

August 13, 2018
Board of Adjustments Meeting
6:30 p.m.



AGENDA
City of Dickinson
**BOARD OF
ADJUSTMENTS
SPECIAL MEETING**

August 13, 2018

NOTICE is hereby given of a **Special Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Monday, August 13, 2018 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, for the purpose of considering the following numbered items. The Board of Adjustments of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Roll call of members
Invocation
Pledge of Allegiance

ITEM 2) CONSIDERATION AND POSSIBLE ACTION REGARDING: Approval of the Minutes of the May 23, 2018 Special Meeting.

NEW BUSINESS

ITEM 3) CONDUCT A PUBLIC HEARING CONCERNING: VAR-18-1530, A Variance Request To Section 18-49(B)(3) Of The Zoning Ordinance, Which Provides The Regulations For Height And Area Of Property And Structures Located In The Rural Residential (RR) Zoning District, The Request Is To Allow For A Minimum Side Setback Of Ten (10) Feet Instead Of The Required Twenty-Five (25) Feet, On Property Legally Described As Abstract 208 W K Wilson Survey Tract 184-1, Acres 1.344, Generally Located Generally Located North of N Humble Camp Road And East of Ecret Drive, With The Address Being 5603 Ecret Drive Dickinson, Texas 77539.

- A. Staff's Presentation of the Variance
- B. Applicant's Statement
- C. Those In Favor
- D. Those Opposed
- E. Applicant's Rebuttal
- F. Adjourn Public Hearing

ITEM 4) CONSIDERATION AND POSSIBLE ACTION REGARDING: VAR-18-1530, A Variance Request To Section 18-49(B)(3) Of The Zoning Ordinance, Which Provides The Regulations For Height And Area Of Property And Structures Located In The Rural Residential (RR) Zoning District, The Request Is To Allow For A Minimum Side Setback Of Ten

(10) Feet Instead Of The Required Twenty-Five (25) Feet, On Property Legally Described As Abstract 208 W K Wilson Survey Tract 184-1, Acres 1.344, Generally Located Generally Located North of N Humble Camp Road And East of Ecret Drive, With The Address Being 5603 Ecret Drive Dickinson, Texas 77539.

ITEM 5) BREIFING AND DISCUSSION CONCERNING: Board of Adjustment changes to member and meeting dates and training times for board members.

ITEM 6) ADJOURN

CERTIFICATION

This is to certify that a copy of the notice of a Special Meeting of the Board of Adjustments Commission for **August 13, 2018**, was posted on the bulletin board at City Hall, 4403 State Highway 3, Dickinson, Texas, on the **8th day of August 2018**, prior to 5:00 p.m.



Gabrielle Bernal, Deputy City Secretary



In compliance with the Americans With Disabilities Act, we will provide for reasonable accommodations for disabled persons attending our meetings. Request should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at (281) 337-6217.

Board of Adjustments

ITEM 1

Board of Adjustments Meeting

CALL TO ORDER

Invocation

Given by: _____

Pledge of Allegiance

Given by: _____

Roll Call

**CITY OF DICKINSON, TEXAS
BOARD OF ADJUSTMENTS MEETING
ATTENDANCE LIST**

MEETING DATE: August 13, 2018

BOARD MEMBERS

PRESENT

ABSENT

CHAIRMAN DAWN KING

VICE-CHAIR TIM PHILPOT

SHAMARION BARBER

ALLEN CARLISLE

Vacant Position

ALTERNATE MEMBERS

RONALD HEBERT

ALSO IN ATTENDANCE

CITY ATTORNEY, David Olson

DIRECTOR OF COMMUNITY DEV. Zach Meadows

Board of Adjustments

ITEM 2

AGENDA
City of Dickinson
**BOARD OF
ADJUSTMENTS
SPECIAL MEETING**

May 23, 2018

NOTICE is hereby given of a **Special Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Wednesday, May 23, 2018 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, for the purpose of considering the following numbered items. The Board of Adjustments of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Roll call of members
Invocation
Pledge of Allegiance

Chairman Dawn King called the meeting to order at 6:30pm. Deputy City Secretary, Gabrielle Bernal called roll and certified a quorum. Board of Adjustment Members present were as follows: Chairman Dawn King, Vice-Chairman Tim Philpot, and Board Members Shamarion Barber, Allen Carlisle, and Alternate Ron Hebert.

ITEM 2) CONSIDERATION AND POSSIBLE ACTION REGARDING: Approval of the Minutes of the March 28, 2018 Special Meeting.

Board Member Barber made a motion to approve the minutes of the January 31, 2018 Special Meeting and Board Member Carlisle seconded the motion.

VOTE:

5 AYES (Barber, Carlisle, Hebert, King, Philpot)
0 NAYS

MOTION PASSED

OLD BUSINESS

ITEM 3) CONDUCT A PUBLIC HEARING CONCERNING: VAR-18-0867, A Variance Request To Section 18-50(C)(2) Of The Zoning Ordinance, Which Provides The Regulations of Side Setbacks. The Request Is To Allow for a Side Setback Of Zero (0) Feet Instead Of The Required Five (5) Minimum, On Property Legally Described As Abstract 36 West G Banks Lot 23 Block 1 Tropical Gardens Tan/White, Generally Located Generally Located South of FM 517 and West of Gum Drive With The Address Being 4312 Scenic Drive Dickinson, Texas 77539.

Chairman Dawn King opened the public hearing at 6:33pm.

Board member H Scott Apley arrived at 6:34pm.

A. Staff's Presentation of the Variance

Chief Building Official, Ray Burgess gave a brief presentation on the history of the applicant. He explained that the applicant and his neighbor built a joint boat slip prior to the ordinance so it was grandfathered in as an existing structure. Now, the applicants hope to build a cover stretching over the slips.

B. Applicant's Statement

David Cooper of 4312 Scenic stated that he and his neighbor were in agreeance on the variance request to help both out.

C. Those In Favor

Thomas Nguyen of 4308 Scenic stated that he is the applicant's neighbor and expressed his support for the variance request.

D. Those Opposed

Residents of 4318 Scenic expressed concern that the variance would be for future structures and not just the boat slip cover.

E. Applicant's Rebuttal

None

F. Adjourn Public Hearing

Chairman Dawn King closed the public hearing at 6:37pm.

ITEM 4) CONSIDERATION AND POSSIBLE ACTION CONCERNING: VAR-18-0867, A Variance Request To Section 18-50(C)(2) Of The Zoning Ordinance, Which Provides The Regulations of Side Setbacks. The Request Is To Allow for a Side Setback Of Zero (0) Feet Instead Of The Required Five (5) Minimum, On Property Legally Described As Abstract 36 West G Banks Lot 23 Block 1 Tropical Gardens Tan/White, Generally Located Generally Located South of FM 517 and West of Gum Drive With The Address Being 4312 Scenic Drive Dickinson, Texas 77539.

Board Member Carlisle asked the applicant if the structure would extend into the waterway. The applicant replied that it would not.

Board Member Carlisle made a motion to approve the variance with an

addendum that it only be applied to the existing boat structure and any variance for additional structures will be brought to the board at a later date. Board Member Hebert seconded the motion.

VOTE:

6 AYES (Apley, Barber, Carlisle, King, Philpot)

0 NAYS

MOTION PASSED

ITEM 5) ADJOURN

Board Member Barber made a motion to adjourn the meeting and Vice Chairman Philpot seconded the motion.

VOTE:

6 AYES (Apley, Barber, Carlisle, King, Philpot)

0 NAYS

MOTION PASSED

The meeting adjourned at 6:41pm.

Dawn King, Chairman

Board of Adjustments

ITEM 3

**Dickinson Board of Adjustments
Agenda Item Data Sheet**

MEETING DATE August 13, 2018

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: VAR-18-1530, A Variance Request To Section 18-49(B)(3) Of The Zoning Ordinance, Which Provides The Regulations For Height And Area Of Property And Structures Located In The Rural Residential (RR) Zoning District, The Request Is To Allow For A Minimum Side Setback Of Ten (10) Feet Instead Of The Required Twenty-Five (25) Feet, On Property Legally Described As Abstract 208 W K Wilson Survey Tract 184-1, Acres 1.344, Generally Located Generally Located North of N Humble Camp Road And East of Ecret Drive, With The Address Being 5603 Ecret Drive Dickinson, Texas 77539.
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BACKGROUND:	Clarence Broze, Owner of 5603 Ecret Drive is looking to build a new home on the property. The property falls within the Rural Residential (RR) Zoning District, which has building setback requirements of Twenty-Five (25) Feet from Side property lines. As shown on the Proposed Site Plan (Which is attached with this item) the Property owner is wanting to build the new home and garage to a setback of Ten (10) Feet. In order for him to build to this requirement, he has requested that the Board of Adjustments consider granting him a variance.
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ATTACHMENTS:	<ul style="list-style-type: none"> • Board of Adjustment Application • Plat Map Showing Property • Proposed Site Plan Indicating Variance Requested • Aerial Map Reflecting Location of the Property
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SUBMITTING STAFF MEMBER	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN		
APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READINGS PASSED <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd	OTHER



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BOARD OF ADJUSTMENTS VARIANCE APPLICATION

PROPERTY INFORMATION

Address: 5603 Ecret Drive Dickinson

Legal Description:

Present Zoning:

Variance Being Requested Description: move home to North to accommodate size of home & shop entrance. 10' off property line

OWNER INFORMATION

Owner Name: Josh A. Broze Phone #: 409 682-0680

Address: #12 S. Skinner

City: La Marque State: Tx Zip: 77568

APPLICANT/AGENT INFORMATION

Applicant Name: CLARENCE BROZE Phone #: 409 682 0331

Address: 5517 Ecret Drive

City: Dickinson State: Tx Zip: 77539

* If applicant is different than property owner a Notarized Letter of Authorization must be attached to the application

PROPERTY OWNER/AGENT AUTHORIZATION

Property Owner Consent/Agent Authorization: By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Dickinson officials to enter the property on official business as part of the application process

Signature of Contractor/Authorized Agent: Clarence Broze Printed Name: CLARENCE BROZE Date: [blank]

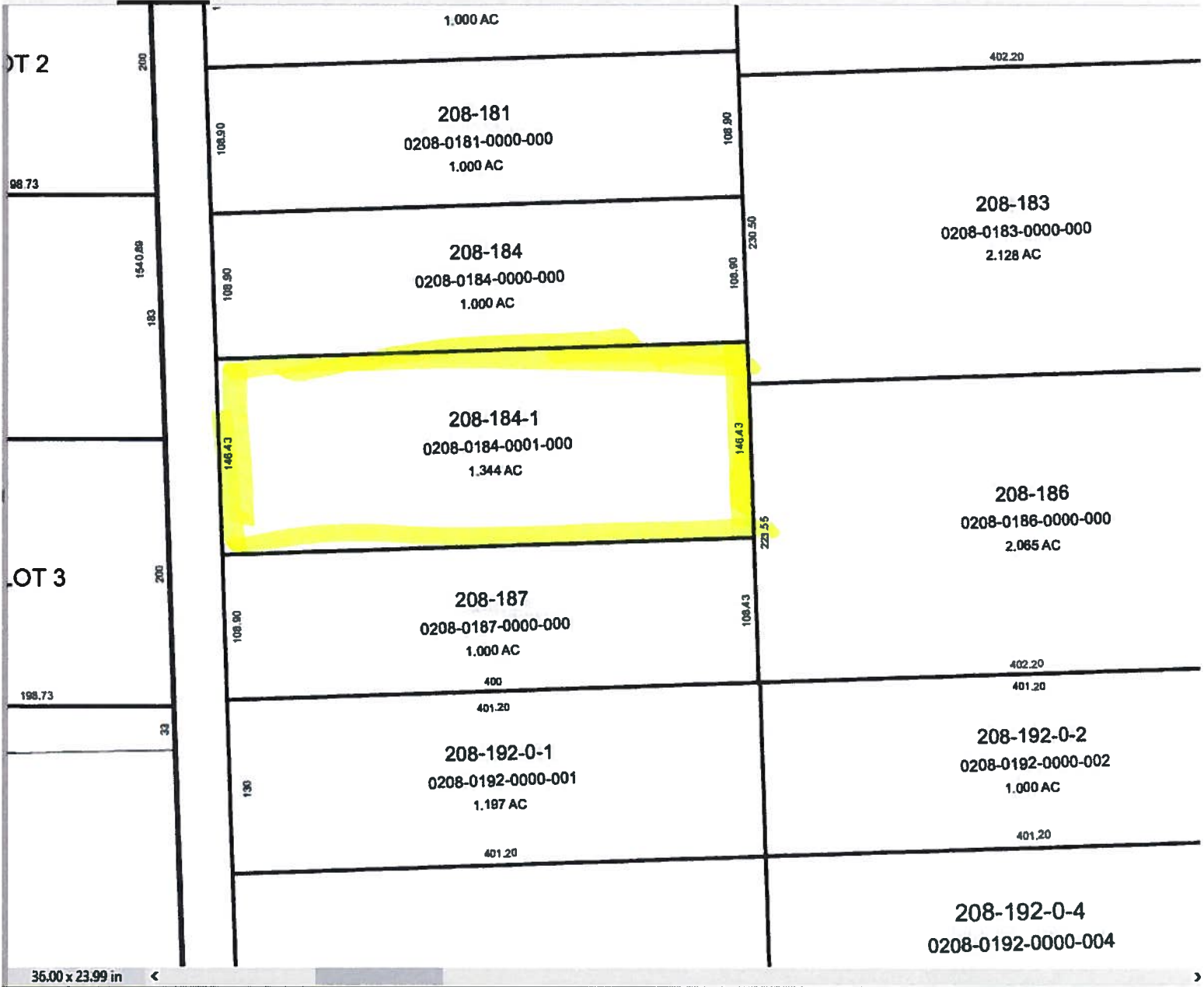
FOR OFFICE USE ONLY

Variance Number: VAR-18-1538 Fees Due: \$525.80

Date Submitted: 6.12.18 Payment: [blank]

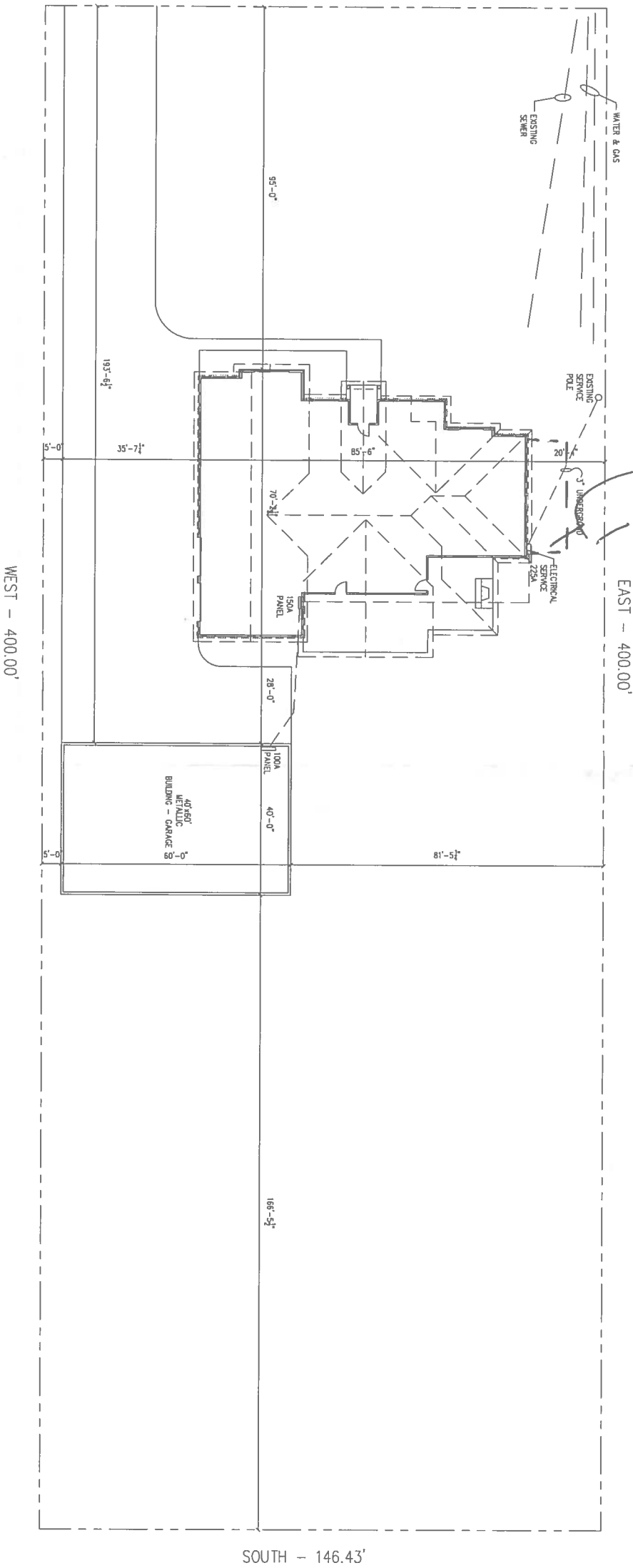
Plan Reviewer: _____ Date: _____ Approved Denied

Board Of Adjustments Meeting Date: _____ Approved Denied



E C R E T R O A D

NORTH - 146.43'



NORTH
1 SITE PLAN
 SCALE: 1/16" = 1'-0"

GENERAL NOTE:
 ALL UTILITIES AND CONSTRUCTION SHALL COMPLY WITH RC 2018
 AND ALL RESOLUTIONS OF THE CITY OF DICKINSON.

SITE NOTES:
 CONTRACTOR SHALL SET FINISH FLOOR OF HOUSE AT NO LESS THAN 12" ABOVE
 THE NEAREST SANITARY SEWER MANHOLE RIM.
 IF MANHOLE DOES NOT EXIST THE FINISH FLOOR SHALL NOT BE LESS
 THAN 4 INCHES ABOVE CROWN OF THE STREET.

A New House for Josh and Tara Broze
 5603 Ecret Road, Dickinson, Texas

C2Q Drafting Services, Inc.
 8715 POWER ROAD
 SANTA FE, TEXAS
 409-927-4054

DATE: 23 JANUARY, 2018
REVISIONS:
SHEET NO. A0.0

Board of Adjustments

ITEM 4

**Dickinson Board of Adjustments
Agenda Item Data Sheet**

MEETING DATE August 13, 2018

TOPIC: **CONSIDERATION AND POSSIBLE ACTION CONCERNING: VAR-18-1530**, A Variance Request To Section 18-49(B)(3) Of The Zoning Ordinance, Which Provides The Regulations For Height And Area Of Property And Structures Located In The Rural Residential (RR) Zoning District, The Request Is To Allow For A Minimum Side Setback Of Ten (10) Feet Instead Of The Required Twenty-Five (25) Feet, On Property Legally Described As Abstract 208 W K Wilson Survey Tract 184-1, Acres 1.344, Generally Located Generally Located North of N Humble Camp Road And East of Ecret Drive, With The Address Being 5603 Ecret Drive Dickinson, Texas 77539.

BACKGROUND: In the previous agenda item, the Board of Adjustments conducted a public hearing concerning a variance request from the provisions of Chapter 18 Zoning, Article IV Zoning Districts, Section 18-49(B)(3) Height And Area Of Property And Structures Located In The Rural Residential (RR) Zoning District. The applicant is requesting a variance from the provisions of Section 18-49(B)(3) in order to allow the principal structure be built to a side setback of ten (10) feet instead of the required Twenty-Five (25) feet.

RECOMMENDATION: **Staff Recommends Approval of the Variance**

ATTACHMENTS: • None

SUBMITTING STAFF MEMBER
Zachary Meadows, Director of Community Development

ACTIONS TAKEN		
APPROVAL	READINGS PASSED	OTHER
<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd	

Board of Adjustments

ITEM 5

Board of Adjustments

ITEM 6

ADJOURN

TIME: _____
MOTION: _____
SECOND: _____
VOTE: _____