

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GALVESTON
WEDNESDAY, MAY 6, 2026 - 3:30 PM
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas
REGULAR MEETING AGENDA**

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. Recognition of James Fagan
5. Approval of Minutes

5.A April 8, 2026

6. 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)
7. New Business and Associated Public Hearings
7.A 26Z-003 (1602-1606 Avenue L) Request for variances from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-3) Addendum, regarding minimum lot area. The property is legally described as Abstract 628 M.B. Menard Survey, Lot B Replat of Lots 8 and 9 (8-200), Block 76, in the City and County of Galveston, Texas. Applicants: Johnna and Lisa Cacace
Property Owner: Sorelle Homes, LLC.
8. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on 04/28/2026 at 03:50 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 8, 2026

CALL MEETING TO ORDER

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

ATTENDANCE

Members Present: Lidija Bikova, Carol Hollaway, Nick Lankford (Alternate), Mark Metzger (Alternate), Becca Scoville, Susan Syler, Ex-Officio David Finklea

Members Absent: None

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

CONFLICT OF INTEREST

None

WELCOME NEW MEMBER

Gannon Rawlins (Alternate) submitted his resignation prior to meeting.

RECOGNITION OF JAMES FAGAN

James Fagan was unable to attend. The agenda item was deferred to the May 6, 2026, agenda.

APPROVAL OF MINUTES

The December 3, 2025, minutes were accepted as presented. The January 7, 2026, minutes were accepted as corrected.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

26Z-001 (3828 Avenue N ½ and 1516 39th Street) Request for a variance from the Galveston Land Development Regulations, Article 3, Commercial (C) Addendum, regarding minimum lot depth and area. Properties are legally described as Abstract 628, M. B. Menard Survey, North ½ of Lot 14 & Part of Lot 13 (14-1), Northwest Block 35, Galveston Outlots; and Abstract 628, M. B. Menard Survey, South ½ of Lot 14 & Part of Lot 13 (14-2), Northwest Block 35, Galveston Outlots; in the City and County of Galveston, Texas. Applicant: Dylan Ybarra
Property Owner: Ana Benavides and Jesus R. Sendejas and Walter G. Sendejas

Staff presented the staff report and reported that of 30 notices sent, two returned in opposition and one with no comment.

Chairperson Bikova opened the public hearing on the case. The applicant, Dylan Ybarra, gave a presentation to the Board. The public hearing was closed, and the Chairperson called for a motion.

Board Member Metzger 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, Hollaway, Metzger (Alternate), Scoville, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Lankford(Alternate), Ex-Officio David Finklea

The motion passed.

26Z-002 (8509 Teichman Road) Request for a variance from the Galveston Land Development Regulations, Article 3, Commercial (C) Addendum, regarding minimum lot depth. The property is legally described as Abstract 121, Hall & Jones Survey, Lot 8 & Adjacent West Tract Harbor Light Unrecorded Subdivision, in the City and County of Galveston, Texas.

Applicant: Michael Gaertner, Sr. Architect

Property Owner: AMR Herbas Group LLC, Rafiq Wazir Ali

Staff presented the staff report and reported that of 30 notices sent, two returned in opposition and one with no comment.

Chairperson Bikova opened the public hearing on the case. The applicant, Michael Gaertner, gave a presentation to the Board. The public hearing was closed, and the Chairperson called for a motion.

Vice-Chairperson Hollaway 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, Hollaway, Metzger (Alternate), Scoville, Syler
Opposed:	None
Absent:	None
Non-voting participant:	Lankford(Alternate), Ex-Officio David Finklea

The motion passed.

THE MEETING ADJOURNED AT 3:59 PM





26Z-003

STAFF REPORT

ADDRESS:

1602 - 1606 Avenue L

LEGAL DESCRIPTION:

The property is legally described as Abstract 628 M.B. Menard Survey, Lot B Replat of Lots 8 and 9 (8-200), Block 76, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Johnna and Lisa Cacace

PROPERTY OWNER:

Sorelle Homes, LLC.

ZONING:

Residential, Single-Family, Historic District (R-3-H)

VARIANCE REQUEST:

Lot Area

APPLICABLE ZONING LAND USE

REGULATIONS:

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

EXHIBITS:

A – Applicant's Submittal

B – Motion Guide

STAFF:

Daniel Lunsford

Planning Manager

409-797-3659

dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
34				

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

City Department Notification Responses:

Airport: No Objection

Building Division: No Objection

Coastal Resources: No Objection

Fire Marshal: No Objection

Fire Chief: No Objection

Police Chief: No Objection

Public Works: No Objection

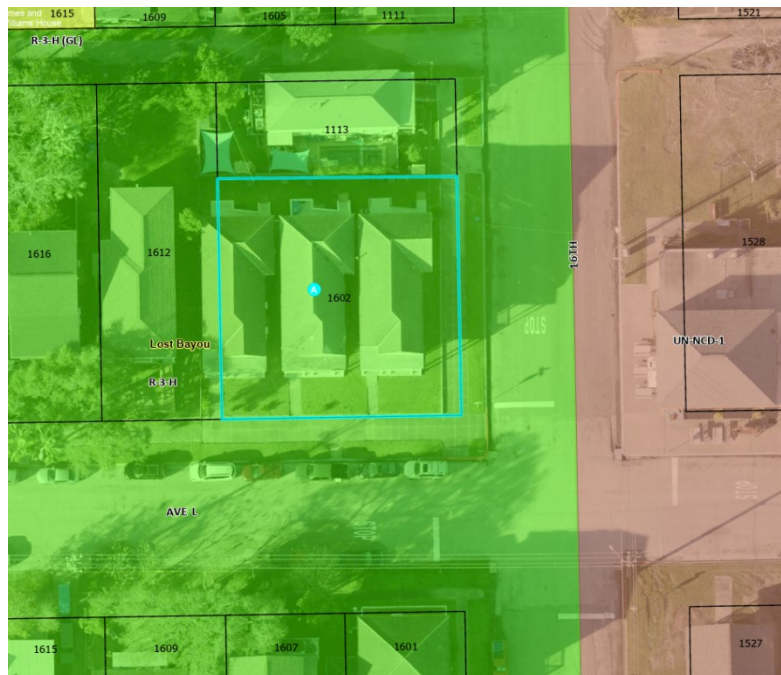
Private Utilities Notification Responses:

AT&T: No Objection

Comcast: No Objection

CenterPoint Energy: No Objection

Texas Gas Service: No Objection



Background In 2021 the applicant platted the house to the north onto a separate parcel. Because the resulting lots exceeded the minimum area in R-3 zoning, no variance was required.

Executive Summary: The applicant is requesting a variance from Article 3, Addendum in order to reduce the required minimum lot square footage. The subject property currently includes three nearly identical “sister” houses. Sanborn insurance maps indicate all three houses are 1900 Storm survivors and were built in 1899 or before.

See the site plan and proposed replat in Exhibit A of the staff report, as well as a summary of variances below. In order to replat the property so that each house is on a separate lot, the westernmost two of the proposed lots will be less than 2,500 square feet in area. The easternmost lot will be over 2,500 square feet and does not require a variance.

Area Requirements **Article 3, District Yard, Lot and Setback Standards, Addendum for Single-Family Residential (R-3):**
Required Minimum Lot Area: 2,500 square feet
Required Minimum Length: 0 feet
Required Minimum Width: 0 feet

Requested Variance

Minimum Lot Dimensions (R-1 Zoning)	Regulation	Proposed Variance
Lot Area (Lot 1)	2,500 square feet	2,364 square feet (136 square feet variance)
Lot Area (Lot 2)	2,500 Square Feet	2,377 square feet (123 square feet variance)

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.**

All three homes are currently zoned onto one large property. Due to City Zoning requirements of a single property being 2500 square feet each, we request a variance for Special Conditions as the proposed individual square footage would be slightly under the requirement as visible on the attached proposed diagram of the property.

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 houses were built long before the current regulations and the lot was combined into one lot long before we purchased the property. The northernmost house was replatted separately onto its own in 2021, which further reduced the lot we currently own.

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

The total existing property size will not be changed. We will have 3 new land surveys drawn upon approval to reflect new property lines which will not impose any changes to the public or the neighborhood.

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.

The neighborhood would be served better with families individual~~ly~~ly purchasing the homes ~~Instead~~ of it solely being an investor for rental income. While we have spent our life savings restoring these historic beauties, we found them to be deplorable upon our purchase. Rented to drug addicts and prostitutes with no integrity for this historic neighborhood. We would love the opportunity to see loving families in each of these three homes.

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.**

This variance will impose no changes on any adjacent properties, infrastructure, safety etc. This request involves adjusting the property lines to allow for 3 individual homes instead of one large property with 3 homes. All three homes would remain residential purposes only.

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

With the way the existing homes sit on the property, we have slight shortage of the current city requirements regarding lot size however we see this request as the least possible ask to resolve the issue.

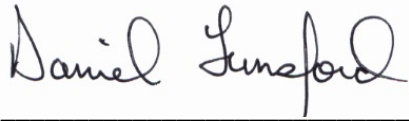
7. The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are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

There are no options that would allow us the options fore mentioned. This is the only option that would assist with our current extreme hardships.

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

Absolutely and we look forward to giving our community these 3 beautifully restored homes the opportunity to be owned by living families.

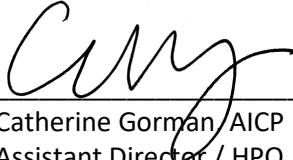
Respectfully submitted,



Daniel Lunsford
Planning Manager

April 21, 2026

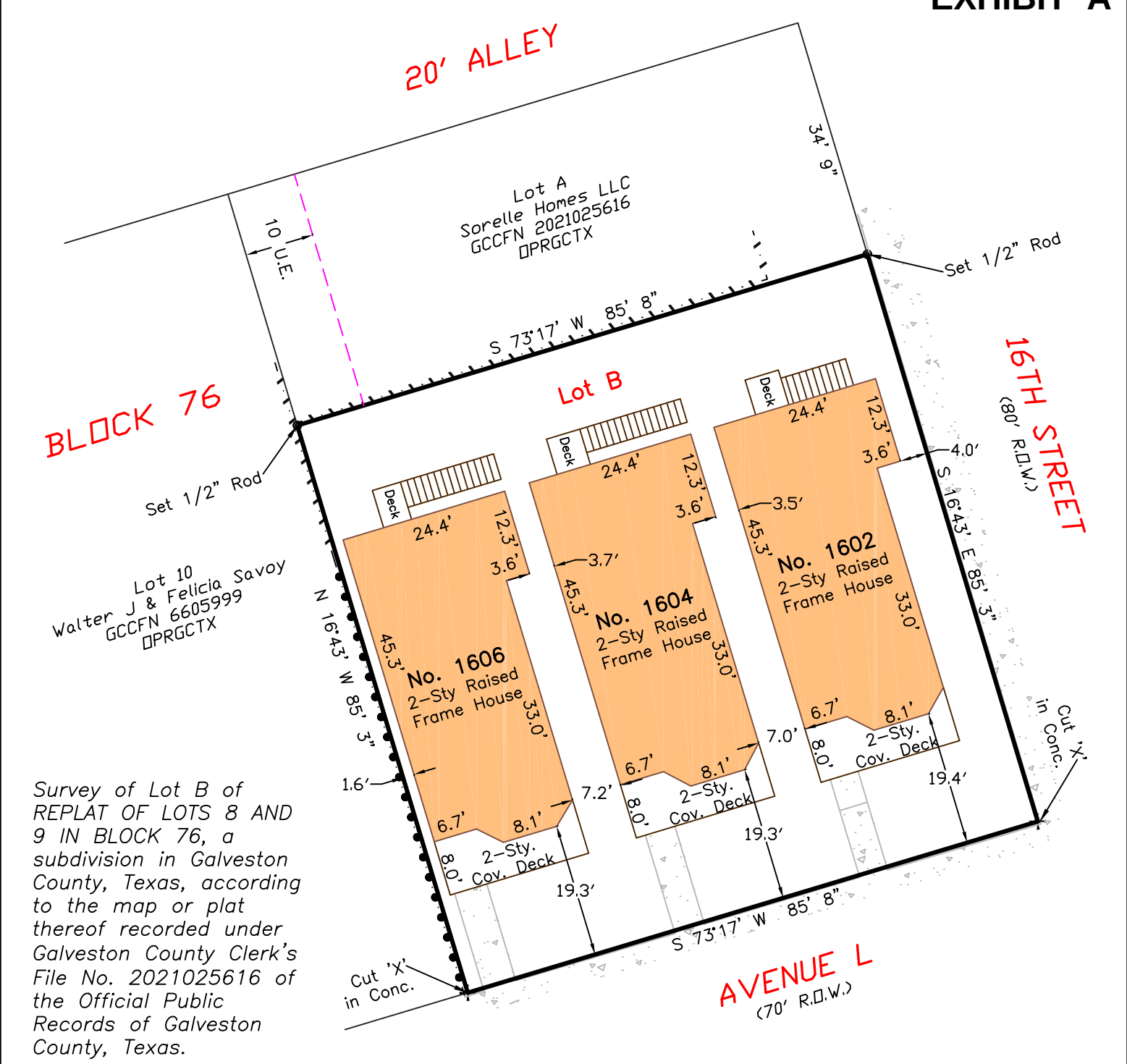
Date



Catherine Gorman / AICP
Assistant Director / HPO

April 21, 2026

Date



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

Brene Addison
Registered Professional
Land Surveyor No. 6598

NOTES:

1) This property is subject to the zoning ordinances of the City of Galveston.

2) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.

3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA (call your power company).

4) Bearings are based on the monumentation of 17th Street.

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:

- Chain Link Fence
- Wood Fence
- Concrete
- Easement Line
- U.E. Utility Easement

TRICON LAND SURVEYING, LLC

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

Drafting: ba

Survey Date: April 14, 2021

Surveyed for: Johnna Cacace

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Lot 1 : 136 sf Variance

Lot 2 : 123 sf Variance

Lot 3 : No Variance Required



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.