March 17, 2020
Planning & Zoning
Regular Meeting
6:30 p.m.

Dickinson

R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

AGENDA

City of Dickinson
PLANNING AND ZONING COMMISSION REGULAR MEETING

Leslie Boudwin
Deborah Fortner
Marjorie Morgan

March 17, 2020

NOTICE is hereby given of a **Regular Meeting** of the Planning and Zoning Commission of the City of Dickinson, Texas to be held on **Tuesday, March 17, 2020 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, Dickinson, Texas, for the purpose of considering the following numbered items. The Planning and Zoning Commission 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 CONCERNING:** Approval of the Minutes of the October 15, 2019 Regular Meeting.

ITEM 3) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of the Minutes of the December 3, 2019 Special Meeting.

ITEM 4) **CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0125**, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".

A. Staff Presentation
B. Applicant's Statement
C. Those in Favor
D. Those Opposed
E. Applicant Rebuttal
F. Adjourn Public Hearing

ITEM 5) **CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0125**, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".

ITEM 6) **CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0130**, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".

A. Staff Presentation
B. Applicant's Statement
C. Those in Favor
D. Those Opposed
E. Applicant Rebuttal
F. Adjourn Public Hearing

ITEM 7) **CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0130**, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".

ITEM 8) **ADJOURN**

CERTIFICATION

This is to certify that a copy of the notice of a regular meeting of the Planning and Zoning Commission for **Tuesday, March 17, 2020,** was posted on the bulletin board at Dickinson City Hall, 4403 State Highway 3, Dickinson, Texas, on this the 12th day of March 2020**,** prior to 6:30 p.m.

Alun W. Thomas, City Secretary

CITY OF DICKINSON, TEXAS 77539 INCORPORATED 1977

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

Planning & Zoning Commission

ITEM 1

CALL TO ORDER

Invocation

Given by: _____

Pledge of Allegiance

Given by: _____

PLANNING AND ZONING MEETING
ATTENDANCE LIST

Date: March 17, 2020

Commissioners	**Position**	**Present**	**Absent**
R.G. Reeder	Chair	_____	_____
Bill Bonham	Vice-Chair	_____	_____
Greg Smith	Regular	_____	_____
Leslie Boudwin	Regular	_____	_____
Deborah Fortner	Regular	_____	_____
Bill Latimer	Regular	_____	_____
Marjorie Morgan	Regular	_____	_____
_____	Alternate	_____	_____

Others in Attendance	**Present**	**Absent**
Council Member Sean Skipworth	_____	_____
City Attorney David Olson	_____	_____
Interim Director of Community Development S. R. Burgess	_____	_____
City Secretary Alun Thomas	_____	_____

Planning & Zoning Commission

ITEM 2

R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

MINUTES

City of Dickinson
PLANNING AND ZONING COMMISSION REGULAR MEETING

Leslie Boudwin
Deborah Fortner
Marjorie Morgan

October 15, 2019

The Planning and Zoning Commission of the City of Dickinson, Texas met in a duly called and announced **Regular Meeting** on **Tuesday, October 15, 2019,** at **6:30 p.m.** The meeting was held in the City Council Chambers located at 4403 Highway 3, Dickinson, Galveston County, Texas, and was held for the purpose of considering the following items:

ITEM 1) **CALL TO ORDER AND CERTIFICATION OF A QUORUM:**
Roll call of members
Invocation
Pledge of Allegiance

Chairman Reeder called the meeting to order at 6:31 p.m. City Secretary Alun Thomas called roll and certified a quorum. Planning and Zoning Commission Members present were as follows: Chairman R.G. Reeder, Vice-Chairman Bill Bonham, and Commission Members Greg Smith, Leslie Boudwin, Deborah Fortner, Bill Latimer, and Marjorie Morgan. Also present were Council Member Sean Skipworth and Director of Community Development Zachary Meadows.

ITEM 2) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of the Minutes of the September 17, 2019 Regular Meeting.

Commission Member Boudwin made a motion to approve the minutes of the September 17, 2019 regular meeting, and Commission Member Smith seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:
7 AYES (Bonham, Boudwin, Fortner, Latimer, Morgan, Reeder, Smith)
0 NAYS
MOTION PASSED

ITEM 3) **CONDUCT A PUBLIC HEARING CONCERNING: SUP-19-1030**, a Request for a Specific Use Permit, for a “Boat Service Establishment” Located at 5205 E FM 517 Suite E, Dickinson, Texas 77539, Currently Zoned General Commercial “GC”.

Chairman Reeder opened the public hearing at 6:33 p.m.

A. Staff Presentation

Director of Community Development Zachary Meadows presented the item and gave a brief history of the property and its previous similar Specific Use Permit application, which was considered in June 2017. The Applicant, Mr. Meadows said, was informed of this public hearing, but is not present at the meeting.

B. Applicant's Statement

None.

C. Those in Favor

None.

D. Those Opposed

None.

E. Applicant Rebuttal

None.

F. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 6:36 p.m.

ITEM 4) **CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-19-1030**, a Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Suite E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".

The Commission discussed the request for a Specific Use Permit, with Commission Member Fortner noting that the items on the lot that the Applicant had been told to remove in order to be granted a Specific Use Permit have just been moved further back on the property, and not removed. Following the discussion, Commission Member Smith made a motion, based on the previous unmet conditions, to recommend denial of the Specific Use Permit, and Commission Member Latimer seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:
7 AYES (Bonham, Boudwin, Fortner, Latimer, Morgan, Reeder, Smith)
0 NAYS
MOTION PASSED

Commission Member Bonham noted that the Commission has been very patient with the Applicant and very supportive of him, but that does not exempt the Applicant from having to comply with the conditions set by the Commission.

ITEM 5) **BRIEFING AND DISCUSSION CONCERNING:** Zoning Regulations for Vacation Rentals.

Director of Community Development Zachary Meadows introduced the Item and explained how the City of Galveston addresses zoning regulations for vacation rentals. The Commission discussed how such regulations would best be modified to meet Dickinson's specific needs, and gave staff the following direction to help guide the drafting of the regulations:

- Keep "Vacation Rental" as a use that requires a Specific Use Permit but make it more clear. As a way to keep the properties well-managed, explore ways to limit where owners of such rental properties can live.
- Consider changing the definition of "Vacation Rental" to also incorporate other types of short-term rentals.
- Revise the section concerning defining the "Local Responsible Party" to ensure that that person is geographically close by.
- Track the number of calls made to the location by police and consider fining the property owner for each violation starting with the fourth violation.
- Notify a larger number of nearby property owners, perhaps through the use of an increased radius for the notification zone.

Mr. Meadows agreed to revise the proposed regulations based upon the Commission's direction.

Commission Member Latimer left the meeting at 7:19 p.m.

Chairman Reeder said that the Planning and Zoning Commission is charged with planning and zoning for the whole city, and that the Commission needs to perform its function. The Commission then discussed the pros and cons of public engagement.

ITEM 6) **ADJOURN**

Commission Member Fortner made a motion to adjourn the meeting at 7:27 p.m., and Commission Member Smith seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:
6 AYES (Bonham, Boudwin, Fortner, Morgan, Reeder, Smith)
0 NAYS
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 17th day of March, 2020.

_____
R. G. Reeder, Chairman
City of Dickinson, Texas
Planning & Zoning Commission

ATTEST:

_____
Alun W. Thomas, City Secretary

Planning & Zoning Commission

ITEM 3

R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

MINUTES

City of Dickinson
PLANNING AND ZONING COMMISSION REGULAR MEETING

Leslie Boudwin
Deborah Fortner
Marjorie Morgan

December 3, 2019

The Planning and Zoning Commission of the City of Dickinson, Texas met in a duly called and announced **Special Meeting** on **Tuesday, December 3, 2019,** at **6:30 p.m.** The meeting was held in the City Council Chambers located at 4403 Highway 3, Dickinson, Galveston County, Texas, and was held for the purpose of considering the following items:

ITEM 1) **CALL TO ORDER AND CERTIFICATION OF A QUORUM:**
Roll call of members
Invocation
Pledge of Allegiance

Chairman Reeder called the meeting to order at 6:31 p.m. Director of Community Development Zachary Meadows called roll and certified a quorum. Planning and Zoning Commission Members present were as follows: Chairman R.G. Reeder, Vice-Chairman Bill Bonham, and Commission Members Leslie Boudwin and Marjorie Morgan. Planning and Zoning Commission Members Greg Smith, Deborah Fortner, and Bill Latimer were absent. Also present was Council Member Sean Skipworth.

ITEM 2) **CONDUCT A PUBLIC HEARING CONCERNING:** A Proposed Text Amendment to Subsection (a), Permitted Uses, of Section 18-55, General Commercial "GC" District, Of Article IV, Zoning Districts, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To Delete Subsection (8), Child Day Care Services, and Replace with a New Subsection (8), Day Care Services.

Chairman Reeder opened the public hearing at 6:33 p.m.

A. Staff Presentation

Director of Community Development Zachary Meadows introduced the item, which is designed to allow the City to allow for adult day cares to also be permitted in a General Commercial "GC" Zoning District.

B. Those in Favor

None.

C. Those Opposed

None.

D. Applicant Rebuttal

None.

E. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 6:35 p.m.

ITEM 3) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Proposed Text Amendment to Subsection (a), Permitted Uses, of Section 18-55, General Commercial "GC" District, Of Article IV, Zoning Districts, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To Delete Subsection (8), Child Day Care Services, and Replace with a New Subsection (8), Day Care Services.

Following a brief discussion, Commission Member Bonham made a motion to recommend approval of the proposed text amendment, and Commission Member Boudwin seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:
4 AYES (Bonham, Boudwin, Morgan, Reeder)
0 NAYS
MOTION PASSED

ITEM 4) **CONDUCT A PUBLIC HEARING CONCERNING:** A Proposed Text Amendment to Section 18-58, Uses Requiring Specific Use Permit, Of Article V, Specific Uses, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To Delete Child Day Care Centers, and Amending Subsection (a), Permitted Uses, of Section 18-54, Neighborhood Commercial "NC" District, Of Article IV, Zoning Districts, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To add Day Care Services, as a Permitted Use.

Chairman Reeder opened the public hearing at 6:40 p.m.

A. Staff Presentation

Director of Community Development Zachary Meadows introduced the item, which is designed to allow the City to allow for adult day cares to also be permitted in a Neighborhood Commercial "NC" Zoning District.

B. Those in Favor

None.

C. Those Opposed

None.

D. Applicant Rebuttal

None.

E. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 6:41 p.m.

ITEM 5) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Proposed Text Amendment to Section 18-58, Uses Requiring Specific Use Permit, Of Article V, Specific Uses, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To Delete Child Day Care Centers, and Amending Subsection (a), Permitted Uses, of Section 18-54, Neighborhood Commercial "NC" District, Of Article IV, Zoning Districts, Of Chapter 18, Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To add Day Care Services, as a Permitted Use.

Commission Member Boudwin made a motion to recommend approval of the proposed text amendment, and Commission Member Morgan seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:
4 AYES (Bonham, Boudwin, Morgan, Reeder)
0 NAYS
MOTION PASSED

ITEM 6) **CONDUCT A PUBLIC HEARING CONCERNING:** Adoption of Vacation Rental Regulations for the City of Dickinson, Texas

Chairman Reeder opened the public hearing at 6:55 p.m.

A. Staff Presentation

Director of Community Development Zachary Meadows introduced the item.

B. Those in Favor

None.

C. Those Opposed

Kevin Edmonds, 4136 Gum Drive, Dickinson, Texas – Mr. Edmonds would like to see the radius for notification of nearby property owners extended from its current 200-foot requirement. He also questioned how the regulations would address or relate to the state's Hotel Occupancy Tax. Mr. Edmonds said that applications for vacation rentals should have to secure the agreement of at least 75% of the neighboring properties' owners.

D. Applicant Rebuttal

None.

E. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 7:08 p.m.

ITEM 7) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Adoption of Vacation Rental Regulations for the City of Dickinson, Texas

The Commission discussed annual registrations for vacation rentals, routine inspections of the properties, and how neighbors would be impacted by the use of properties as vacation rentals. Following the discussion, Commission Member Bonham made a motion to recommend approval of adoption of the vacation rental regulations, and Commission Member Morgan seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:
4 AYES (Bonham, Boudwin, Morgan, Reeder)
0 NAYS
MOTION PASSED

ITEM 8) **ADJOURN**

Commission Member Bonham made a motion to adjourn the meeting at 7:45 p.m., and Commission Member Boudwin seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:
4 AYES (Bonham, Boudwin, Morgan, Reeder)
0 NAYS
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 17th day of March, 2020.

_____
R. G. Reeder, Chairman
City of Dickinson, Texas
Planning & Zoning Commission

ATTEST:

_____
Alun W. Thomas, City Secretary

Planning & Zoning Commission

ITEM 4

MEETING DATE	March 17, 2020
TOPIC:	**CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0125**, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".
BACKGROUND:	The Property Owner, Arthur DiNicholantonio, has submitted another application to have a "Boat Service Establishment" at 5205 E FM 517, Unit E. This application differs from his previous requests in that he now wishes to repair boats that need 10 square feet or less of fiberglass repair, as noted on his application. The Commission may apply additional conditions and safeguards to protect adjacent property and property values.
ATTACHMENTS:	• Specific Use Permit Application • 200 Foot Radius Listing • Email from the Fire Marshal • Notice of Public Hearing • Original Submitted Site Plan • Aerial Image
SUBMITTING STAFF MEMBER:	Alun W. Thomas, City Secretary

ACTIONS TAKEN

APPROVAL	OTHER
❑ YES ❑NO	

DIVIDER PAGE

Community Development
City of Dickinson

SPECIFIC USE PERMIT APPLICATION

PROPERTY INFORMATION

Property Address: 5205 E FM 517 Unit E Dickinson TX

Legal Description:
ABST 78 ROBT HALL LOT 7+8 + ALL OF LOTS 9+10 TUDOR ADDN EXCEPT STRIP OFF S END FOR FM 517 ACS 3.7424

Present district Zoning: GC

Specific Use Permit **Being Requested Description**:
Boat Service and Repair Shop including Less Than 10 ft² of Fiberglass Repair

OWNER INFORMATION

Owner Name: Art Dinicolantonio | **Owner** Phone#: [redacted]

Address: 1611 Lake Arbor

City: Seabrook | State: TX | Zip Code: 77581

APPLICANT/AGENT INFORMATION

Applicant/Agent Name: Art Dinicolantonio | Applicant Phone#: [redacted]

Address: 1611 Lake Arbor

City: Seabrook | State: TX | Zip Code: 77581

*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

Art D. Nicolantonio | Art Di Nicolantonio | Feb 10, 2020

Signature of Contractor/Authorized Agent | **Printed Name** | Application **Date**

FOR OFFICE USE ONLY

Specific Use Permit **Number#:** SUP-20-0125

Fees **Due$:** 650.00

Date was Submitted: 2-10-2020

Payment rcvd: CK #9362 Hand 2/10/2020

P&Z Meeting Date: _____ ☐ ***Approved*** ☐ **Denied**

Council Meeting Date: _____ ☐ ***Approved*** ☐ **Denied**

SPECIFIC USE PERMIT APPLICATION REQUIREMENTS

Attach These Items With Completed Application:

- ☐ Map from Central Appraisal District with 200' radius
- ☐ List of owners within 200' (from Central Appraisal District)
- ☐ Existing Site Plan
- ☐ $525.00 Fee

Submit Immediately *AFTER* Notices Have Been postmarked:

- ☐ Sign & Address Affidavit

Bring these items to the Planning & Zoning Meeting:

- ☐ Return receipts of mailed notice, including envelopes that are returned

What is a Specific Use Permit?
Certain uses have been prescribed as needing an additional approval before being placed within certain Zoning Districts. A Specific Use Permit can have additional conditions applied to the business being proposed to protect surrounding zoning districts from undue harm.

Who may request a Specific Use Permit?
A Specific Use Permit may be requested by the owner of the property or another person having written, notarized authorization to act as the agent of the property owner.

How long does a Specific Use Permit request take?
Many factors influence the amount of time required to complete a Specific Use Permit request. A good estimate is 45-60 days from the date of application submittal. The Planning & Zoning Commission meets once a month on the Third Tuesday of the month. City Council meets twice a month on the Second and Fourth Tuesday's of the month. Please ask staff to present you with a calendar of the upcoming meetings.

How do I submit a request?
The City of Dickinson will supply the application form and staff will assist you in completing it. When several owners are involved, one person should be authorized (by notarized letter) to act as the signatory and applicant.

What is the filing deadline?
Proposals should be filed as soon as completed. They must be filed, no later than 12:00 noon, thirty (30) days prior to the Planning & Zoning Commission meeting date. If required information is missing or in error, the proposal will be returned for completion and must be resubmitted in accordance with the filing deadline.

What is the cost of a Specific Use Permit request?
A non-refundable fee of $525.00 must accompany a completed Specific Use Permit application. In some instances, staff, the Planning & Zoning Commission or City Council may require technical studies (engineering, noise, traffic, impact, etc.). The cost for these studies is borne by the applicant. The breakdown of the $525.00 is as follows:

- $250.00 Application Fee
- $250.00 Newspaper Notice Fee
- 25.00/Variance Sign, to be placed every 200' of public street frontage

SPECIFIC USE PERMIT APPLICATION

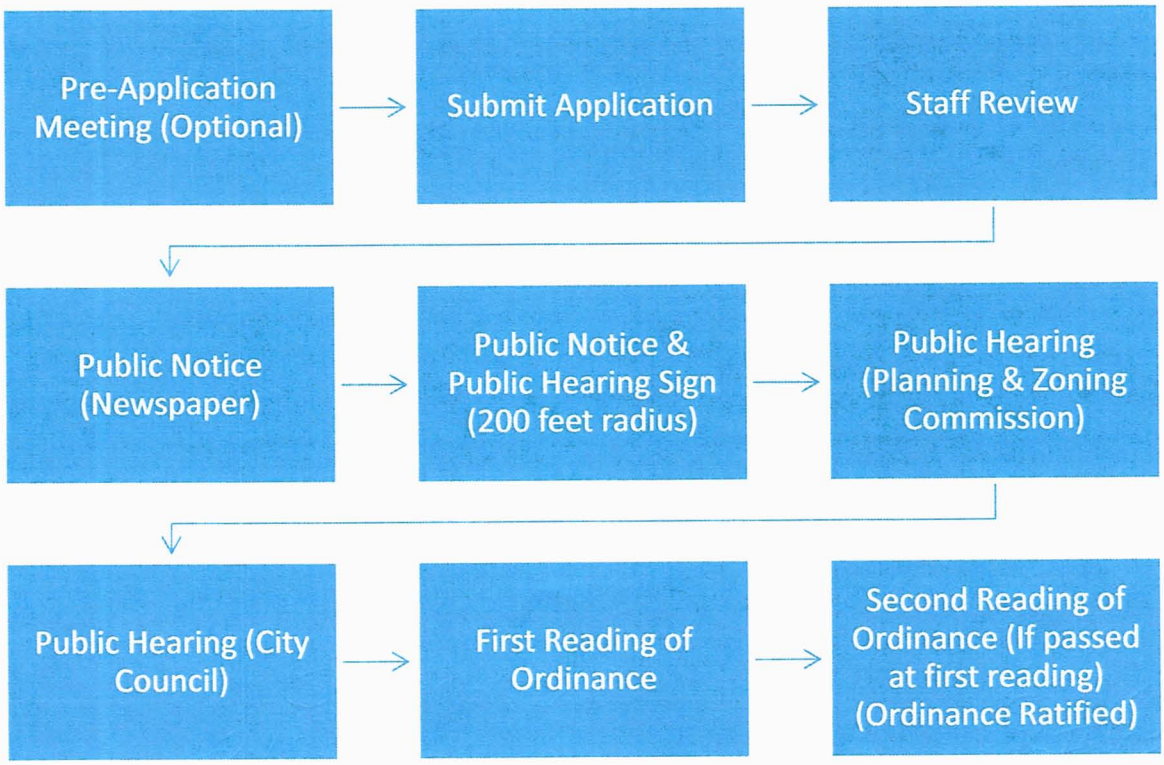
What is the purpose of the public hearings?
Zoning regulations are established to protect the public health, safety and general welfare of all citizens. The public hearing process gives all residents to express how they feel the proposed variance could affect them positively or negatively.

What key information should be presented?

- Present and proposed zoning or use
- Compatibility of proposed zoning with the surrounding area
- Important physical features of the property (roads, topography, etc.)
- Need for re-zoning the location
- Support for the request by neighboring property owners
- Other facts that may affect a decision

Who should present the proposal at the public hearings?
The owner should be present at the public hearings. The owner, applicant or an agent may make the presentation to the Board of Adjustments.

Process for Specific Use Permits:



SUP unit E 5205 FM 517 Dickinson

Requested SUP for Boat repair shop located in unit E of the building located at 5205 E FM 517 Dickinson

Property is currently zoned GC.

Unit e is 20 ft wide by 60 ft long running east to west

A maximum of 4 boats awaiting repair or awaiting pickup by owners will be allowed to park in front of unit E or against the east fence, a maximum of 2 boats may be parked behind the east fence .

All boats outside of unit E must be on trailers.

A maximum of 10 sq ft of fiber glass repair will be allowed on the boat hulls inside of unit e. typical repairs are usually less than 3 sq ft.

Work in unit e shall be limited to mechanical repair of boat motors, boat hardware , repair of damaged areas in the boat hulls, replacement of gauges and boat detailing which consists of washing and buffing the boat gell coat.

To repair damage boat hull the damaged area will be cut out or sanded. Fiber glass resin will be mixed in plastic or metal pans approximately 1 ft wide by 2 ft long. Fiber glass cloth will be saturated in the resin by dipping into the pans and then applied to the damaged area of the hull by using metal rollers or paint brushes. The patch may be sanded and imperfections filled with surfacing putty similar to bondo auto body filler. If any area of the hull exceeding a total of 10 sq ft require painting or gell coat that cannot be applied with a paint brush or roller it will be done in the spray booth located in the paint and body shop located in unit b of the building.

Fiber glass resin , gell coat , paint or other liquids will be stored in a metal fire prof storage cabinet.

History of Boat repair, building and sales at 5205 E FM 517

In 1997 the American Offshore boat Manufacturing Company was opened and operated in the entire building and adjacent yard.

Arthur DiNicolantonio bought the business in December of 1998 and leased the property from Ed Ferro the original owner of the boat company and property. The manufacturing facility had approximately 14 employees and manufactured 25 boats per year boats in that location until 2008.

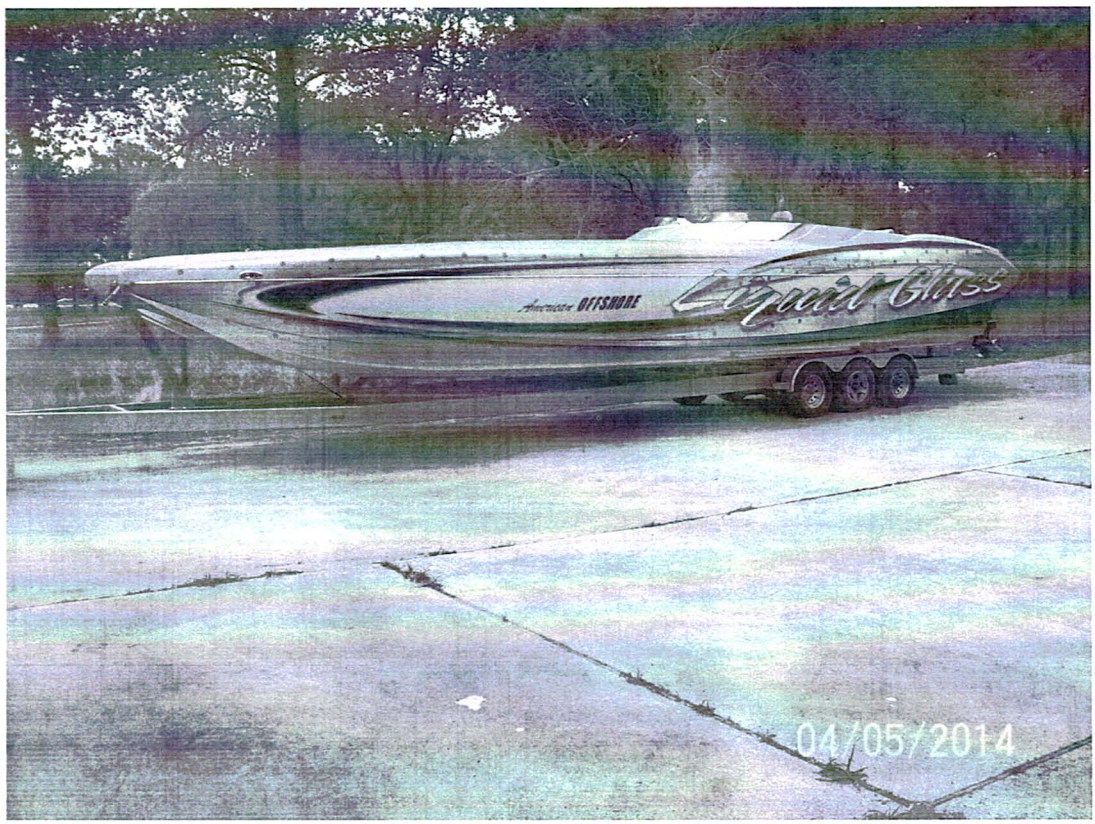
In 2008 due to a law suit between A R DiNicolantonio and Edward Ferro. The boat building business was downsized at 5205 e FM 517 Dickinson and relocated by Ferro to unit H and G. A number of the molds belonging to A R Dinicolantonio

were relocated to San Leon Tx and Hemet California. Ferro continued to build boats in Unit H until 2011 at which time the Galveston County Court awarded the property to A R DiNicolantonio. Several of the boat Molds belonging to A R DiNicolantonio remained in the yard at 5205 until today. DiNicolantonio was not aware that the GC zoning imposed on the property in 2002 prohibited the manufacturing of boats on that property and built several boats after 2011 in various units of that building until he became aware that a SUP would be required to even operate a boat service establishment.

In Jan of 2016 DiNicolantonio applied for a SUP to open up a boat service shop in unit E. But was denied by the City Council for various reasons and has been denied a SUP numerous times since that time. Also attached are boat manufacturing licenses from 2003 and 2020.for a facility at 5205 E fm 517 Dickinson.

Also Attached is an ad for a boat extensively modified on the 5205 property in 2013 and 2014

American OFFSHORE®



This beautiful 41 ft American Offshore Catamaran started off life in 2012 as a bare hull manufactured by Liquid Glass. We obtained the hull from a bankruptcy sale and installed Livorsi Gauges, Northstar GPS,Imco stand off boxes, our own reliable engines with big tube CMI Stainless Headers, trim tabs. We modified the hull to drastically improve its handling. American offshore catamarans are well known for their safe and outstanding handling characteristics.

TEXAS PARKS AND WILDLIFE

AWARD OF

Dealer's, Distributor's or Manufacturer's

MARINE LICENSE

This Certifies that AMERICAN OFFSHORE POWERBOATS LLC

5205 E FM 517, DICKINSON, TX 77539

is hereby awarded a dealer's, distributor's or manufacturer's license for vessels/outboard motors in accordance with the provisions of Section 31.041 Texas Parks and Wildlife Code, and is authorized to issue temporary facsimile cardboard tags bearing the identification number awarded herein.

NOVEMBER 22, 2019
Date Issued

NOVEMBER 30, 2021
Expires

STATE OF TEXAS

DEALER
License Type(s)

TX-1433-AA
License Number

This certificate to be conspicuously displayed in place of business.

PWD 315-A0900 (2/04)

TEXAS PARKS AND WILDLIFE

AWARD OF

Dealer or Manufacturer

CERTIFICATE OF NUMBER FOR MOTORBOATS

This Certifies that AMERICAN OFFSHORE POWERBOATS LLC.

5205 E. FM 517 - DICKINSON, TX 77539

is hereby awarded a dealer's or manufacturer's Certificate of Number in accordance with the provisions of Section 31.041 Texas Parks and Wildlife Code, and is authorized to issue temporary facsimile cardboard tags bearing the identification number awarded herein.

THE STATE OF TEXAS

JANUARY 15, 2003

Date Issued

JANUARY 31, 2005

Expires

TX –1433-AA

Certificate of Number

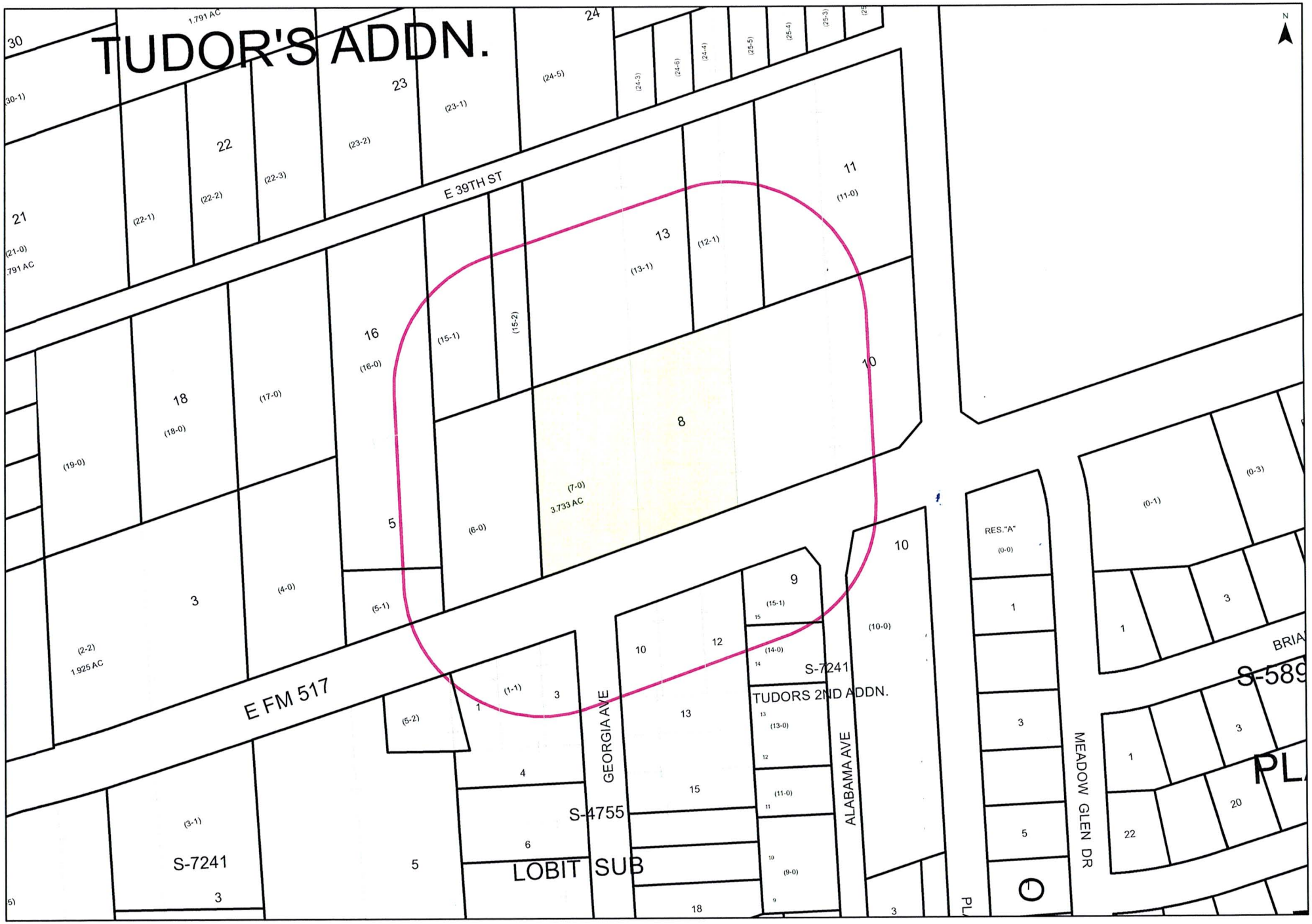
STATE OF TEXAS

This certificate to be conspicuously displayed in place of business.

PWD 315-A0900 (5/01)

DIVIDER PAGE

Galveston Central Appraisal District



Geospatial or map data maintained by the Galveston Central Appraisal District is for informational purposes 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 only represents the approximate relative location of property boundaries.

ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
182792	MACKEY JACKIE R	<null>	4115 GEORGIA AVE	<null>	DICKINSON	TX	77539-7008
183986	SCOTT SHIRLEY J B &	<null>	GARY B SCOTT	5104 39TH ST	DICKINSON	TX	77539
183987	QUIROGA JOEY C & MELINDA M	<null>	3727 NICHOLS AVE	<null>	DICKINSON	TX	77539-5242
183988	WORTHEN GARY & ELIZABETH	<null>	5108 39TH ST	<null>	DICKINSON	TX	77539-5912
183992	DICKINSON MISSIONARY BAPTIST	<null>	CHURCH	PO BOX 552	DICKINSON	TX	77539-0552
183994	MORSE MARK & CATHERINE	<null>	5124 E 39TH ST	<null>	DICKINSON	TX	77539
183995	ADVANTAGE HOUSE BUYERS INC	<null>	1419 FM 1960 RD	<null>	HOUSTON	TX	77073-2101
183997	WORTHEN GARY & ELIZABETH	<null>	5108 39TH ST	<null>	DICKINSON	TX	77539-5912
183998	WORTHEN GARY & ELIZABETH	<null>	5108 39TH ST	<null>	DICKINSON	TX	77539-5912
184076	GARCIA EDWARD & FRANCES M	<null>	4106 ALABAMA AVE	<null>	DICKINSON	TX	77539
184079	GOSPEL ASSEMBLY	<null>	P O BOX 578	<null>	HUMBLE	TX	77347-0578
376137	GRIEGER JUDY MARIE	<null>	PO BOX 12	<null>	DICKINSON	TX	77539-0012
376139	TAMAYO PHILOMENA	<null>	PO BOX 1003	<null>	DICKINSON	TX	77539
378302	REYNA JOSE J & MARGARITA	<null>	5108 FM 517 RD E	<null>	DICKINSON	TX	77539-5920

DIVIDER PAGE

Burgess, Ray (CD)

From: Heddles, Burt (FIRE MARSHAL)
Sent: Monday, February 10, 2020 2:47 PM
To: Burgess, Ray (CD)
Subject: RE: boat repair facility at 5205 e FM 517 Dickinson

After review of the submission, I have no problems with the issuance of the SUP as long as the applicant understands that ALL spraying- whether painting or fiberglass work- MUST be done within the existing paint booth.

Burt Heddles
Fire Marshal
City of Dickinson
281-337-6261 Office
281-337-6190 Fax
bheddles@ci.dickinson.tx.us

4403 Highway 3
Dickinson, TX 77539
http://www.ci.dickinson.tx.us

This e-mail message and any attachments may contain information that is confidential. The message is intended to be delivered to the person(s) to whom it is addressed; any disclosure to another person is unintentional. If you are not the intended recipient, you must not disclose, copy, distribute, or use the information contained in this message or any attachments, in any way. If you received this message in error, please notify the sender by telephone or e-mail immediately and delete the message and all attachments.

From: Burgess, Ray (CD) <rburgess@ci.dickinson.tx.us>
Sent: Monday, February 10, 2020 2:42 PM
To: Heddles, Burt (FIRE MARSHAL) <bheddles@ci.dickinson.tx.us>
Subject: FW: boat repair facility at 5205 e FM 517 Dickinson

From: Art DiNick
Sent: Tuesday, February 4, 2020 3:48 PM
To: Burgess, Ray (CD) <rburgess@ci.dickinson.tx.us>
Subject: boat repair facility at 5205 e FM 517 Dickinson

Ray

Attached is the information that I think you wanted to help me fill out a proper SUP for the boat repair facility. If you disagree with any of the info or require more please let me know.
I appreciate your advice and help on this matter
Art DiNick

DIVIDER PAGE

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 a Specific Use Permit Application. You are welcome to attend the public hearings to learn more about the proposed project and/or to voice your opinions on this proposal.

Address of Property:	5205 E. FM 517, Unit E Dickinson, TX 77539
Legal Description:	Abst 78 Robt Hall Lot 7 & 8 & All of Lots 9 & 10 Tudor Addn Except Strip Off S End For FM 517 Acs. 3.7424 in Galveston County, Texas.
Location:	Northwest corner of the intersection of FM 517 East and Baker Drive.
Proposal:	Mr. Art Dinicolantonio is requesting a Specific Use Permit for Boat service and repair shop including less than 10 Sq. Ft. of Fiberglass repair.
P & Z Meeting Date:	Tuesday, March 17, 2020 at 6:30 p.m.
City Council Meeting Date:	Tuesday, March 24, 2020 at 7:00 p.m.
Meeting Location:	4403 Hwy 3 Dickinson City Hall Council Chambers Dickinson, TX 77539

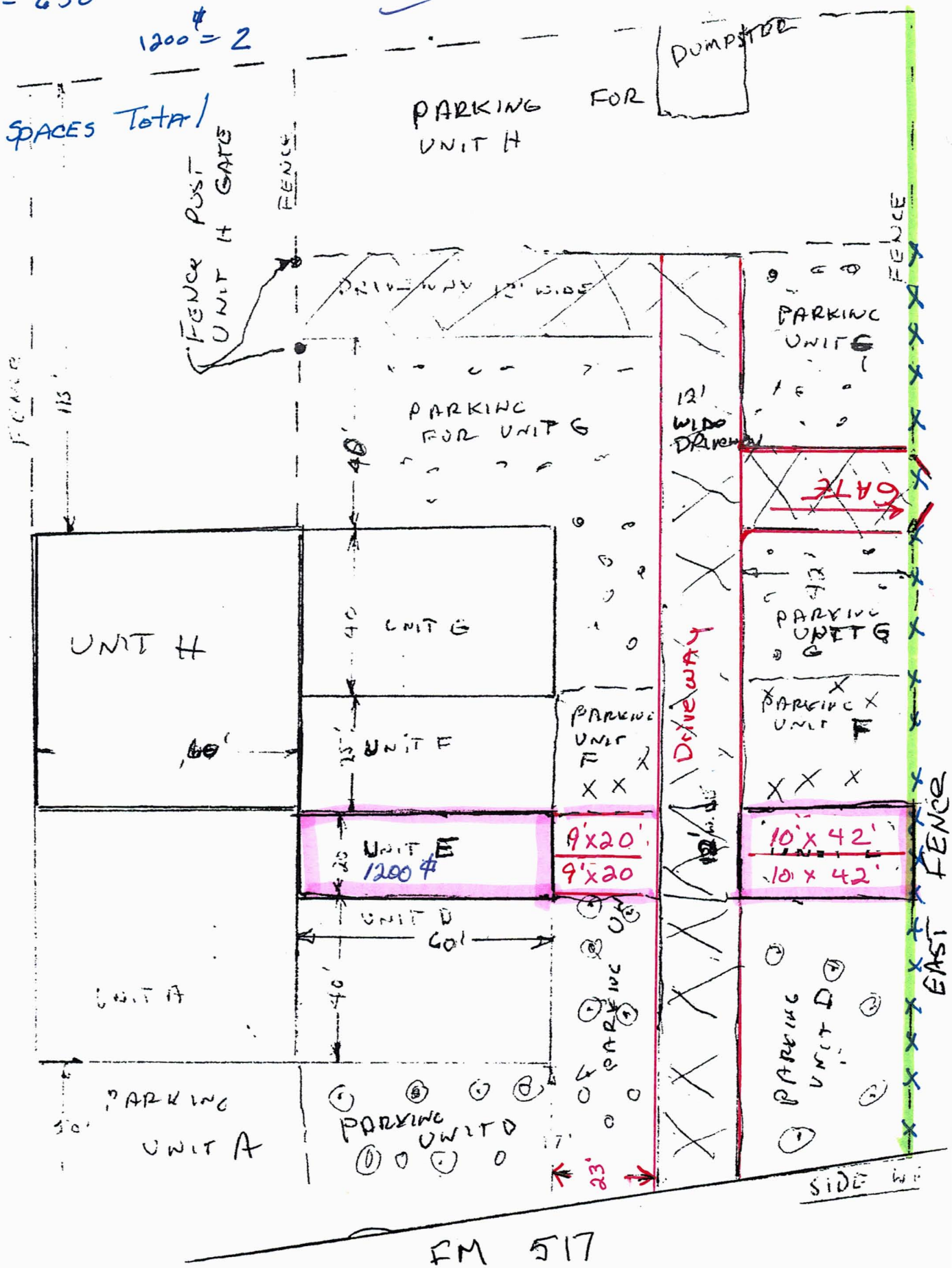
If you would like additional information regarding the details of this proposal, please contact Ray Burgess, City of Dickinson Chief Building Official, at (281) 337-8833.

dailed
2-26-2020
About
5 pm.

DIVIDER PAGE

Parking Required
1 - 650
1200# = 2
6 - SPACES Total

Parking



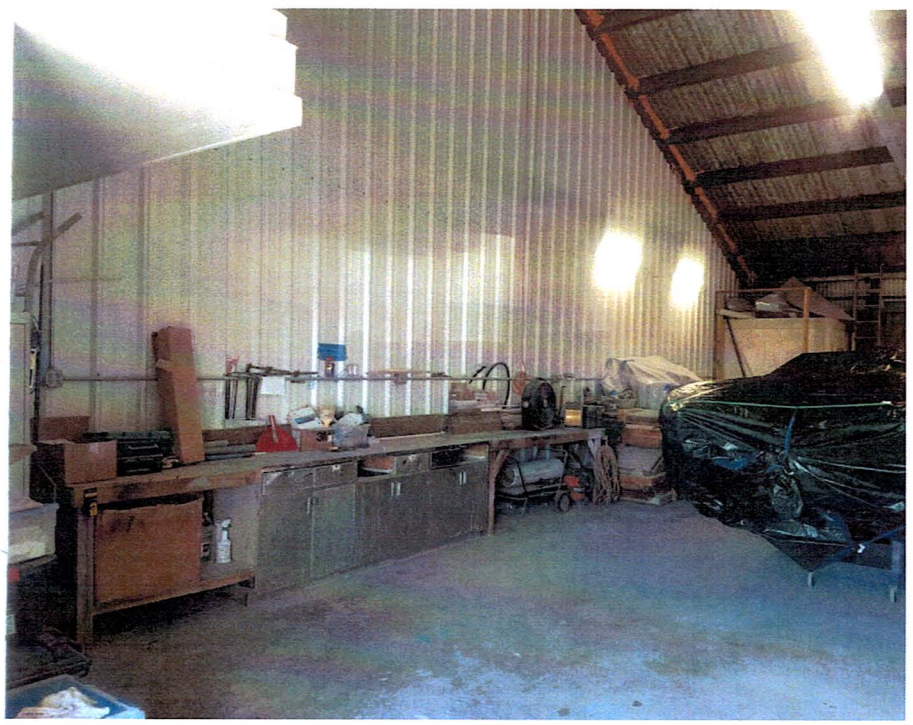
K
02/03/2020 04:41:46 PM

02/03/2020 04:41:54 PM

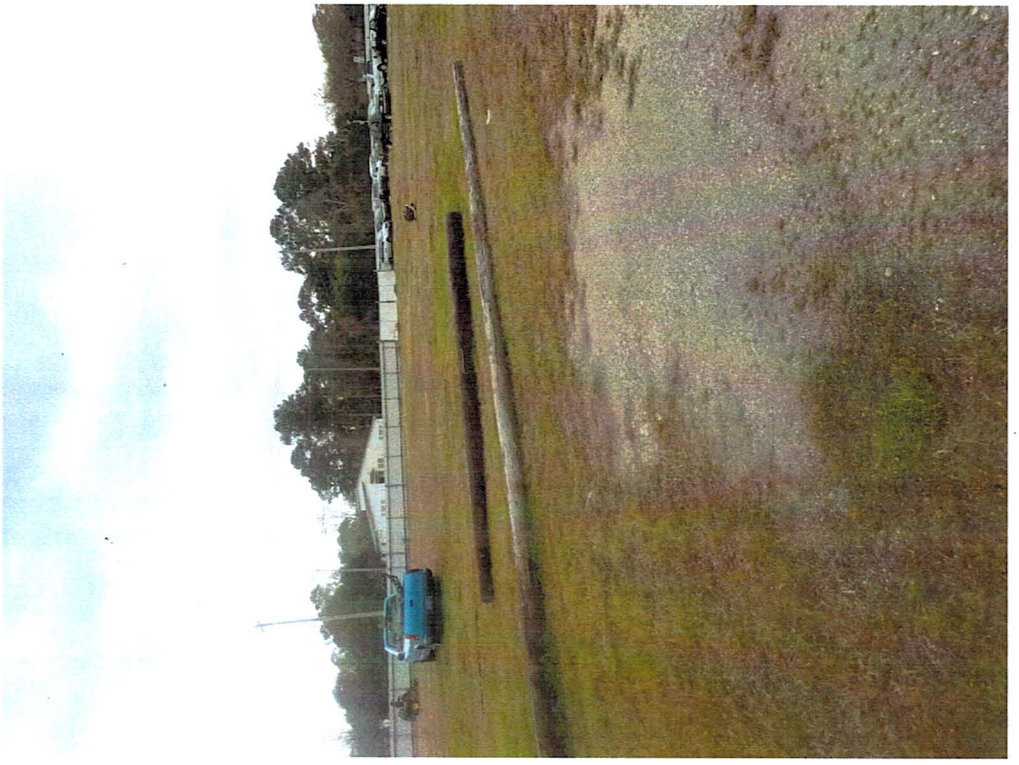
Paint Booth

Paint Booth

Unit E outside



Unit E inside



East Yard

Boat molds stored in yard since 1999

East yard

DIVIDER PAGE

5205 E FM 517 Suite E

Planning & Zoning Commission

ITEM 5

Dickinson Planning & Zoning Commission
Agenda Item Data Sheet

MEETING DATE	March 17, 2020
TOPIC:	**CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0125**, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".
BACKGROUND:	In the previous Agenda Item, the Planning and Zoning Commission conduct a Public Hearing on a Specific Use Permit request for a "Boat Service Establishment" at 5205 E FM 517 Unit E. This Agenda Item allows the Commission to discuss and decide on its recommendation to City Council concerning this application.
ATTACHMENTS:	• None
SUBMITTING STAFF MEMBER:	Alun W. Thomas, City Secretary

ACTIONS TAKEN

APPROVAL	OTHER
❑ YES ❑NO	

Planning & Zoning Commission

ITEM 6

MEETING DATE	March 17, 2020
TOPIC:	**CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0130**, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".
BACKGROUND:	The property owners, Tanya & Jeffrey Nuss, have submitted an application to have a "Bed and Breakfast" at 3822 Water Street. The property is currently zoned Conventional Residential ("CR").
ATTACHMENTS:	• Specific Use Permit Application • Notice of Public Hearing • 200 Foot Radius Listing • Aerial Image • Site Plan • Emails from Fire Marshal and Galveston County Health District Concerning the Proposed Use.
SUBMITTING STAFF MEMBER:	Alun W. Thomas, City Secretary

ACTIONS TAKEN

APPROVAL	OTHER
❑ YES ❑NO	

DIVIDER PAGE

Community Development
City of Dickinson

SPECIFIC USE PERMIT APPLICATION

PROPERTY INFORMATION

Address: 3822 Water ST Dickinson TX 77539

Legal Description: ABST 19 Perry & Austin Sur PT of Lots 173 & 196 (1-2) Dickinson ADDN D
ABST 19 Perry & Austin Sur pt of Lot 173 (1-5) Dickinson ADDN D AKA Pt of Tract A
ABST 19 Perry & Austin Sur Pt of Lots 173 & 196 (7-3) Dickinson ADDN D AKA Tract C

Present Zoning: Residential

Specific Use Permit Being Requested Description:

Bed and Breakfast

OWNER INFORMATION

Owner Name: Tanya Nuss + Jeffrey | Phone #: [redacted]

Address: 3822 Water St

City: Dickinson | State: TX | Zip: 77539

APPLICANT/AGENT INFORMATION

Applicant Name: Tanya + Jeff Nuss | Phone #: [redacted]

Address: 3822 Water ST

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 | Tanya Nuss (Printed Name) | 2/11/2020 (Date)

FOR OFFICE USE ONLY

Specific Use Permit Number: SUP20-0130

Fees Due: $650.00
Paid Ck # 10368

Date Submitted: 2-11-2020

P&Z Meeting Date: _____ ☐ Approved ☐ Denied

Council Meeting Date: _____ ☐ Approved ☐ Denied

Revised: 06/26/2018

DIVIDER PAGE

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 a Specific Use Permit Application. You are welcome to attend the public hearings to learn more about the proposed project and/or to voice your opinions on this proposal.

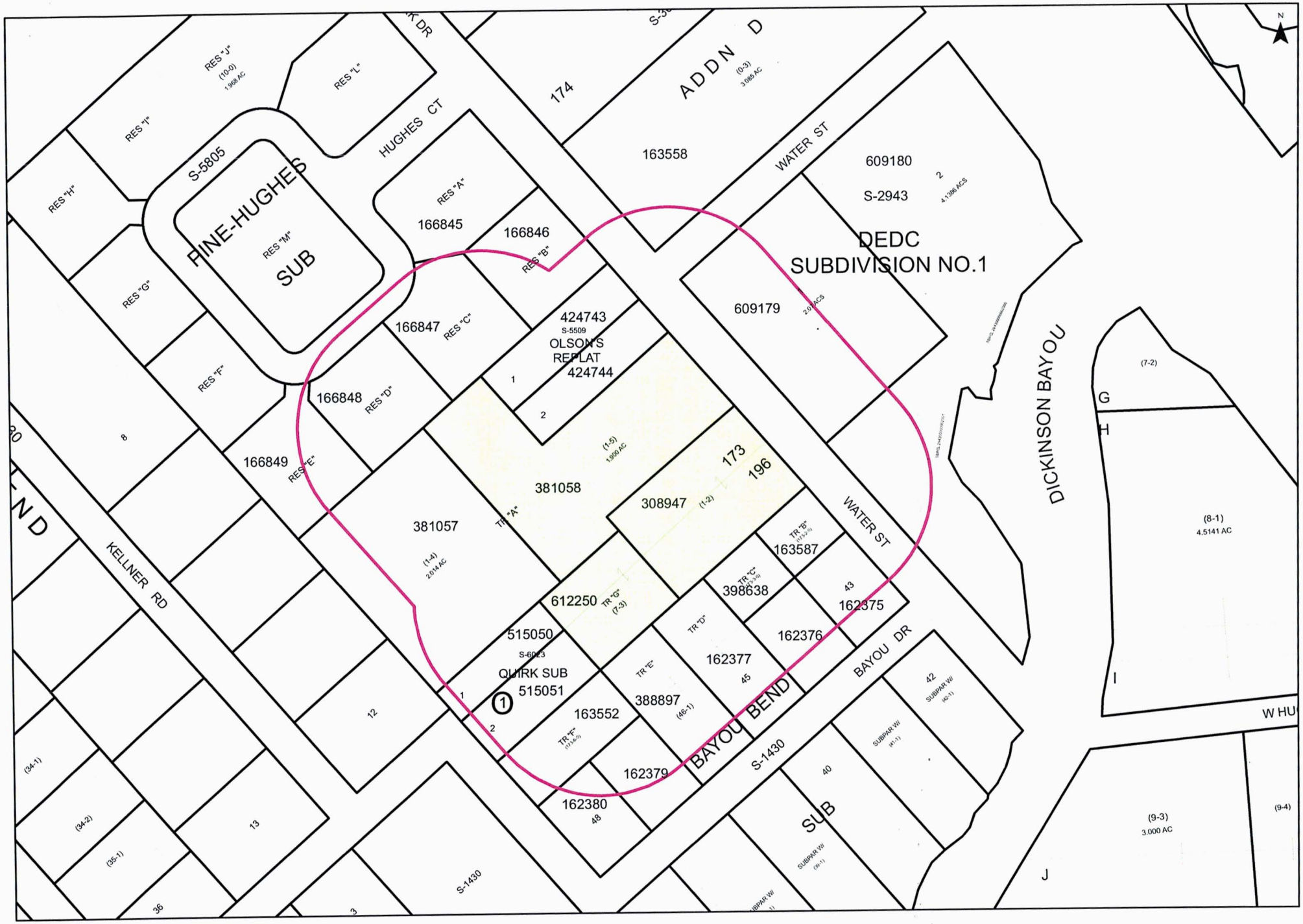
Address of Property:	3822 Water Street Dickinson, TX 77539
Legal Description:	ABST 19 PERRY & AUSTIN SUR PT OF LOTS 173 & 196 (1-2) DICKINSON ADDN D, ABST 19 PERRY & AUSTIN SUR PT OF LOTS 173 & 196 (7-3) DICKINSON ADDN D AKA TRACT G, ABST 19 PERRY & AUSTIN SUR PT OF LOT 173 (1-5) DICKINSON ADDN D AKA PT OF TRACT A in Galveston County, Texas.
Location:	West side of Water Street
Proposal:	Mr. & Mrs. Jeff and Tanya Nuss are requesting a Specific Use Permit for a Bed and Breakfast.
P & Z Meeting Date:	Tuesday, March 17, 2020 at 6:30 p.m.
City Council Meeting Date:	Tuesday, March 24, 2020 at 7:00 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 Ray Burgess, City of Dickinson Chief Building Official, at (281) 337-8833.

Called
2-26-2020

DIVIDER PAGE

Galveston Central Appraisal District



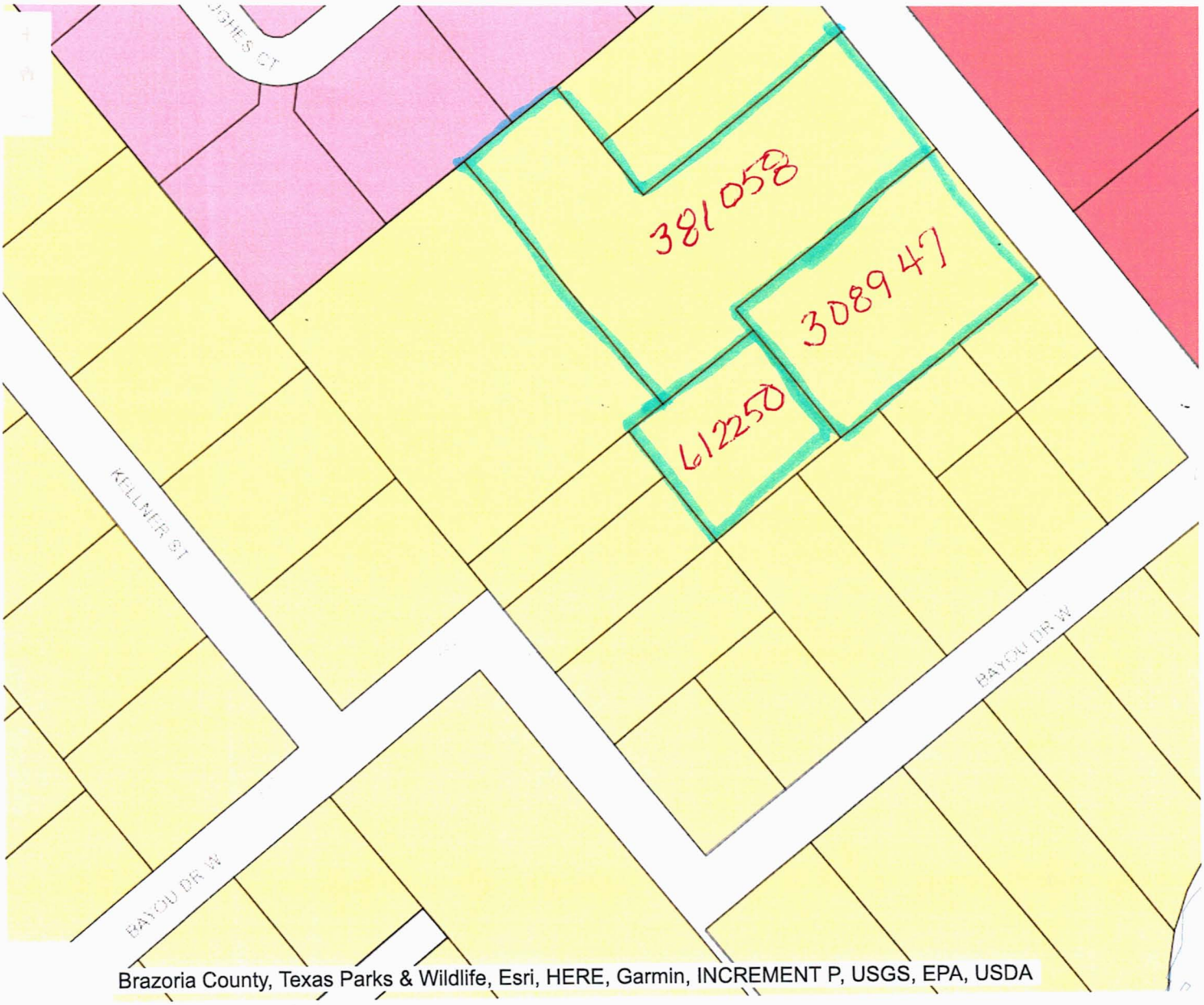
Geospatial or map data maintained by the Galveston Central Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.
It does not represent an on-the-ground survey and only represents the approximate relative location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

Official Zoning Map

City of Pearland

Find address or place

Legend Layers Basemap gallery Overview map Measure Details Share Print



0 100 200ft

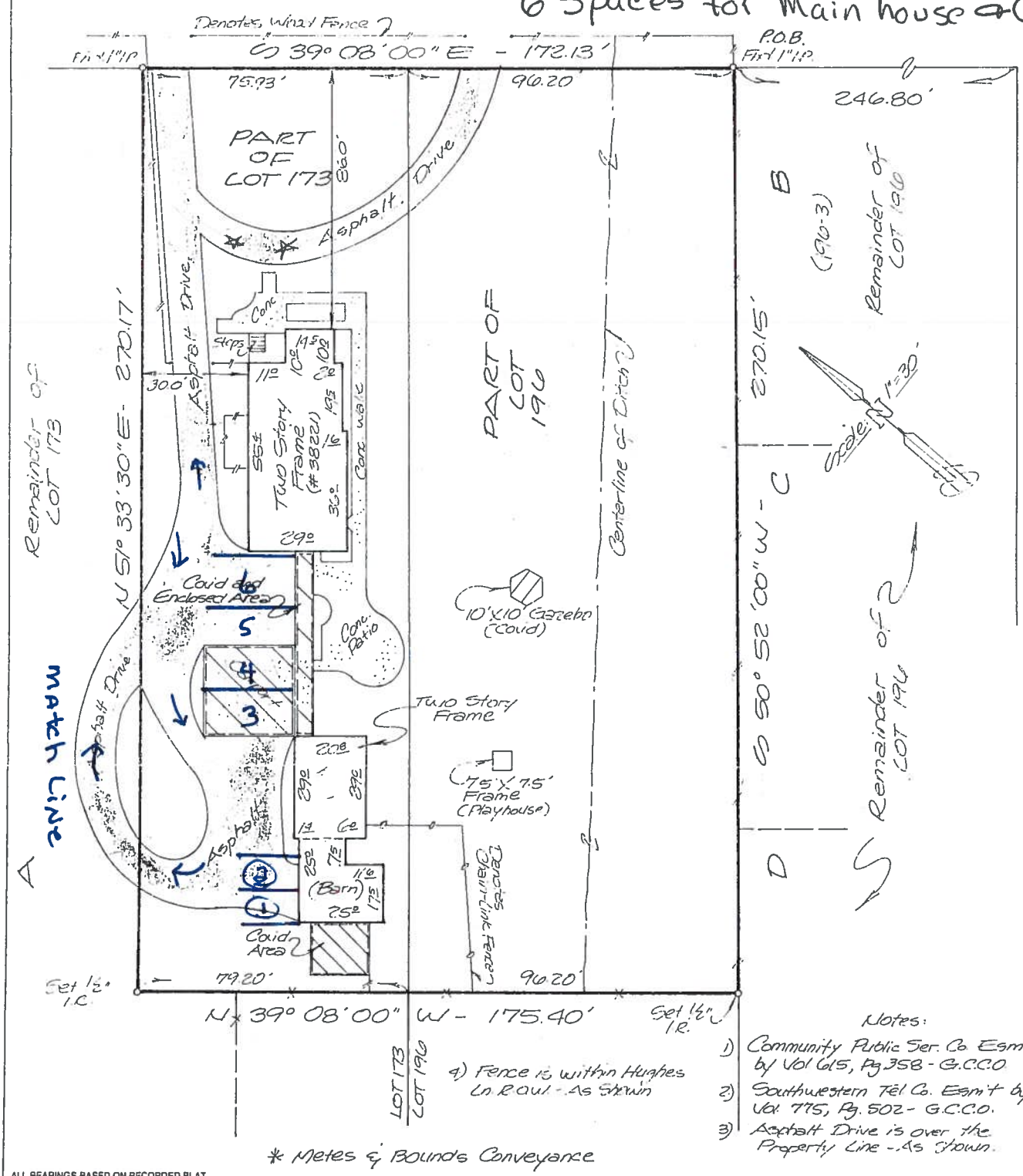
DIVIDER PAGE

DIVIDER PAGE

Parking Plan pg 1

Water ST (70 R.O.W.)

6 Spaces for Main house & Carriage House



4) Fence is within Hughes Ln. R.O.W. - As Shown

Notes:

1) Community Public Ser. Co. Esm't. by Vol 615, Pg 358 - G.C.C.O.
2) Southwestern Tel Co. Esm't by Vol. 775, Pg. 502 - G.C.C.O.
3) Asphalt Drive is over the Property Line - As Shown.

* Metes & Bounds Conveyance

ALL BEARINGS BASED ON RECORDED PLAT.
THIS SURVEY HAS BEEN COMPILED IN ACCORDANCE WITH INFORMATION CONTAINED IN THE TITLE COMMITTMENT REFERENCED IN GF NO. 200-95-1446

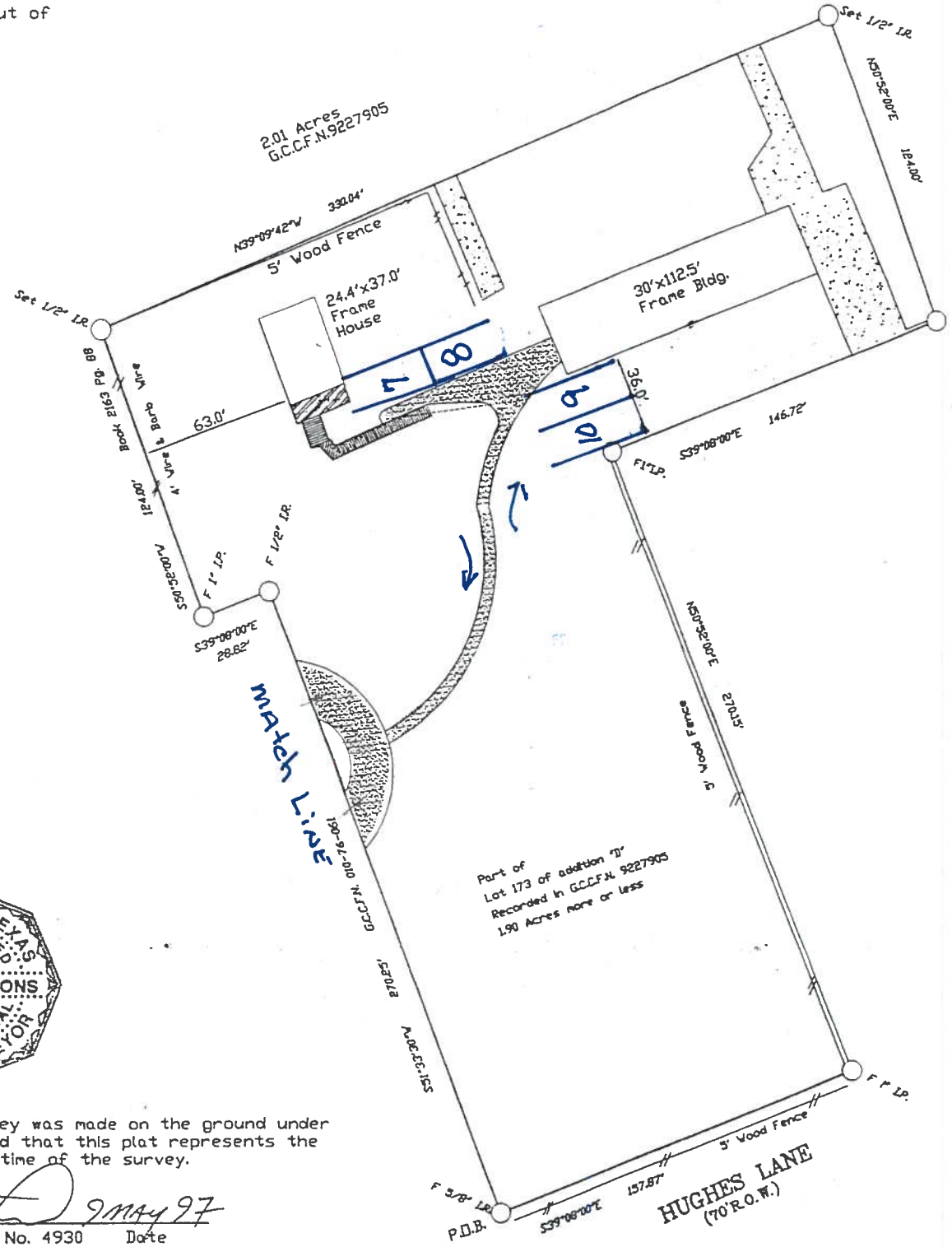
PART OF LOTS 173 AND 196	BLOCK	SECTION ADDITION "D"	SUBDIVISION TOWN OF DICKINSON	This lot does not lie in the 100 year flood plan and is in Zone "C" as located by the Federal Insurance Administration designated Flood Hazard Area by Community Panel No. 481569 0005 B dated 03-04-91
RECORDATION VOL. 155, PG. 10 G.C.C.O. *	COUNTY GALVESTON	STATE TEXAS	SURVEY	
LENDER WESTERN LENDING CORPORATION	TITLE CO. TEXAS AMERICAN TITLE CO.		GF NO. 200-95-1446	
PURCHASER JEFFERY HUSS ADDRESS 38221 HUGHES LN., DICKINSON, TX. 77539			JOB NO. 9511060	

I do hereby certify to TEXAS AMERICAN TITLE COMPANY that this survey was this day made on the ground and that this plat correctly represents the property legally described hereon (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments apparent on the ground, except as shown.

STATE OF TEXAS REGISTERED

This property appears to be out of the 100 year flood plain and in insurance rate map zone C, as per map 4815690005B dated 3-4-91

Parking Plan Pg 2
Cottage



NOTES:

- Basis for bearings: SW ROW of Hug
  In G.C.C.F.N. 9227905
- Distances shown are ground distan
- all abstracting done by title comp
- All fences are 6' wood unless othe
- All B.L.'s & U.E.'s taken from recor
  plat unless otherwise noted
- Maintainence & service easements
  above, over & across Vol. 615, Pg

STATE OF TEXAS
REGISTERED
JOHN F. SISSONS
4930
PROFESSIONAL
LAND SURVEYOR

I hereby certify that this survey was made on the ground under my supervision on 5 May 1997 and that this plat represents the facts found at the time of the survey.

9 May 97

John F. Sissons, R.P.L.S. No. 4930 Date

Lot 173 of addition "D" to the Town o
3816 Hughes Lane Dickinson, Texas
Chicago Title Insurance Company GF N

Buyers: Jeffery A. Nuss and Tanya Nu

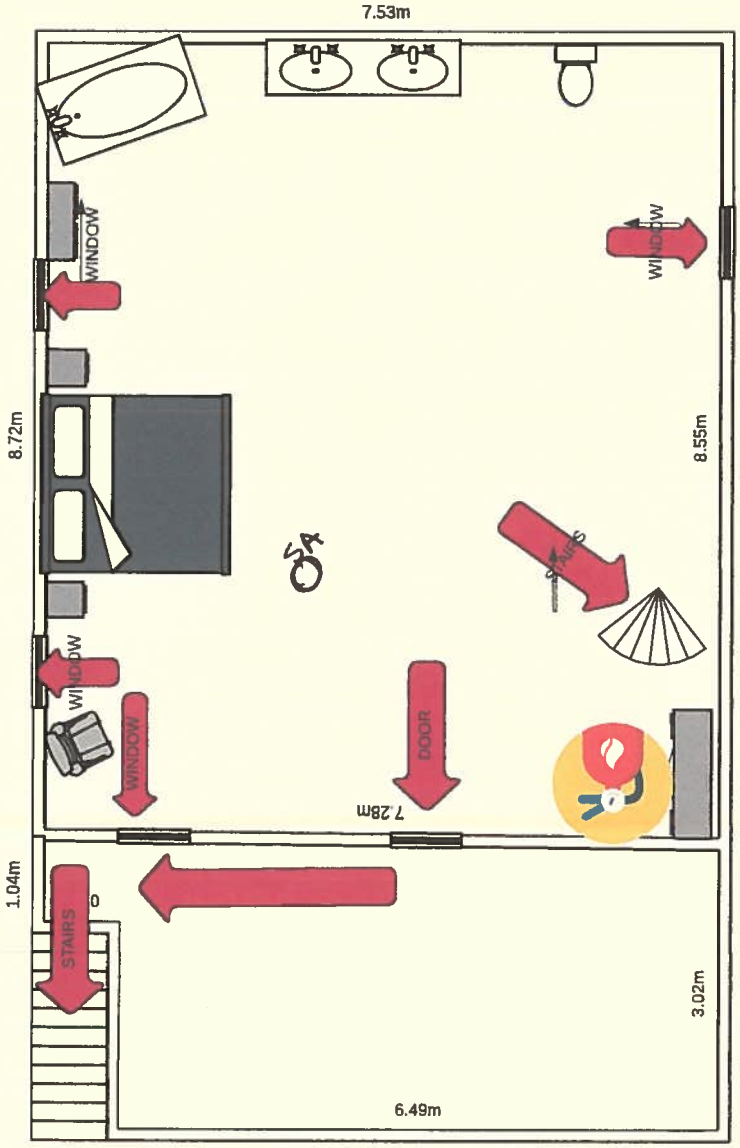
DRAWN BY: JB	DATE: 5-5-97	
CHECKED BY:	DATE:	
SCALE: 1" = 50'	W.O. 208584	Drawing N

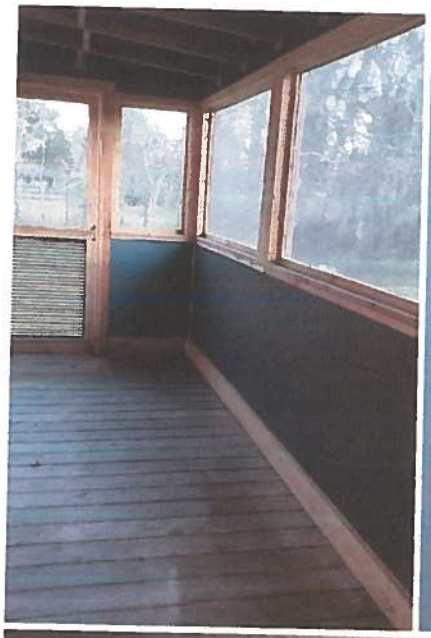
GULLETT & ASSOC
P.O. BOX 230187 7705 SOUTH L
PHONE (713) 644-3219 FA

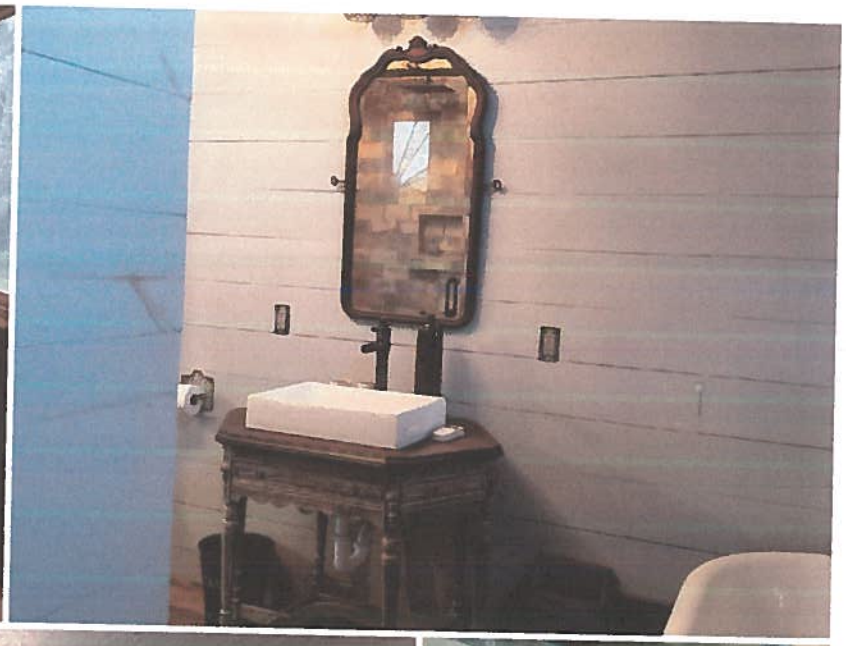
23'4"
Door
8'2"
DW
7'7"
22'6"
3'8"
5'4"
6'1"
1'11"
2'4"
6'3"
26'
3'9"
1'7"
2'4"
5'1"
Door
22'11"
FIRE
ESCAPE
ROUTE
Cottage
7'9"
7'2"
22'11"

FIRE ESCAPE ROUTE

Carriage House 2nd Floor







Back Cottage (the Barricks)

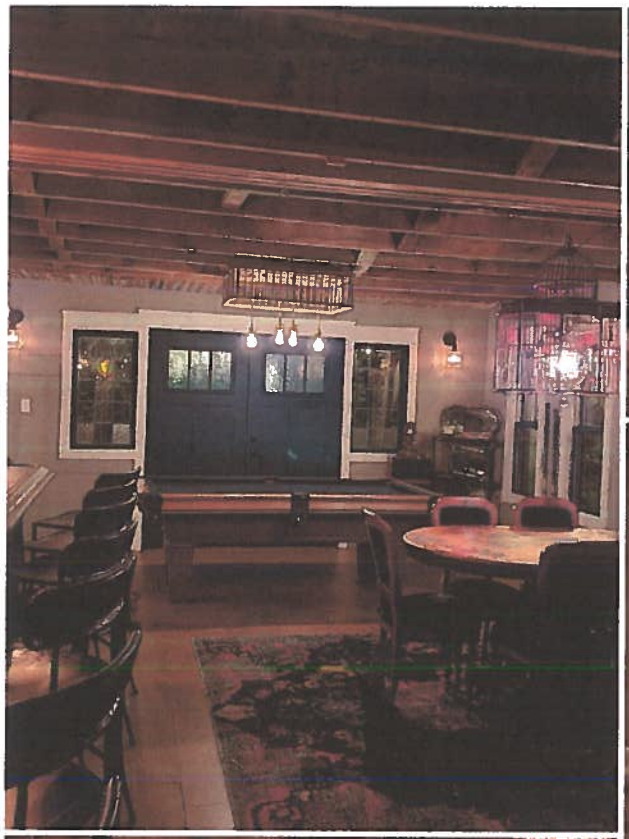
Cottage

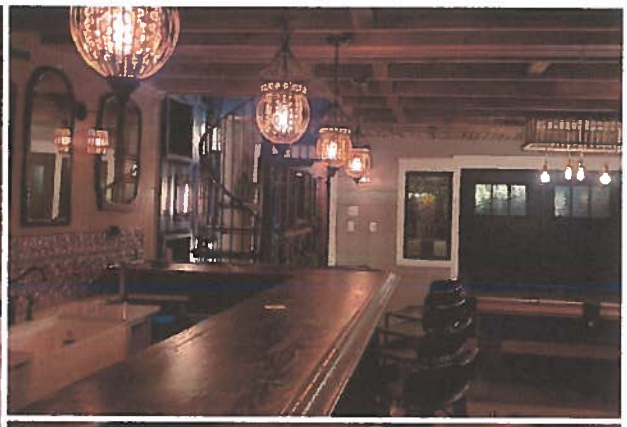
Per Ordinance

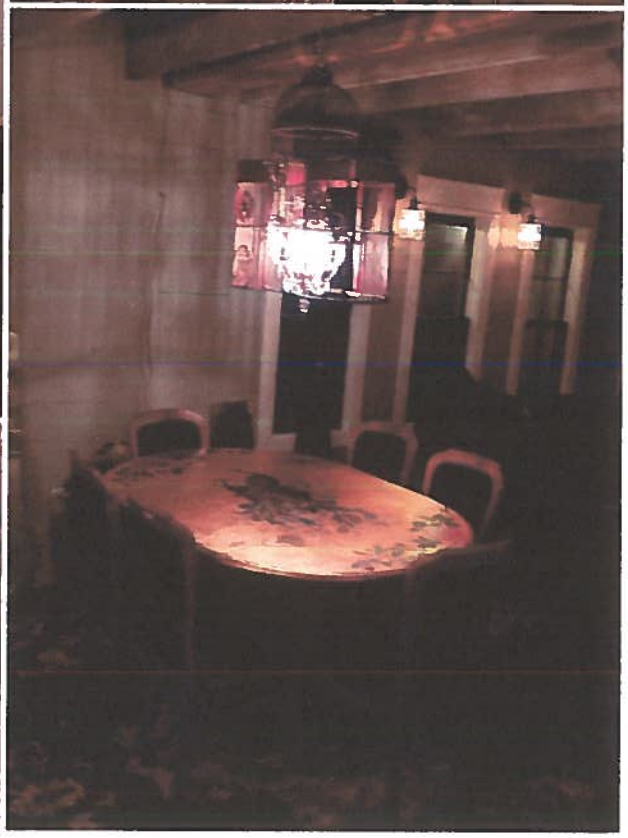
Fire Escape route in 3 bd's

Main House

Main House Kitchen Dinning







Saloon down stairs Carriage house

Bordello Rm above Saloon
Carriage house

Main House Back yard

Back yard Main House

Quest house

Main House

Carriage house

Main House Back yard

DIVIDER PAGE

Burgess, Ray (CD)

From: Heddles, Burt (FIRE MARSHAL)
Sent: Tuesday, February 11, 2020 4:32 PM
To: Burgess, Ray (CD)
Subject: 3822 Water Street B&B

Sir,

I have reviewed the SUP application submitted for a Bed and Breakfast at 3822 Water Street, submitted by Tanya Nuss. The applicant has met the requirements of the Fire Code for that occupancy. I see no problems with the items submitted in the SUP application.

Burt Heddles
Fire Marshal
City of Dickinson
281-337-6261 Office
281-337-6190 Fax
bheddles@ci.dickinson.tx.us

4403 Highway 3
Dickinson, TX 77539
http://www.ci.dickinson.tx.us

This e-mail message and any attachments may contain information that is confidential. The message is intended to be delivered to the person(s) to whom it is addressed; any disclosure to another person is unintentional. If you are not the intended recipient, you must not disclose, copy, distribute, or use the information contained in this message or any attachments, in any way. If you received this message in error, please notify the sender by telephone or e-mail immediately and delete the message and all attachments.

Burgess, Ray (CD)

From: Marty Entringer <mentringer@gchd.org>
Sent: Thursday, January 16, 2020 10:48 AM
To: Burgess, Ray (CD)
Subject: Bed and Breakfast Permitting

Ray:

From the Texas Food Establishment Rules(TFER) 228..(11) –"Bed and Breakfast Limited--An establishment with seven or fewer rooms for rent, serves breakfast to over-night guests, and is not a retail food establishment." TFER goes on to state that a bed and breakfast limited is NOT a food establishment.

So, by definition a two bedroom Bed and Breakfast facility would not be considered a food establishment under the regulations we enforce unless the facility also invited people off the street to partake of their food without being a guest. We will not require a permit of the two bedroom bed and breakfast that you spoke to me about.

Thanks

Martin Entringer
Consumer Health Services Manager
Galveston County Health District
409-938-2458 (o)
409-392-0021 (c)
gchd.org | facebook | twitter

Mission: *Protecting and Promoting the optimal health and well-being of Galveston County.*

CONFIDENTIALITY STATEMENT: This message, as well as any attached document, may contain information from the Galveston County Health District (GCHD) that is confidential and/or privileged, or may contain Client/Patient privileged information. If you are not the intended recipient, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited.

Planning & Zoning Commission

ITEM 7

Dickinson Planning & Zoning Commission
Agenda Item Data Sheet

MEETING DATE	March 17, 2020
TOPIC:	**CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0130**, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".
BACKGROUND:	In the previous Agenda Item, the Planning and Zoning Commission conduct a Public Hearing on a Specific Use Permit request for a "Bed and Breakfast" at 3822 Water Street. This Agenda Item allows the Commission to discuss and decide on its recommendation to City Council concerning this application.
ATTACHMENTS:	• None
SUBMITTING STAFF MEMBER:	Alun W. Thomas, City Secretary

ACTIONS TAKEN

APPROVAL	OTHER
❑ YES ❑NO	

Planning & Zoning Commission

ITEM 8

Adjourn