

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GALVESTON
WEDNESDAY, JUNE 3, 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. 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. New Business and Associated Public Hearings
 - 5.A **26Z-004 (11213 Beard Drive)** Request for a variance from the Galveston Land
Development Regulations Article 3, Residential, Single-Family (R-1) Addendum, regarding
minimum side and rear setbacks. The property is legally described as Abstract 121 Hall &
Jones Survey, Lot 8, Block 4, Sunny Beach, a subdivision in the City and County of
Galveston, Texas.
Applicant: Ernesto Vidal
Property Owner: Julia Bennett-Jean
6. 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 05/27/2026 at 02:35 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.



26Z-004

STAFF REPORT

ADDRESS:

11213 Beard Drive

LEGAL DESCRIPTION:

The property is legally described as Abstract 121 Hall & Jones Survey, Lot 8 Block 4 Sunny Beach, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Ernesto Vidal

PROPERTY OWNER:

Julia Bennett-Jean

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Side and Rear Yard Setbacks

APPLICABLE ZONING LAND USE

REGULATIONS:

Article 3, Addendum for Residential, Single-Family (R-1)

District, Minimum Lot Standards

EXHIBITS:

A – Applicant's Submittal

STAFF:

Daniel Lunsford

Planning Manager

409-797-3659

dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
40				

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 requests variances from the Galveston Land Development Regulations, Article 3, Residential, Single-Family (R-1) Addendum, regarding minimum side and rear setback in order to add improvements to the existing structure. The applicant proposes to reduce the minimum required setback to 11" and the rear setback to seven (7) feet in order to build a new staircase and rear deck.

See applicant's submittal (Exhibit A) and narrative below for additional information.

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

Required Front Setback: 20 feet

Required Side Setback: 3 feet

Required Side Setback: 10 feet

Requested Variance

Minimum Setbacks	Regulation	Proposed Variance
Side	3 feet	11 inches (2'-1" variance)
Rear	10 Feet	7 feet (3 feet variance)

Department Review and Comments

There were no objections from outside utilities or other City departments.

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.**

In the subdivision of Sunny Beach, our home is the only property that does not have a deck facing the ocean and coastline. The placement of our home on the lot does not allow for a safe and walkable deck without going past the building lines.

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 required two foot setback from the property line limits the deck to a width of only 12 inches along the side of the home. The restriction prevents the construction of a functional deck. The resulting narrow deck is unsafe for users and does not provide adequate space for movement. Granting a variance would allow for a safer, usable deck that meets the needs of our family and guests.

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

The proposed design does not add any posts/pilings within two feet of the property line. We will utilize cantilevers to extend the deck with no impact at the ground on the side of the home. A 5 foot deck in the rear preserves the privacy of our neighbors and allows for space for a seating area. The proposed deck extension is over 20 feet from adjacent properties and has no impact on them.

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.**

Any self-imposed hardships and hardships based solely on financial considerations, convenience, or inconvenience are not apart of the justification

of the variance request. The special conditions cited are based on personal visual observation of the surrounding 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.**

The proposed deck extension would be over 20 feet from any existing homes and would not impact them at all. There is no impact to any public infrastructure or services. The public health, safety, morals and general welfare of the community will be unaffected.

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

Granting a variance allowing us to build up to 11 inches to the property line on the side of the home will allow for a 36 inch deck. This space would provide the necessary width to walk on the deck safely. The proposed door would not be able to open fully if the deck width were any shorter. Granting a variance allowing us to build up to 7 feet on the back side of the home will allow for a 60 inch deck. This space would allow for a seating area to be comfortably and safely be situated on the deck.

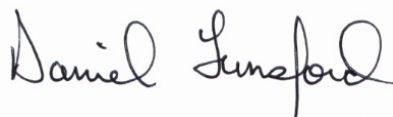
7. The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are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

There are no other procedures and standards of these regulations that could be used for the same or comparable effect to the best of my knowledge.

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

Yes, by granting the variance in the spirit of the Land Development Regulations are observed and substantial justice done.

Respectfully submitted,



Daniel Lunsford
Planning Manager

May 21, 2026

Date

ADDRESS
11213 Beard Drive
Galveston, Texas 77554

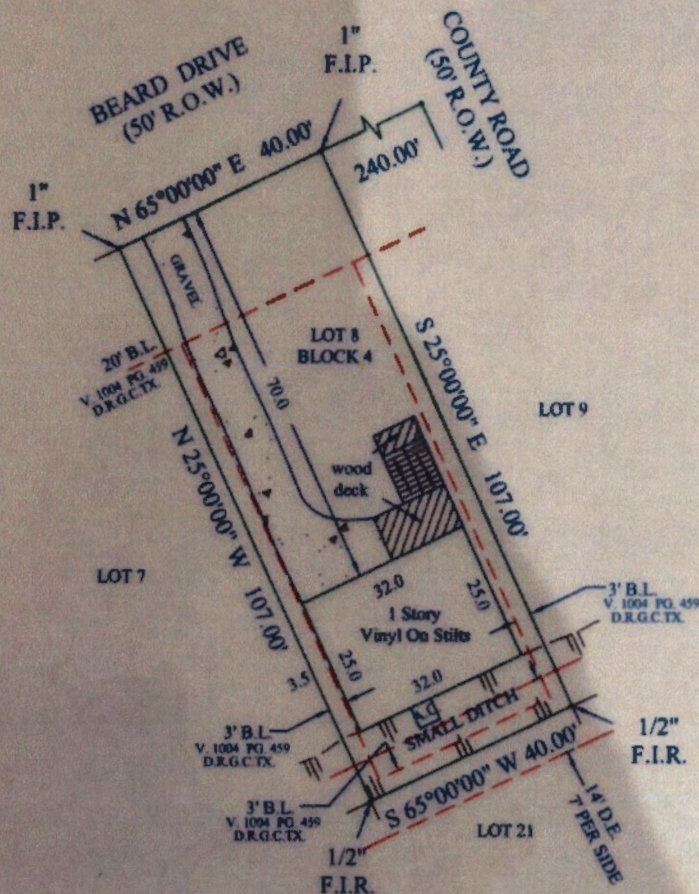
SCALE: 1" = 30'

LEGAL DESCRIPTION: (AS FURNISHED)
Lot 8, in Block 4 of Sunny Beach, a subdivision of part of Lots 21 and 40, in Section 2 of the Trimble & Lindsey Survey of Galveston Island, Galveston County, Texas, according to the map or plat thereof recorded in Vol. 254-A, Page 67, and transferred to Vol. 1004, Pg. 5, of the M.R.G.C.TX.

The Certified Registered Professional Land Surveyor signing this survey does so within the authority and jurisdiction of the survey provided herein.

NOTES

1: Restrictive Covenants and notes as follows.



NOTES:

- 1: COVENANTS RECORDED IN VOL. 254A, PG. 67 OF THE M.R.G.C.TX; VOL. 1004, PG. 459 OF THE D.R.G.C.TX.
- 2: 3' BUILDING LINE SHOWN ON REAR ACCORDING TO SURVEY DONE BY DALE L. HARDY #4847 (MAY 29, 1997)

scale: 1" = 30'

BASIS OF BEARING: BEARING BASED OF THE RECORDED PLAT

SURVEYOR INFORMATION:

Texas Values Texas Strong Since 1987
P.O. BOX 1987
PEARLAND, TEXAS 77588
FAX: (281) 495-4221
PHONE: (281) 297-1286
WWW.JUSTINBANTLEY@BRIER.COM, NET
BE KARLA ESPAROL

CLIENT OF# 431837

SURVEY FILE #: 07-06-06

SURVEY INVOICE #: 52016

SURVEYOR: New

DRAWN: C. Reuninger

APPROVED: S.L. Wright

CERTIFIED TO: (AS FURNISHED)

Charles T. Company
Robert W. Duncan & Michael Duncan
Balance Mortgage Company

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIMITS TO THIS PARTIAL SURVEY MAY NOT BE TRANSFERRED OR ASSIGNED.

LEGEND

A/C: AIR CONDITIONER
B.L.G.: BUILDING
C.G.: CALCULATED
C.B.: CHORD BEARING
CON: CONCRETE BLOCK WALL
CL: CENTERLINE
CONC: CONCRETE
COV: COVERED
CS: CONCRETE SLAB
(D): DESCRIPTION
D.W.: DRIVEWAY
S.O.W.: EDGE OF WATER
DN: MEASURED

P.C.: POINT OF CURVATURE
P.C.P.: PERMANENT CONTROL POINT
P.I.: POINT OF INTERSECTION
P.O.B.: POINT OF BEGINNING
P.O.C.: POINT OF COMMENCEMENT
P.P.: POWER POLE
P.R.C.: POINT OF REVERSE CURVATURE
P.R.M.: PERMANENT REFERENCE MONUMENT
P.T.: POINT OF TANGENCY
CLF: CHAIN LINK FENCE
W.F.: WOOD FENCE
H.W.F.: HOOD WIRE FENCE

FLOOD ZONE

(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X". FLOODING WITH VELOCITY HAZARDOUS ACTION. (SEE FIRM FOR FURTHER INFORMATION). FIRM: FIRM NO. 15444E. LAST REVISION DATE: 12-14-04. THIS SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS FLOOD INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONSULTED FOR VERIFICATION. (FIRM NOT APPROVED)

SURVEYOR'S CERTIFICATE

I, Steven L. Wright, Texas Registered Professional Land Surveyor No. 4823, do hereby certify that the survey plat hereon is a true and accurate representation of the property hereon described, and do further state that the survey accurately depicts the substantial improvements to said property as located on the ground, and that there are no encroachments onto said property by any such improvements except as shown hereon.

STEVEN L. WRIGHT
4823
REGISTERED AS
PROFESSIONAL
LAND SURVEYOR

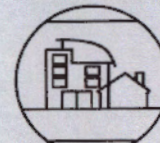
SURVEYOR'S NAME: STEVEN L. WRIGHT DATED: 07-07-06

DATE: REVISION: DATE: REVISION:



11213 BEARD DR.
GALVESTON, TX 77554

ARCHITECTURAL ☒
STRUCTURAL ☐



JDSI
frontoffice@jdsi.com
201-852-3647

DATE ISSUED _____
DATE: 08/04/2026
PRECEDENCE

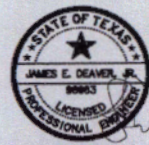
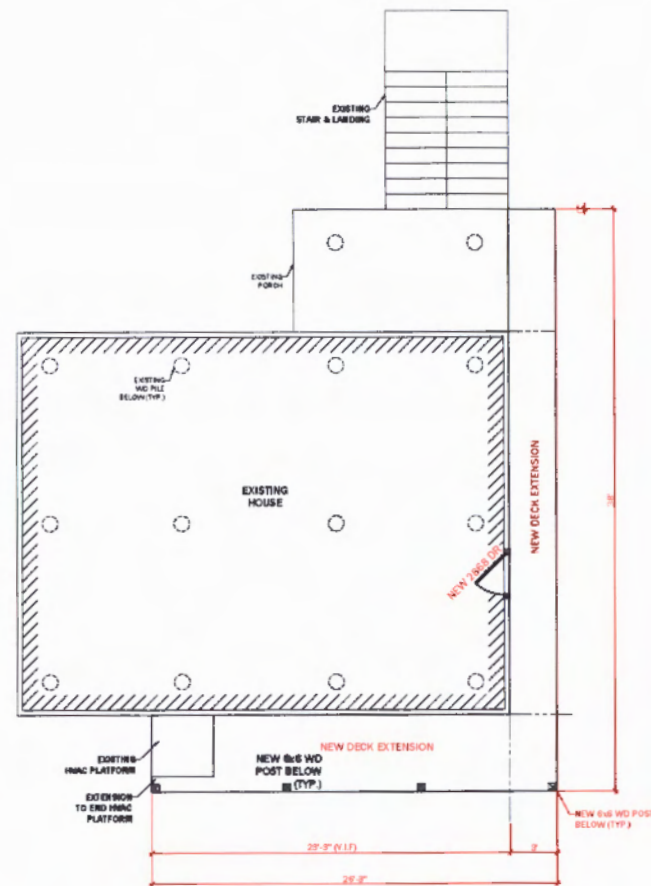
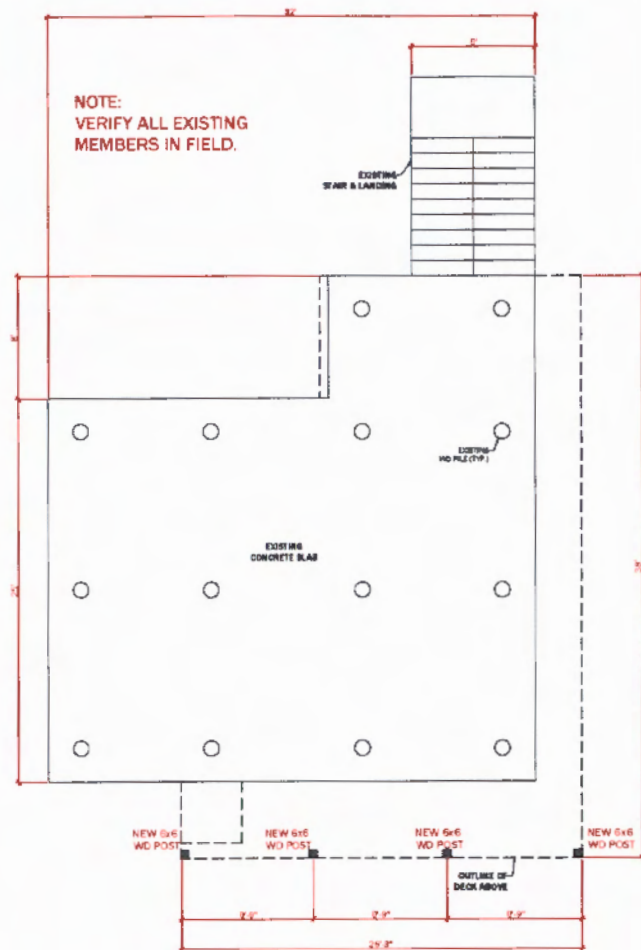
WILEY

CONTENTS

SCALE

SITE

Sheet No. 20

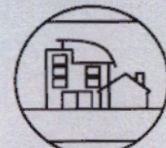


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Project Version:	PERMIT/CONSTRUCTION
Organ By:	SUP/MAC

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DATE ISSUED: _____
DATE: 03/10/2028
PERMIT / CONSTRUCTION

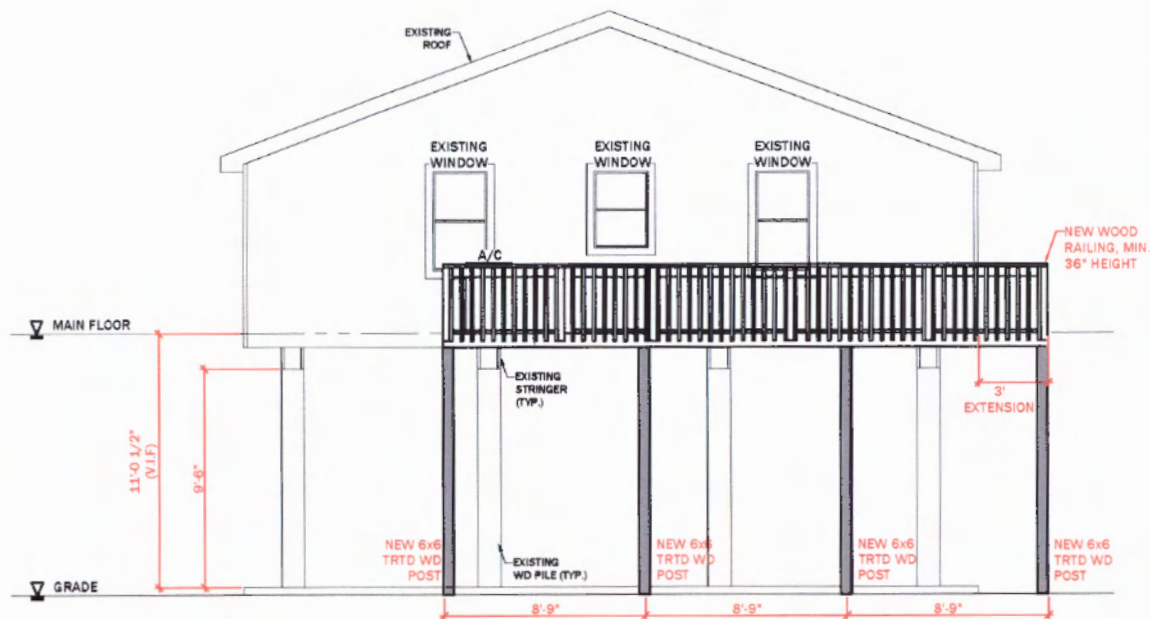
BILDER

CONTENTS

SCALE

A1

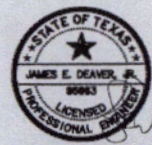
Issue No. 202



1 REAR ELEVATION
SCALE: 3/16" = 1'



2 LEFT ELEVATION
SCALE: 3/16" = 1'

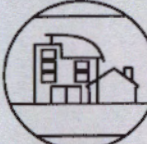


DATE: 08/15/2008
PROJECT: 11213 BEARD DR.
DRAWING: 11213 BEARD DR.
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GALVESTON, TX 77554

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DATE: 08/15/2008
PROJECT: 11213 BEARD DR.

BUILDER

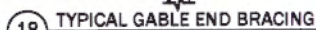
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SCALE

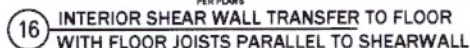
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Sheet No. ©2008





19 SECTION

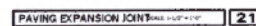


15 SLAB ON GRADE
EXTERIOR WALL DETAIL WITH FULL SHEATHING
CLIPS AND STRAPS TO BE 10" O.C.

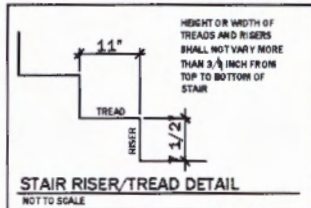


20 1HR FIRE RATED EAVE DETAIL

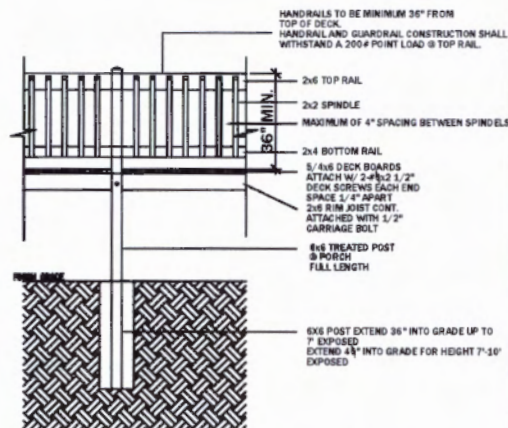
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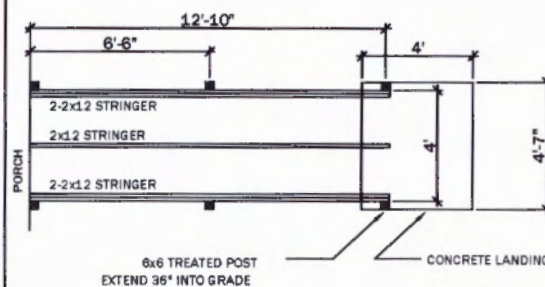
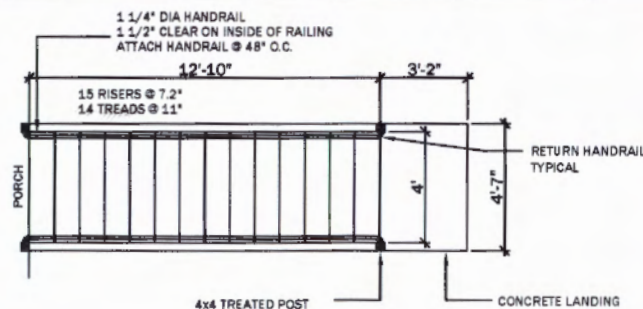
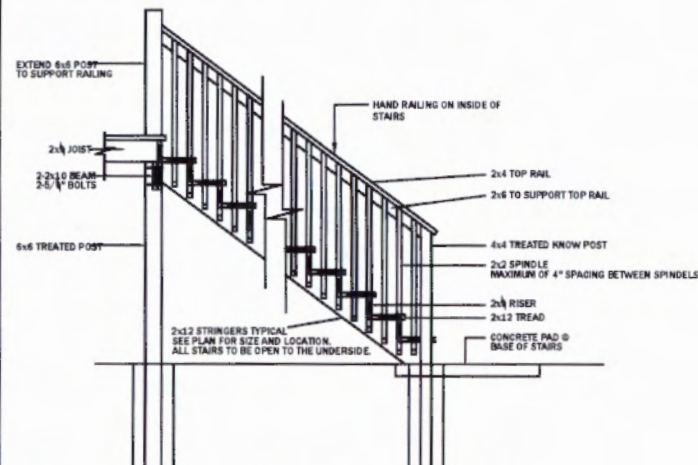
TREADS ARE A MINIMAL OF 10"
RISER ARE TO BE A MAXIMUM OF 7 1/4"
VARIATION CANNOT EXCEED 1/8" BETWEEN RISERS



STAIR DETAIL



STAIRS SHALL SUPPORT A 300# CONCENTRATED LOAD IN A 4 SQUARE INCH AREA.
GUARDRAIL AND HANDRAILS DESIGNED TO SUPPORT A 200LB CONCENTRATED LOAD IN ANY DIRECTION ALONG THE TOP.
GUARDRAIL IN-FILL COMPONENTS (BALUSTERS AND PANEL FILLERS) SHALL SUPPORT 50 LB UNIFORM LOAD, APPLIED IN A 4 SQUARE FOOT AREA.
VERTICAL RISE SHALL NOT BE GREATER THAN 12-7" BETWEEN FLOOR LEVELS OR LANDINGS



HANDRAILS TO BE MINIMUM 34" & MAXIMUM 38" HEIGHT. GUARDRAILS AT A MINIMUM OF 36" FROM LEADING EDGE OF TREAD.
HANDRAIL AND GUARDRAIL CONSTRUCTION SHALL WITHSTAND A 200# POINT LOAD @ TOP RAIL

DATE: 03/04/2026
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DATE PAID



Address:
11213 Beard Dr
Galveston, Texas
77554

ASCE Hazards Report

Standard: ASCE/SEI 7-16 **Latitude:** 29.236483
Risk Category: II **Longitude:** -94.882479
Soil Class: D - Default (see Section 11.4.3) **Elevation:** 6.06193219201332 ft (NAVD 88)



Wind

Results:

Wind Speed	150 Vmph
10-year MRI	80 Vmph
25-year MRI	100 Vmph
50-year MRI	115 Vmph
100-year MRI	126 Vmph

Data Source: ASCE/SEI 7-16, Fig. 26.5-1B and Figs. CC.2-1—CC.2-4, and Section 26.5.2

Value provided is 3-second gust wind speeds at 33 ft above ground for Exposure C Category, based on linear interpolation between contours. Wind speeds are interpolated in accordance with the 7-16 Standard. Wind speeds correspond to approximately a 7% probability of exceedance in 50 years (annual exceedance probability = 0.00143, MRI = 700 years).

Site is in a hurricane-prone region as defined in ASCE/SEI 7-16 Section 26.2. Glazed openings shall be protected against wind-borne debris as specified in Section 26.12.3.

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Miscellaneous Notes

- For construction in the TDI Catastrophe Zone, all components must be TDI approved for the design pressures required at the location of the structure and installed as per the most current TDI Product Evaluation. Components not on the TDI list must be approved in writing by JDSI prior to construction.
- Asphalt composition shingles are to be installed using the pattern shown on the bundle. No exceptions. Fasteners must meet the ASTM F1667 standards.
- For installation of Hardie Siding, 8-1/4" planks and less, JDSI recommends the use the following Assemblies:
 - For wind speeds Vult < 145mph. Use Assembly 8. 0.090" ring shank nail, 1-1/2" long, 0.215" head. Install nails at 8" OC.
 - For wind speeds Vult > 145mph. Use Assembly 9. 0.090" ring shank nail, 1-1/2" long, 0.215" head. Install nails at 6" OC.
- No shear wall can longer than 16'. Shear walls must have hold downs on either end.
- Protection of openings. Exterior glazing in buildings within the windborne debris regions must be protected from windborne debris. Windborne debris region is defined as sites where Vult > 140 mph. Wood structural panels (WSP) with a minimum thickness of 7/16" and a span < 8'-0" are allowed. Panels must be predrilled for fasteners. Corrosion resistant fasteners must be permanently mounted to the framing. Fastener size and spacing designed to resist C&C loads per Table R301.2.1.2 or use Table R301.2.1.2 for buildings with M.R.H. < 45 ft., and Vults 180 mph. May also use a proprietary shutter system that satisfies Components and Cladding loads and is installed per a product evaluation report.
- Exterior side hinged doors shall be tested and labeled conforming to AAMA/WDMA/LS2/A440 or WMA 100, or comply with Section R609.6.
- Soffit installation. Wood soffits must be minimum 3/8" thick wood structural panels with fasteners 0.099"x 2" spaced 6" on center. Vinyl soffit panels must not span more than 16" between supports.
- Underlayment. Underlayment materials are required to comply with ASTM D226, D1970, D4869, and D6757 shall bear a label indicating compliance to the standard designated and if applicable the type classification indicated in Table R905.1.1. Sites with windspeeds > 140 mph must use #30 felt (ASTM D226 Type II; ASTM D4869 Type III or IV). Section also allows alternate methods for underlayment. One such alternate method allows IBHS sealed roof deck method (Exception 2). The application of underlayment must follow Table R905.1.1(2). Underlayment attachment must follow Table R905.1.1(3).
- Asphalt Shingles. Asphalt roof shingles comply with ASTM D7158 (Table R905.2.4.1). Manufacturers may still use the old specification (ASTM D3161).
- Fasteners. Asphalt shingle fasteners shall be galvanized steel, stainless steel, aluminum, or copper roofing nails, minimum 12 gauge (0.106" diameter shank), 3/8" diameter head, and comply with ASTM F1667, and penetrate through the roof coverings and not less than at least 3/4" into the roof sheathing.
- Valleys. Open valleys lined with metal not less than 24" wide per Table R905.2.8.2; or two piles of mineral surfaced roll roofing per ASTM D3909 or ASTM D6380 with the bottom layer 18" wide and the top layer not less than 36" wide; or closed valley with one layer of smooth roll roofing per ASTM D6380 not less than 36" wide; or an open valley as described for one of the open valley options. Self-adhered (ASTM D1970) is an allowed substitution.
- For shingled roofs, drip edge must be provided at eaves and rakes. Adjacent segments of drip edge must be overlapped by 2" or more. Drip edges must extend a minimum of 1/4" below roof sheathing and extend up back upslope over the fascia PLUS a minimum of 2" onto the decking. Therefore, 2" x 2" drip edge will NOT work. Drip edges must be nailed to the decking a maximum of 12" with fasteners as specified in Section R905.2.5. Underlayment shall be installed over the drip edge along eaves and under the drip edge along rake edges.

DATE: 08/16/2008
TIME: 7:11:33
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11213 BEARD DR.
GALVESTON, TX 77554

Project Name: PRELIMINARY SUP

ARCHITECTURAL
STRUCTURAL



JDSI
frontoffice@jdsi.com
201-852-3947

DATE ISSUED:
DATE: 08/16/2008

BUILDER:

CONTRACT:

SCALE:

S2.5

Sheet No. 02/08