



19Z-005 STAFF REPORT

ADDRESS:
 4628 Avenue S

LEGAL DESCRIPTION:
 Property is legally described as Lot 14, in Southwest Block 131, Galveston Outlets, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:
 Larry Thompson

PROPERTY OWNER:
 Elnita Brown

ZONING:
 Residential, Single Family Modified (R-1-Modified)

REQUEST:
 Variance from the Land Development Regulations, Article 3 Addendum for Residential, Single Family (R-1- Modified) Lot Area from 2,500 to 2,286

APPLICABLE ZONING LAND USE
 Residential, Single Family, Modified

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

EXHIBITS:
 A – Aerial Map
 B – Article 3, Addendum for R-1
 C – Proposed Replat Survey

STAFF:
 Janice Norman, Planning Manager
 409-797-3670
 Jnorman@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
28				

City Department Notification Responses:
 No objection from any City department



Background

On March 5, 2015, City Council approved a request to modify the setbacks and minimum lots standards in the Residential, Single Family (R-1) zoning district located west of 25th St, east of 61st Street, South of Broadway Boulevard, north of Seawall Boulevard and properties located South of Galveston Bay, north of Stewart Road, east of 105th Street and west of the Scholes Airport - zero (0) front, side and rear bldg. setback; minimum lot area shall be 2,500 sq. ft. No lot width or depth requirements.

Executive Summary:

The applicant is requesting a variance from the Galveston Land Development Regulations, Article 3, Addendum for the Residential, Single Family, Modified (R-1- Modified)

Land Development Regulations Article 3 Addendum for Urban Neighborhood (UN)

Modified:

Minimum Lot Standards

Area: 2,500 square feet

Requested Variance: Lot Area from 2,500 to 2,286 square feet.

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:
 - 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.
 - b. 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.
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.

Zoning and Land Use Table

Location	Zoning	Land Use
Subject Site	Residential, Single Family, Modified (R-1-M)	Residential
North	Residential, Single Family, Modified (R-1-M)	Residential
South	Residential, Single Family, Modified (R-1-M)	Residential
East	Residential, Single Family, Modified (R-1-M)	Residential
West	Residential, Single Family, Modified (R-1-M)	Residential

Applicant's Justification:

According to the applicant the properties are being divided to sell and there is a mature tree that is causing the property line to be moved more north reducing the lot area by 214 square feet.

Please see Agenda for Appeal from Decision of Board Process.

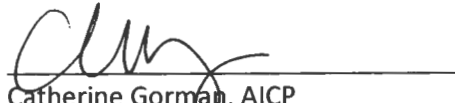
Respectfully submitted,



Janice Norman, Planning Manager

4/16/19

Date



Catherine Gorman, AICP
Assistant Director/HPO

4-16-19

Date

Development Services: Planning and Development Division



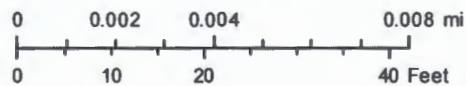
April 15, 2019

1:250

MHT_1000ft_DRAFT

Parcels

Lot lines



Galveston Central Appraisal District
 This data is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Any use of the information, therefore,

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SINGLE-FAMILY RESIDENTIAL (R-1)

Notes:

1. A site plan is required prior to the issuance of a building permit.
2. No side or rear yard required when adjacent to a canal or body of water.
3. No projection closer than 12 inches to a common property line. Projections include: roof eaves (up to 36 inches), window sills, belt courses, and other architectural features.
4. Sign, fence, and wall regulations apply.
5. Boat slips, boat docks, shade covers, or decking constructed over water do not require a setback provided the improvement built over water is part of the platted lot.
6. Accessory structures shall be limited to the provisions in Sec 3.305.
7. Only one principal structure and one ADU permitted, except as provided in Sec. 3.202.
8. Unlimited height from the east property line of Stewart Beach and eastward.
9. Zoning setbacks may be inconsistent with Building Code. Refer to Building Division to determine final building and fire code setbacks.
10. Properties located west of 25th St, east of 61st Street, South of Broadway Boulevard, north of Seawall Boulevard and properties located South of Galveston Bay, north of Stewart Road, east of 105th Street and west of the Scholes Airport - zero front, side and rear bldg. setback; minimum lot area shall be 2,500 sq. ft. No lot width or depth requirements. Note #3, above, is not applicable to properties described herein. (Ord. 15-029) (Ord. 16-030)



Minimum Lot Standards

Area:	5,000 square feet
Width:	50 feet
Depth:	100 feet

Setbacks

Front:	20 feet
Side:	3 feet
Rear:	10 feet

Building Height

Maximum:	50 feet, measured from base flood elevation
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Parking

Single -family:	One space per dwelling unit
Non-Residential:	Minimum 1 space per 300 square feet of floor area

Landscaping

Refer to Article 9, Landscaping of the City Land Development Regulations

*See note #10 above, for properties located west of 25th Street, east of 61st Street, South of Broadway Blvd. and north of Seawall Blvd. and properties located south of Galveston Bay, north of Stewart Road, east of 105th Street and west of the Scholes Airport



SCALE: 1" = 20'



S.W. BLOCK
OUTLOT 131

Lot 13

Lot 14

No. 4628
1-Story High Raised
Frame House

No. 2414
2-Story House
on Slab

47th STREET
(80' R.O.W.)

AVENUE S
(70' R.O.W.)

Angelo Grasso
TREES ON LOT 15