE	RADIUS	ARC LENGTH
C1	280.789'	30.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 87°41'06" E	67.08'
L2	N 24°27'41" E	29.94'
L3	N 64°45'38" W	41.74'

