

**November 2, 2015**  
**Board of Adjustments Meeting**  
**6:30 p.m.**



Shamarion Barber  
Dawn King, Chairman  
Tim Philpot, Vice-Chairman

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

Lauren White  
Allen Carlisle  
Ronald Hebert

**November 2, 2015**

**NOTICE** is hereby given of a **Regular Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Monday, November 2, 2015 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 October 5, 2015 Special Meeting.
- ITEM 3) PUBLIC HEARING CONCERNING:** A variance request to Section 18-55(b)(7) of the Zoning Ordinance, which states that the minimum parking lot setback from property lines zoned "NC through G1", inclusive, shall be a minimum of ten (10) feet, on property legally described as Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D and Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D. Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3 Dickinson, Texas 77539.
- A. Staff's Presentation of the Zoning Case
  - B. Applicant's Statement
  - C. Those In Favor
  - D. Those Opposed
  - E. Applicant's Rebuttal
- ITEM 4) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A variance request to Section 18-55(b)(7) of the Zoning Ordinance, which states that the minimum parking lot setback from property lines zoned "NC through G1", inclusive, shall be a minimum of ten (10) feet, on property legally described as Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D and Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D. Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3

Dickinson, Texas 77539.

**ITEM 5) PUBLIC HEARING CONCERNING:** A variance request to Section 18-103 of the Zoning Ordinance, which provides the requirements for drive-in and drive-through stacking distances for certain businesses, the request is to allow three (3) vehicles per window instead of the required four (4) and that the minimum width per lane be reduced from the required twelve (12) feet down to nine (9) feet, on property legally described as Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D and Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D. Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3 Dickinson, Texas 77539.

- A. Staff's Presentation of the Zoning Case
- B. Applicant's Statement
- C. Those In Favor
- D. Those Opposed
- E. Applicant's Rebuttal

**ITEM 6) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A variance request to Section 18-103 of the Zoning Ordinance, which provides the requirements for drive-in and drive-through stacking distances for certain businesses, the request is to allow three (3) vehicles per window instead of the required four (4) and that the minimum width per lane be reduced from the required twelve (12) feet down to nine (9) feet, on property legally described as Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D and Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D. Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3 Dickinson, Texas 77539.

**ITEM 7) ADJOURN**

## CERTIFICATION

This is to certify that a copy of the notice of a Regular Meeting of the Board of Adjustments Commission for **November 2, 2015**, was posted on the bulletin board at City Hall, 4403 State Highway 3, Dickinson, Texas, on or before the **29th day of October 2015**, prior to 5:00 p.m.

*Carolyn E. Anderson*

Carolyn E. Anderson, 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) 337-2489, ext. 217.*

**CITY OF DICKINSON, TEXAS  
BOARD OF ADJUSTMENT  
ATTENDANCE LIST**

**MEETING DATE: November 2, 2015**

**BOARD MEMBERS**

**PRESENT**

**ABSENT**

SHAMARION BARBER

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TIM PHILPOT

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DAWN KING

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LAUREN WHITE

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ALLEN CARLISLE

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**ALTERNATE MEMBERS**

RONALD HEBERT

\_\_\_\_\_

\_\_\_\_\_

Shamarion Barber  
Dawn King, Chairman  
Tim Philpot, Vice-Chairman

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

Lauren White  
Allen Carlisle  
Ronald Hebert

**October 5, 2015**

**NOTICE** is hereby given of a **Regular Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Monday, October 5, 2015 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

Dawn King called the meeting to order at 6:32 p.m. Permit Technician, Charlotte Hughes called roll and certified a quorum. Boards of Adjustment Members present were as follows: Chairman Dawn King, Vice-Chairman Tim Philpot, Shamarion Barber, Lauren Whit, and Allen Carlisle. Also present was Director of Community Development Zachary Meadows.

**ITEM 2) CONSIDERATION AND POSSIBLE ACTION REGARDING:** Approval of the Minutes of the September 14, 2015 Special Meeting.

Board Member Shamarion Barber made a motion to approve the minutes of the September 14, Special Meeting as presented and Board Member Allen Carlisle seconded the motion.

**VOTE:**

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

**MOTION PASSED**

**ITEM 3) PUBLIC HEARING CONCERNING:** A variance request to allow an already installed fence that is not in compliance with Section 18-157 of the Zoning Ordinance, which regulates fence requirements in the adopted Overlay District, on property legally described as Abstract 19 Perry & Austin Lots 43-46 & Lots 51-53 O/L 199 Addition D Central Park. Generally located west of Hwy 3 and south of Central Street with address being 2606 Central Street.

Chairman King opened the Public Hearing at 6:32 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zachary Meadows provided the Board with an explanation of the variance request, letting the Board know that the fence had already been installed with the permission of City Staff, however the permission was given before full understanding of the zoning ordinance. Representatives from the Ministry of Encouragement Church gave more information on top of the background discussed by Staff.

B. Those In Favor

No one spoke in favor of the of the proposed variance request

C. Those Opposed

No one spoke opposed of the proposed variance request

D. Applicant's Rebuttal

None.

Chairman King closed the public hearing at 6:40 p.m.

**ITEM 4) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A variance request to allow an already installed fence that is not in compliance with Section 18-157 of the Zoning Ordinance, which regulates fence requirements in the adopted Overlay District, on property legally described as Abstract 19 Perry & Austin Lots 43-46 & Lots 51-53 O/L 199 Addition D Central Park. Generally located west of Hwy 3 and south of Central Street with address being 2606 Central Street.

After a brief discussion among staff and Board Members, Board Member Shamarion Barber made a motion to approve the variance with the additional gates to complete the fence and that the church complies with the landscaping requirements of the Cites overlay district. Board Member Lauren White seconded the motion.

**VOTE:**

5 AYES (Barber, Carlisle, King, Philpot, White)

0 NAYS

**MOTION PASSED**

**ITEM 5) PUBLIC HEARING CONCERNING:** A variance request to Section 18-97(1) of the Zoning Ordinance, which allows for a joint parking facility used

for shared parking for businesses in a common building, shopping center, or other integrated complex on property legally described as Abstract 19 Perry & Austin All N 250 Feet E Benson Gully Block 157 & Adjacent 31 X 257 X 55 X 250 Feet Block 156 Addition Dickinson. Generally located west of Wagon Road and north of FM 517 with the address being 2015 FM 517.

Chairman King opened the public hearing at 6:52 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zachary Meadows provided the Board with an explanation of the variance request, letting the Board know that the Site Development Plan had been approved with Planning & zoning Commission with the condition that this variance request was approved by the Board of Adjustments. Representatives from Dickinson BBQ, and the developer for the new restraint gave more information on top of the background discussed by Staff.

B. Those In Favor

No one spoke in favor of the proposed variance request

C. Those Opposed

Adjacent neighbors living directly behind Dickinson BBQ and the proposed new restaurant, stating that they had concerns with the times that trash pick-up would occur and the possible loud music that would come from the restaurant that would carry into their backyards.

D. Applicant's Rebuttal

Keith Lilly addressed all of the neighbors' concerns and stated that they would be nothing but good neighbors through the whole process.

Chairman King closed the public hearing at 7:08 p.m.

- ITEM 6) CONSIDERATION AND POSSIBLE ACTION REGARDING:** A variance request to Section 18-97(1) of the Zoning Ordinance, which allows for a joint parking facility used for shared parking for businesses in a common building, shopping center, or other integrated complex on property legally described as Abstract 19 Perry & Austin All N 250 Feet E Benson Gully Block 157 & Adjacent 31 X 257 X 55 X 250 Feet Block 156 Addition Dickinson. Generally located west of Wagon Road and north of FM 517

with the address being 2015 FM 517.

After a brief discussion among staff and Board Members, Board Member Allen Carlisle made a motion to approve the variance and Board Member Shamarion Barber seconded the motion.

**VOTE:**

5 AYES (Barber, Carlisle, King, Philpot, White)

0 NAYS

**MOTION PASSED**

**ITEM 7) ADJOURN**

Board Member Allen Carlisle made a motion to adjourn, and Vice-Chairman Tim Philpot seconded the motion.

**VOTE:**

5 AYES (Barber, Carlisle, King, Philpot, White)

0 NAYS

**MOTION PASSED**

The meeting was adjourned at 7:29 p.m.

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Dawn King, Chairman

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

**MEETING DATE**            November 2, 2015

<b>TOPIC:</b>	Conduct A Public Hearing For A Variance Request To Section 18-55(B)(7) Of The Zoning Ordinance, Which States That The Minimum Parking Lot Setback From Property Lines Zoned "NC Through G1", Inclusive, Shall Be A Minimum Of Ten (10) Feet, On Property Legally Described As Abstract 19 Page 9 Part Of Lot 188 (188-7) Dickinson Addition D And Abstract 19 Perry & Austin Survey Part Of Lot 188 (0-4) Dickinson Addition D. Generally Located East Of State Highway 3 And South Of Oak Park With The Address Being 3901 ½ And 3911 Hwy 3 Dickinson, Texas 77539.
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<b>BACKGROUND:</b>	<p>Waterman Steele, on behalf of Amegy Bank is requesting a variance to the parking lot setback requirement of the Zoning Ordinance. Amegy Bank currently located at 2401 Termini Street, where the lease the building from Astra properties.</p> <p>Amegy Bank is looking to relocate to a property where they can have a stand-alone building, and they have selected the site at 3901 ½ and 3911 Hwy 3, for this purpose. This property is located in the overlay district and because of the additional requirements placed on the property, Amegy has found it difficult to meet all of the zoning requirements, thus they are asking for a couple variances in order to make the project work.</p> <p>The proposed site plan which is attached shows a slight encroachment into the required ten (10) foot setback.</p> <p>The ordinance requires a public hearing for all variance requests.</p>
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<b>RECOMMENDATION:</b>	None
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<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Variance Request Application</li><li>• Section 18-55 of Zoning Ordinance</li><li>• Site Plan</li><li>• 200 foot radius map of the property</li><li>• Public Hearing Notice</li></ul>
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<b>SUBMITTING STAFF MEMBER:</b>	Zach Meadows, Director of Community Development
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**ACTIONS TAKEN**

<b>APPROVAL</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>OTHER</b>
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ck # 1883

VAR-15-1332

Pd 700.00

### COMMUNITY DEVELOPMENT VARIANCE APPLICATION

## PROPERTY

Address 3901 1/2 & 3911 Hwy 3, Dickinson, TX, 77539

Legal Description 3901 1/2 Hwy 3 - ABST 19 PAGE 9 PT OF LOT 188 (188-7) DICKINSON ADDN D  
3911 Hwy 3 - ABST 19 PERRY & AUSTIN SUR PT OF LOT 188 (0-4) DICKINSON ADDN D

Present Zoning General Commercial District, Hwy 3 Overlay District, Sub-District 1

- A basic diagram of the property, surrounding property and public roadways on 8 1/2 x 11 or 8 1/2 x 14 paper including basic dimensions must be attached.

## OWNER

Name(s) LPTP, LLC - Joshua Cox	Phone#/Fax/Email 713-575-3703 JCox@watermansteele.com
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Mailing Address (Street, City, State, Zip) 1177 West Loop South, Suite 940  
Houston, TX 77027

## APPLICANT/AGENT

Name(s)	Phone#/Fax/Email
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Mailing Address (Street, City, State, Zip)

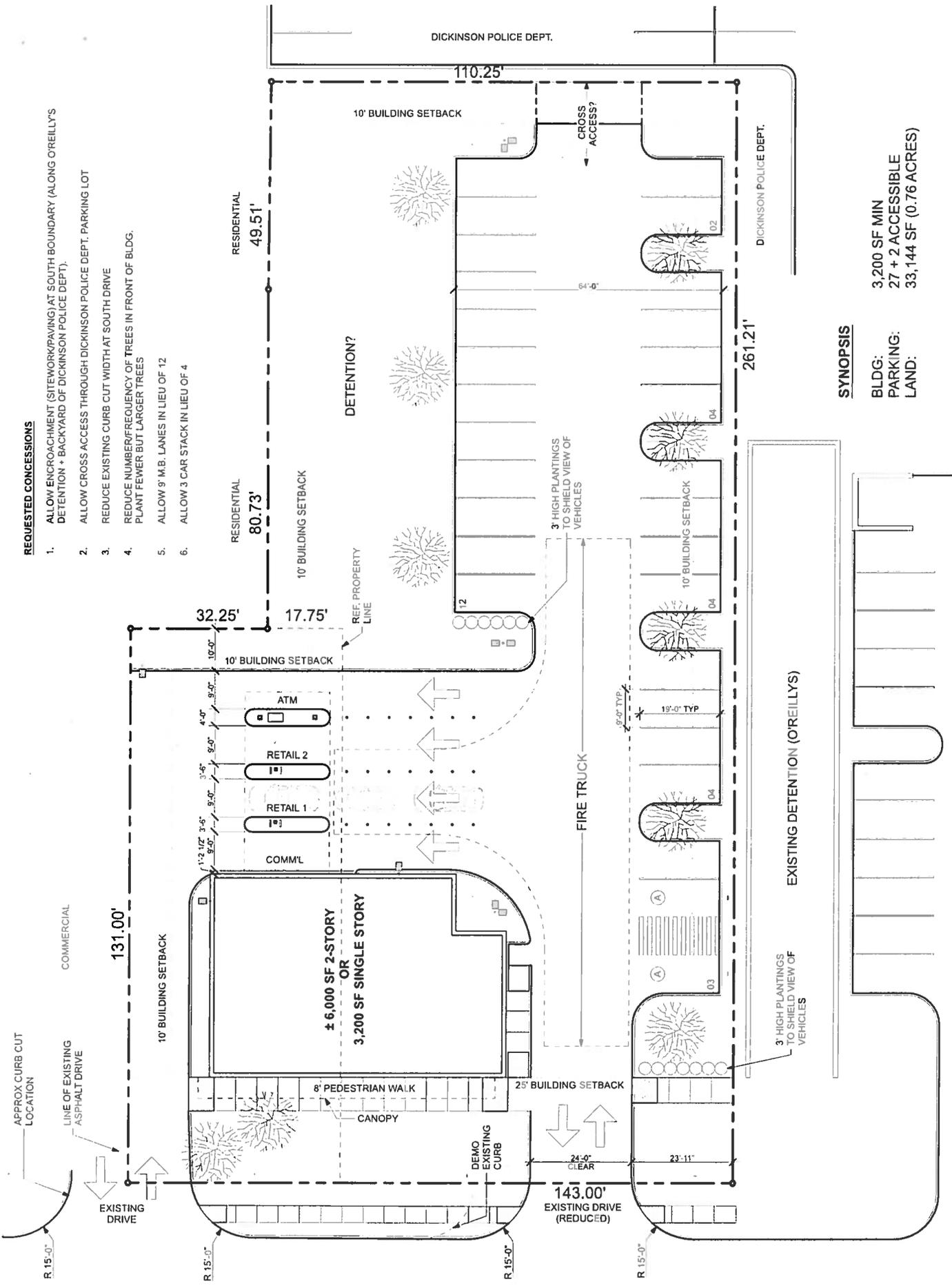
- A notarized letter of authorization from the property owner(s) must be attached.

## DESCRIPTION

Describe the variance being requested.  
Please see attached site plan notes under "Requested Concessions".

I hereby certify that the above information is true to the best of my knowledge.   
SIGNATURE (Applicant/Owner)

RECEIVED (Date, Time, Staff Signature) 10-03-15 05:12 RCVD 	BOARD OF ADJUSTMENTS HEARING DATE Nov 2, 2015
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**REQUESTED CONCESSIONS**

1. ALLOW ENCRoACHMENT (SITeWORK/PAVING) AT SOUTH BOUNDARY (ALONG O'REILLY'S DETENTION + BACKYARD OF DICKINSON POLICE DEPT).
2. ALLOW CROSS ACCESS THROUGH DICKINSON POLICE DEPT. PARKING LOT
3. REDUCE EXISTING CURB CUT WIDTH AT SOUTH DRIVE
4. REDUCE NUMBER/FREQUENCY OF TREES IN FRONT OF BLDG. PLANT FEWER BUT LARGER TREES
5. ALLOW 9' M.B. LANES IN LIEU OF 12
6. ALLOW 3 CAR STACK IN LIEU OF 4

**SYNOPSIS**

BLDG: 3,200 SF MIN  
 PARKING: 27 + 2 ACCESSIBLE  
 LAND: 33,144 SF (0.76 ACRES)

STATE HIGHWAY 3

**Sec. 18-55. - General commercial "GC" district.**

(3) Minimum yards:

a. Front: Twenty-five (25) feet.

Fifty (50) feet from I.H. 45 right-of-way.

b. Side: Ten (10) feet or ten (10) percent of the lot width, whichever is greater, "but not more than twenty five (25) feet."

Twenty (20) feet when adjacent to a residential district. Buildings over twenty (20) feet in height shall set back an additional one (1) foot for each additional two (2) feet in height.

c. Corner: Twenty-five (25) feet.

Fifty (50) feet from I.H. 45 right-of-way.

d. Rear: Ten (10) feet.

Twenty-five (25) feet when adjacent to a residential district. Buildings over twenty (20) feet in height shall set back an additional one (1) foot for each additional two (2) feet in height.

(4) Lot coverage: Forty (40) percent of lot area, including principal and accessory buildings.

(5) Minimum lot width: Seventy-five (75) feet.

Eighty-five (85) feet corner lot.

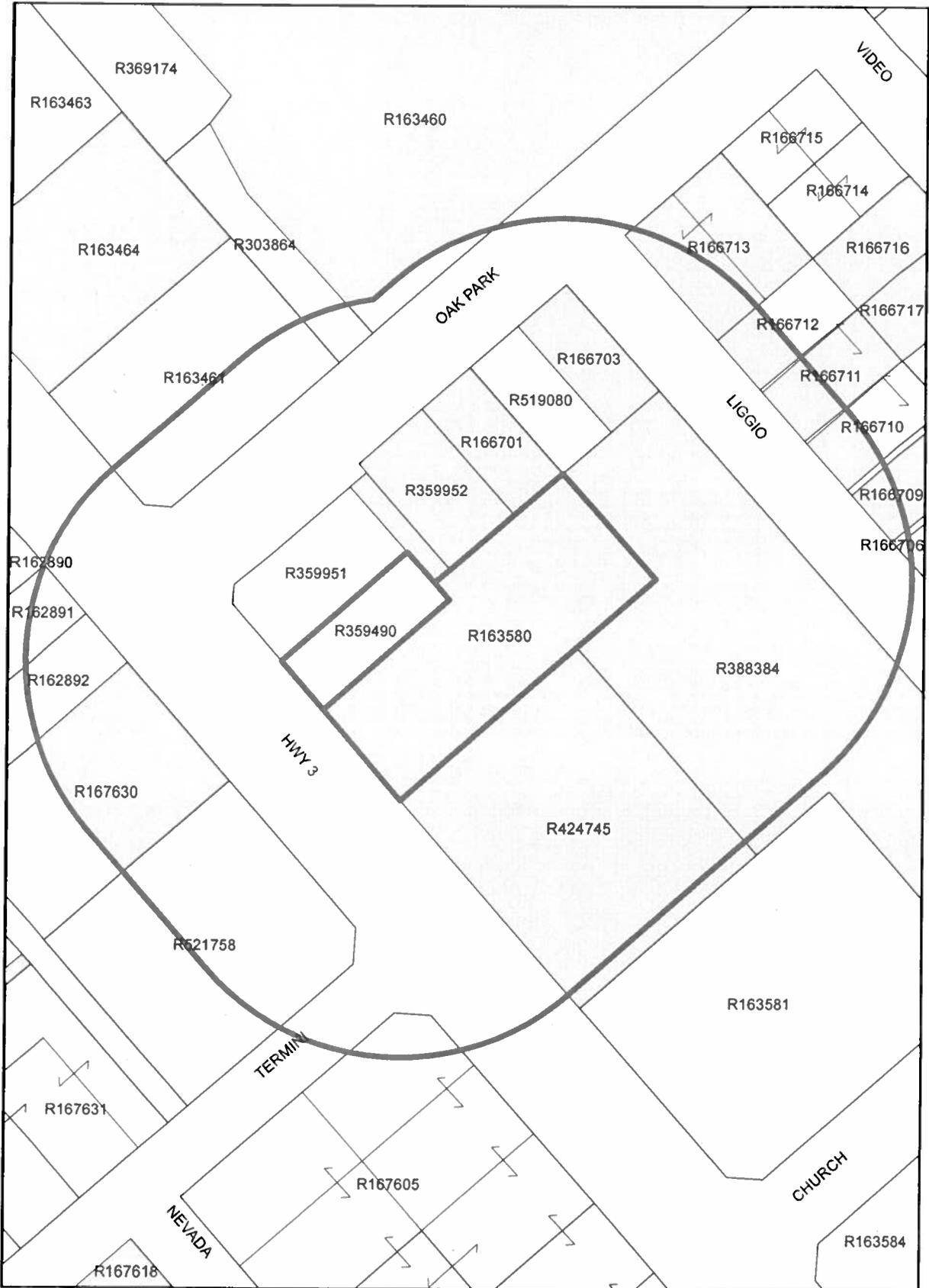
(6) Minimum lot depth: One hundred (100) feet.

(7) Minimum parking lot setback: Fifteen (15) feet from street right-of-way.

Ten (10) feet from property lines of districts zoned "NC" through "GI", inclusive.

Twenty (20) feet when adjacent to a residential district.

(Ord. No. 420-2001, § 1, 7-24-01; Ord. No. 508-2003, § 7, 1-13-04; Ord. No. 557-2005, §§ 6, 9, 8-9-05; Ord. No. 747-2012, § 3, 9-11-12)



ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R162890	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R162891	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R162892	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R163460	ISD-DICKINSON	2218 FM 517			DICKINSON	TX	77539
R163461	RJK GROUP LLC	PO BOX 590992			HOUSTON	TX	77259-0992
R163580	TONY, ROMANY W & VENICE S	212 GREEN CEDAR DR			LEAGUE CITY	TX	77573
R166701	GWOSDZ, PAUL & LOUISE	3615 BROAD ST			HOUSTON	TX	77087
R166703	CLEMENTS, DEBORAH	4418 LORINDA DR			HOUSTON	TX	77018-1113
R166706	HOLT, LISA	4001 LIGGIO ST			DICKINSON	TX	77539
R166709	POWERS, GEORGE A & KIMBERLY	13711 COUNTRY GREEN CT			HOUSTON	TX	77059
R166710	MARTINO, MARY P	3919 LIGGIO ST			DICKINSON	TX	77539-5117
R166711	RHOADS, CLAIRE MARIE	3915 LIGGIO ST			DICKINSON	TX	77539-5117
R166712	NEITZEL, ROGER D	3313 BLUE WING DR			DICKINSON	TX	77539-4024
R166713	RAPP, GREG & ROSE ANN	5401 PALM DR			DICKINSON	TX	77539-6705
R167605	WALGREENS CO	REAL ESTATE TAX DEPARTMENT	PO BOX 1159		DEERFIELD	IL	60015
R167630	ASTRA PROPERTIES LLC	13630 BEMEAMER RD STE 107			HOUSTON	TX	77089
R303864	CITY-DICKINSON	2716 MAIN ST			DICKINSON	TX	77539-5137
R359490	ADAMS, THERESA & CHARLES E	DBA-BILLS RADIATOR SHOP	3901 1/2 HIGHWAY 3		DICKINSON	TX	77539-5160
R359951	TITTLE, WILLIAM J & LINDA	DBA - B&G GLASS	3802 COUNTY ROAD 034		JASPER	TX	75951-6225
R359952	WASKO, WILLIAM J	#4 STEVEN LUKE LN			FRIENDSWOOD	TX	77546
R388384	CITY-DICKINSON	2716 MAIN ST			DICKINSON	TX	77539-5137
R424745	O'REILLY AUTO ENTERPRISES LLC	PO BOX 1156	223 S PATTERSON		SPRINGFIELD	MO	65802
R519080	JIMENEZ, JUAN J	2718 OAK PARK ST			DICKINSON	TX	77539-5120
R521758	COLE FD PORTFOLIO IV LLC	C/O FAMILY DOLLAR STORE #8455 TAX DEPT	PO BOX 1017		CHARLOTTE	NC	28201-1017



## Notice of Public Hearing

This notice is provided in accordance with Dickinson Code of Ordinances Section 18-20. It will be sent to all property owners within 200' of the property listed below regarding Zoning Variance Requests. You are welcome to attend the public hearing to learn more about the proposed project and/or to voice your opinions on this proposal.

**Legal Description:** Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D.

Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D.

**Location:** Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3 Dickinson, Texas 77539.

**Variance Requested:** A variance request to Section 18-103 of the Zoning Ordinance, which provides the requirements for drive-in and drive-through stacking distances for certain businesses, the request is to allow three (3) vehicles per window instead of the required four (4) and that the minimum width per lane be reduced from the required twelve (12) feet down to nine (9) feet.

A variance request to Section 18-55(b)(7) of the Zoning Ordinance, which states that the minimum parking lot setback from property lines zoned "NC through G1", inclusive.

**Meeting Date:** **Board of Adjustments** – Monday, November 2, 2015 at 6:30 p.m.

**Meeting Location:** 4403 Hwy 3  
Dickinson City Hall  
Council Chambers  
Dickinson, TX 77539

If you would like additional information regarding the details of this proposal, please contact Zach Meadows, City of Dickinson Director of Community Development, at (281) 337-6286.

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

**MEETING DATE**            November 2, 2015

<b>TOPIC:</b>	Consideration And Possible Action Concerning A Variance Request To Section 18-55(B)(7) Of The Zoning Ordinance, Which States That The Minimum Parking Lot Setback From Property Lines Zoned "NC Through G1", Inclusive, Shall Be A Minimum Of Ten (10) Feet, On Property Legally Described As Abstract 19 Page 9 Part Of Lot 188 (188-7) Dickinson Addition D And Abstract 19 Perry & Austin Survey Part Of Lot 188 (0-4) Dickinson Addition D. Generally Located East Of State Highway 3 And South Of Oak Park With The Address Being 3901 ½ And 3911 Hwy 3 Dickinson, Texas 77539.
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<b>BACKGROUND:</b>	This is the consideration and possible action item related to the proceeding public hearing.
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<b>RECOMMENDATION:</b>	Staff Recommends Approval
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<b>ATTACHMENTS:</b>	None
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<b>SUBMITTING STAFF MEMBER:</b>	Zach Meadows, Director of Community Development
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**ACTIONS TAKEN**

<b>APPROVAL</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>OTHER</b>
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**Dickinson Board of Adjustments  
Agenda Item Data Sheet**

**MEETING DATE**            November 2, 2015

<b>TOPIC:</b>	Conduct A Public Hearing For A Variance Request To Section 18-103 Of The Zoning Ordinance, Which Provides The Requirements For Drive-In And Drive-Through Stacking Distances For Certain Businesses, The Request Is To Allow Three (3) Vehicles Per Window Instead Of The Required Four (4) And That The Minimum Width Per Lane Be Reduced From The Required Twelve (12) Feet Down To Nine (9) Feet, On Property Legally Described As Abstract 19 Page 9 Part Of Lot 188 (188-7) Dickinson Addition D And Abstract 19 Perry & Austin Survey Part Of Lot 188 (0-4) Dickinson Addition D. Generally Located East Of State Highway 3 And South Of Oak Park With The Address Being 3901 ½ And 3911 Hwy 3 Dickinson, Texas 77539.
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<b>BACKGROUND:</b>	<p>Waterman Steele, on behalf of Amegy Bank is requesting a variance to the parking lot setback requirement of the Zoning Ordinance. Amegy Bank currently located at 2401 Termini Street, where the lease the building from Astra properties.</p> <p>Section 18-103 of the Zoning Ordinance regulates general drive-through and stacking requirements for both restaurants and financial institutions. Amegy is seeking a variance to this section of the zoning ordinance to allow a total of three (3) vehicles at a time to be stacked in a lane as opposed to four (4) vehicles as required, and to allow the width of each lane to be nine (9) feet as opposed to the required twelve (12) feet.</p> <p>The ordinance requires a public hearing for all variance requests.</p>
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<b>RECOMMENDATION:</b>	None
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<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• Variance Request Application</li><li>• Section 18-103 of Zoning Ordinance</li><li>• Site Plan</li><li>• 200 foot radius map of the property</li><li>• Public Hearing Notice</li></ul>
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<b>SUBMITTING STAFF MEMBER:</b>	Zach Meadows, Director of Community Development
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<b>ACTIONS TAKEN</b>	
<b>APPROVAL</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>OTHER</b>



ck # 1883

VAR-15-1332

Pd 700.00

### COMMUNITY DEVELOPMENT VARIANCE APPLICATION

## PROPERTY

Address 3901 1/2 & 3911 Hwy 3, Dickinson, TX, 77539

Legal Description 3901 1/2 Hwy 3 - ABST 19 PAGE 9 PT OF LOT 188 (188-7) DICKINSON ADDN D  
3911 Hwy 3 - ABST 19 PERRY & AUSTIN SUR PT OF LOT 188 (0-4) DICKINSON ADDN D

Present Zoning General Commercial District, Hwy 3 Overlay District, Sub-District 1

- A basic diagram of the property, surrounding property and public roadways on 8 1/2 x 11 or 8 1/2 x 14 paper including basic dimensions must be attached.

## OWNER

Name(s) LPTP, LLC - Joshua Cox Phone#/Fax/Email 713-575-3703  
JCox@watermansteele.com

Mailing Address (Street, City, State, Zip) 1177 West Loop South, Suite 940  
Houston, TX 77027

## APPLICANT/AGENT

Name(s) Phone#/Fax/Email

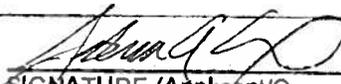
Mailing Address (Street, City, State, Zip)

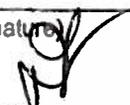
- A notarized letter of authorization from the property owner(s) must be attached.

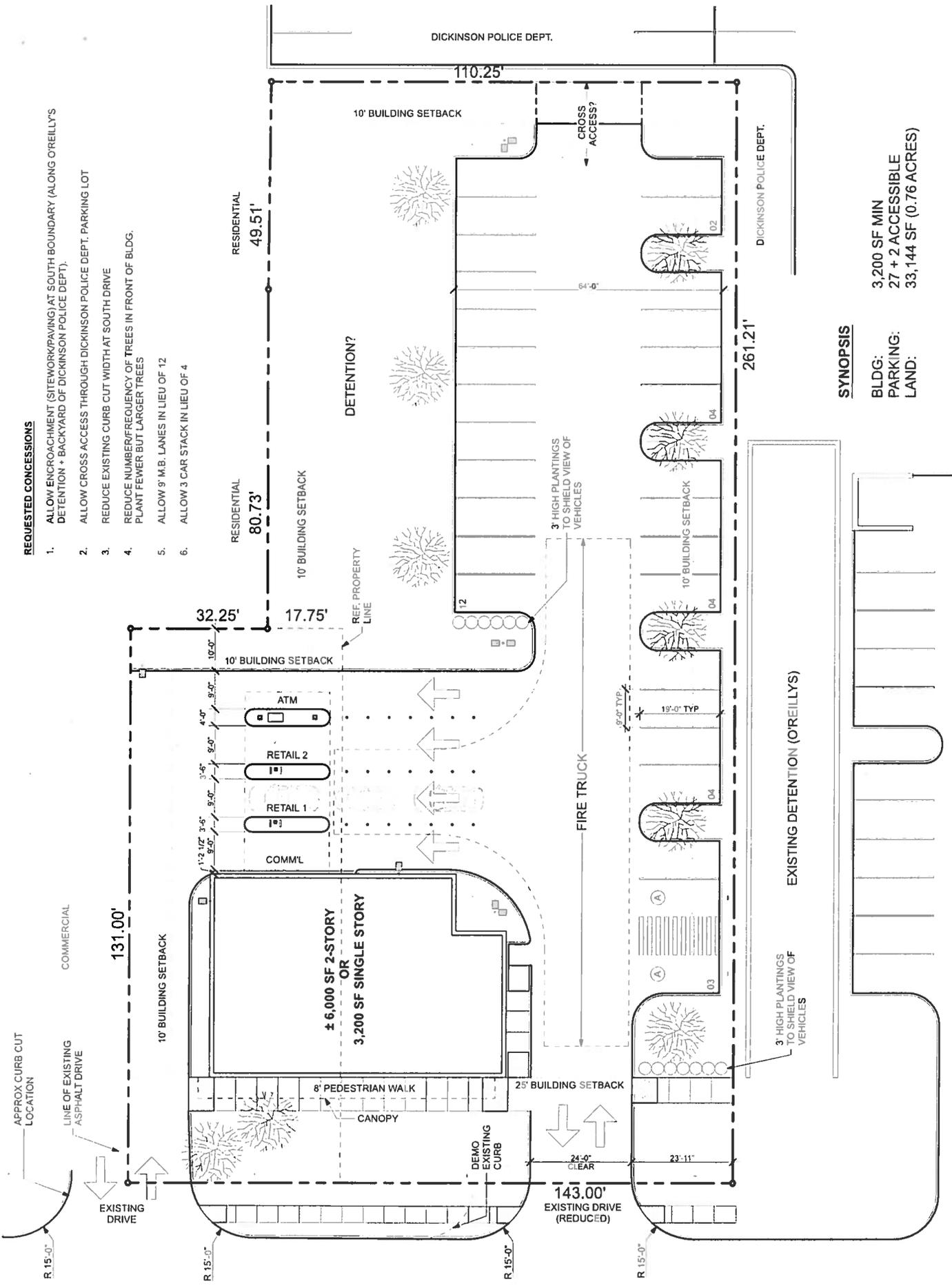
## DESCRIPTION

Describe the variance being requested.  
Please see attached site plan notes under "Requested Concessions".

I hereby certify that the above information is true to the best of my knowledge.

  
SIGNATURE (Applicant/Owner)

RECEIVED (Date, Time, Staff Signature) BOARD OF ADJUSTMENTS HEARING DATE  
10-03-15 05:12 RCVD  Nov 2, 2015



**REQUESTED CONCESSIONS**

1. ALLOW ENCRoACHMENT (SITEWORK/PAVING) AT SOUTH BOUNDARY (ALONG O'REILLY'S DETENTION + BACKYARD OF DICKINSON POLICE DEPT).
2. ALLOW CROSS ACCESS THROUGH DICKINSON POLICE DEPT. PARKING LOT
3. REDUCE EXISTING CURB CUT WIDTH AT SOUTH DRIVE
4. REDUCE NUMBER/FREQUENCY OF TREES IN FRONT OF BLDG. PLANT FEWER BUT LARGER TREES
5. ALLOW 9' M.B. LANES IN LIEU OF 12
6. ALLOW 3 CAR STACK IN LIEU OF 4

**SYNOPSIS**

BLDG: 3,200 SF MIN  
 PARKING: 27 + 2 ACCESSIBLE  
 LAND: 33,144 SF (0.76 ACRES)

STATE HIGHWAY 3

**Sec. 18-103. - Drive-in and drive-through stacking distance requirements.**

Uses that have drive-through window services, unless otherwise provided below, shall provide a minimum stacking distance of one hundred sixty (160) feet, of which eighty (80) feet shall be provided to the menu board, exclusive of any aisle or parking space. The following drive-in and drive-through facilities shall conform to the following requirements.

Type of Operation	Minimum Number of Vehicles
Financial institution with drive-up tellers	4 vehicles per window or kiosk
Financial institution with drive-up ATM	2 vehicles per window or kiosk
Car wash—Self service	4 vehicles per bay at entrance 1 vehicle per bay at exit
Car wash—Automatic, conveyor	300 feet per bay at entrance 2 vehicles per bay at exit
Fast food restaurant	4 vehicle behind menu board 4 vehicle behind first window
Photo processing	2 vehicles per window
Dry cleaning	2 vehicles per window
Gasoline stations	2 vehicles per pump
Gated parking lot entrance, unit or overhead door	1 vehicle per gate/door
Day care centers and schools	As specified in the approved site development plan

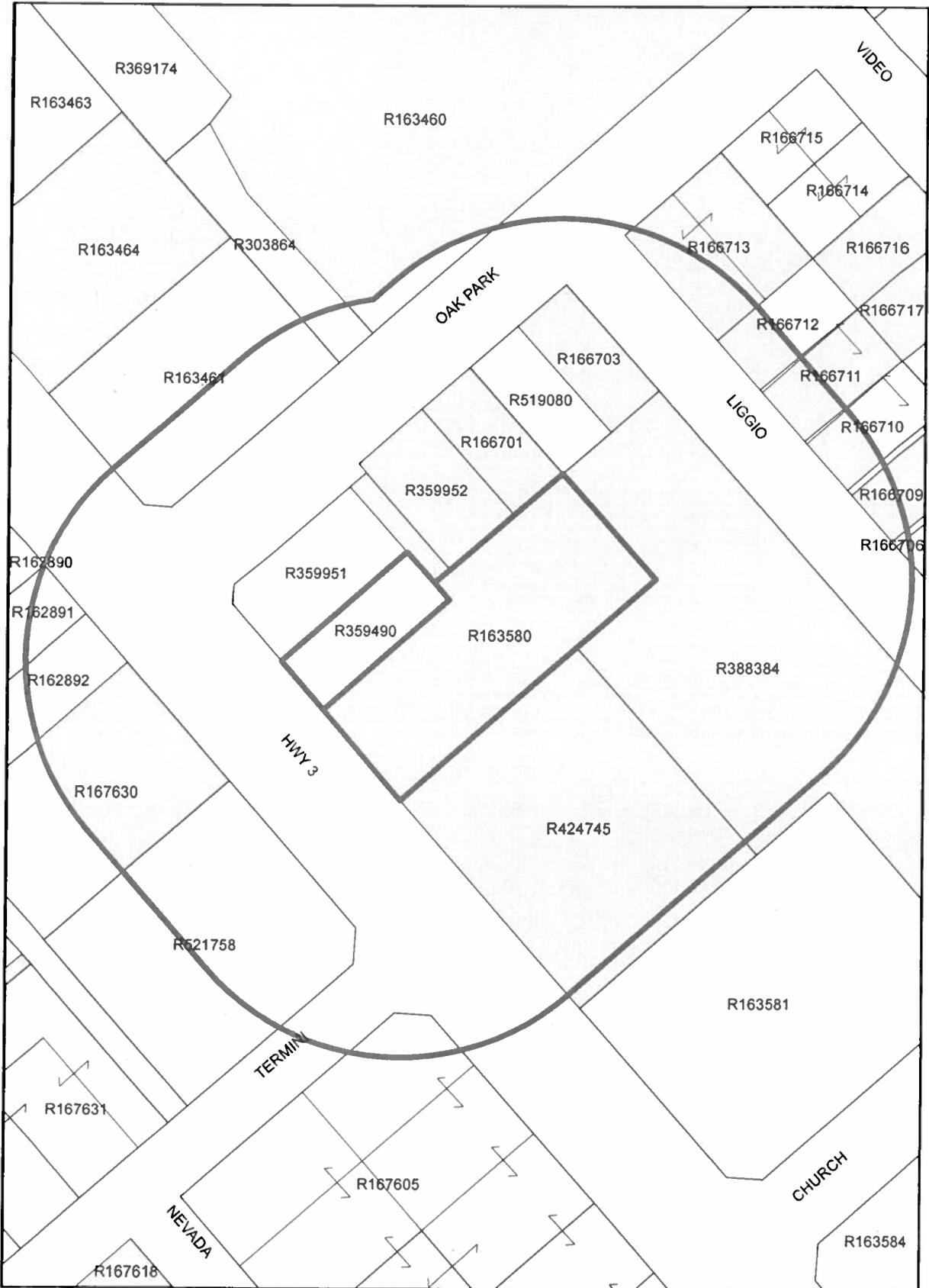
These minimum vehicle storage requirements shall remain in force, unless the applicant can present a traffic study from a professional engineer that provides verifiable evidence to allow the reduction of these minimum stacking lengths. Deviations from these requirements shall be approved by the zoning official.

Stacking for all uses shall conform to the following standards:

- (1) No stacking space may occupy any portion of a public right-of-way.
- (2) The minimum pavement lane width shall be twelve (12) feet.

- (3) Stacking spaces shall not be used to satisfy any of the off-street parking or loading requirements.
- (4) Stacking lanes shall not interfere with parking spaces, parking aisles, loading areas, internal site circulation, or driveways.
- (5) A twelve-foot by-pass lane is required adjacent to the stacking lane to allow vehicles to circumvent the drive-through lane.

(Ord. No. 420-2001, § 1, 7-24-01)



ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R162890	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R162891	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R162892	OLIVERI, ROSALIE ANZALDUA	3012 SEA PINES PL			LEAGUE CITY	TX	77573-4433
R163460	ISD-DICKINSON	2218 FM 517			DICKINSON	TX	77539
R163461	RJK GROUP LLC	PO BOX 590992			HOUSTON	TX	77259-0992
R163580	TONY, ROMANY W & VENICE S	212 GREEN CEDAR DR			LEAGUE CITY	TX	77573
R166701	GWOSDZ, PAUL & LOUISE	3615 BROAD ST			HOUSTON	TX	77087
R166703	CLEMENTS, DEBORAH	4418 LORINDA DR			HOUSTON	TX	77018-1113
R166706	HOLT, LISA	4001 LIGGIO ST			DICKINSON	TX	77539
R166709	POWERS, GEORGE A & KIMBERLY	13711 COUNTRY GREEN CT			HOUSTON	TX	77059
R166710	MARTINO, MARY P	3919 LIGGIO ST			DICKINSON	TX	77539-5117
R166711	RHOADS, CLAIRE MARIE	3915 LIGGIO ST			DICKINSON	TX	77539-5117
R166712	NEITZEL, ROGER D	3313 BLUE WING DR			DICKINSON	TX	77539-4024
R166713	RAPP, GREG & ROSE ANN	5401 PALM DR			DICKINSON	TX	77539-6705
R167605	WALGREENS CO	REAL ESTATE TAX DEPARTMENT	PO BOX 1159		DEERFIELD	IL	60015
R167630	ASTRA PROPERTIES LLC	13630 BEMEAMER RD STE 107			HOUSTON	TX	77089
R303864	CITY-DICKINSON	2716 MAIN ST			DICKINSON	TX	77539-5137
R359490	ADAMS, THERESA & CHARLES E	DBA-BILLS RADIATOR SHOP	3901 1/2 HIGHWAY 3		DICKINSON	TX	77539-5160
R359951	TITTLE, WILLIAM J & LINDA	DBA - B&G GLASS	3802 COUNTY ROAD 034		JASPER	TX	75951-6225
R359952	WASKO, WILLIAM J	#4 STEVEN LUKE LN			FRIENDSWOOD	TX	77546
R388384	CITY-DICKINSON	2716 MAIN ST			DICKINSON	TX	77539-5137
R424745	O'REILLY AUTO ENTERPRISES LLC	PO BOX 1156	223 S PATTERSON		SPRINGFIELD	MO	65802
R519080	JIMENEZ, JUAN J	2718 OAK PARK ST			DICKINSON	TX	77539-5120
R521758	COLE FD PORTFOLIO IV LLC	C/O FAMILY DOLLAR STORE #8455 TAX DEPT	PO BOX 1017		CHARLOTTE	NC	28201-1017



## Notice of Public Hearing

This notice is provided in accordance with Dickinson Code of Ordinances Section 18-20. It will be sent to all property owners within 200' of the property listed below regarding Zoning Variance Requests. You are welcome to attend the public hearing to learn more about the proposed project and/or to voice your opinions on this proposal.

**Legal Description:** Abstract 19 Page 9 Part of Lot 188 (188-7) Dickinson Addition D.

Abstract 19 Perry & Austin Survey Part of Lot 188 (0-4) Dickinson Addition D.

**Location:** Generally located east of State Highway 3 and south of Oak Park with the address being 3901 ½ and 3911 Hwy 3 Dickinson, Texas 77539.

**Variance Requested:** A variance request to Section 18-103 of the Zoning Ordinance, which provides the requirements for drive-in and drive-through stacking distances for certain businesses, the request is to allow three (3) vehicles per window instead of the required four (4) and that the minimum width per lane be reduced from the required twelve (12) feet down to nine (9) feet.

A variance request to Section 18-55(b)(7) of the Zoning Ordinance, which states that the minimum parking lot setback from property lines zoned "NC through G1", inclusive.

**Meeting Date:** **Board of Adjustments** – Monday, November 2, 2015 at 6:30 p.m.

**Meeting Location:** 4403 Hwy 3  
Dickinson City Hall  
Council Chambers  
Dickinson, TX 77539

If you would like additional information regarding the details of this proposal, please contact Zach Meadows, City of Dickinson Director of Community Development, at (281) 337-6286.

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

**MEETING DATE**            November 2, 2015

<b>TOPIC:</b>	Consideration And Possible Action Concerning A Variance Request To Section 18-103 Of The Zoning Ordinance, Which Provides The Requirements For Drive-In And Drive-Through Stacking Distances For Certain Businesses, The Request Is To Allow Three (3) Vehicles Per Window Instead Of The Required Four (4) And That The Minimum Width Per Lane Be Reduced From The Required Twelve (12) Feet Down To Nine (9) Feet, On Property Legally Described As Abstract 19 Page 9 Part Of Lot 188 (188-7) Dickinson Addition D And Abstract 19 Perry & Austin Survey Part Of Lot 188 (0-4) Dickinson Addition D. Generally Located East Of State Highway 3 And South Of Oak Park With The Address Being 3901 ½ And 3911 Hwy 3 Dickinson, Texas 77539.
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<b>BACKGROUND:</b>	This is the consideration and possible action item related to the proceeding public hearing.
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<b>RECOMMENDATION:</b>	Staff Recommends Approval
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<b>ATTACHMENTS:</b>	None
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<b>SUBMITTING STAFF MEMBER:</b>	Zach Meadows, Director of Community Development
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**ACTIONS TAKEN**

<b>APPROVAL</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>OTHER</b>
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# ADJOURN

TIME: \_\_\_\_\_

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

VOTE \_\_\_\_\_