Agenda Items

Hardships based solely on financial considerations, convenience, or it does not allow applicants to impair the application of these regulations for:

- The current or future use of adjacent properties for purposes for which they may be zoned;
- Conditions that are alleged to be “special” but that are actually common to many properties within the same zoning district.

The variance shall not be used to circumvent other procedures and standards of these regulations.

The variance will not have a detrimental impact upon:

Self or by

Public health, safety, morals, and general welfare of the community.

Non

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

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

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

Conditions that are alleged to be “special” but that are actually common to other properties in the same zoning district.

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 accordance with Section 13-401.B VARIANCES FROM DEVELOPMENT STANDARDS, the Zoning Board of Adjustment may grant a variance under this Section only if the determination in writing that all of the following are demonstrated:

- The variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a finding that the applicant is not aggrieved or would not be aggrieved by any other variance under any other section of the Galveston Land Development Regulations, Article 3, District Yard, Lot And Setback Addendum, For The Residential, Single-Family (R-1) Zoning District, To Reduce The Front Yard Setback. Property Is Legally Described As Lot 44, Wimcrest Addition, In The City And County Of Galveston, Texas. Applicant: Joshua Winkelmann Property Owner: Felicia Benavides

Public Comment can be submitted on-line: https://forms.galvestontx.gov/Forms/PublicComment or by calling 409-797-3665.

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes: August 5, 2020

Documents:

2020-08-05 ZBA MINUTES.PDF

5. Meeting Format (Staff)
6. Public Comment

Members of the public may submit a public comment using the web link below. All comments submitted prior to the meeting will be provided to the Planning Commission.

HTTPS://FORMS.GALVESTONTX.GOV/FORMS/PUBLICCOMMENT

a. Agenda Items
b. Non-Agenda Items

7. New Business And Associated Public Hearings


Documents:

20Z-012 PKT.PDF

8. Discussion Items

9. 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 August 28, 2020 at 10:00 A.M.
Due to said special conditions, the enforcement of the strict terms of these regulations does not allow applicants to impair the application of these regulations for:

- The variance shall not be used to circumvent other procedures and standards of these regulations.
- The current or future use of 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 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).

By granting the variance, the spirit of these regulations is observed and substantial justice is done.

**APPEAL FROM DECISION OF BOARD**

In accordance with Section 13-901 (l) of the Land Development Regulations, Should the applicant or City be aggrieved by or dissatisfied with the decision of the Zoning Board of Adjustment, the applicant or City may pursue all legal remedies to appeal the decision to a court of competent jurisdiction pursuant to Texas Local Government Code, Chapter 211.