

July 6, 2020
Board of Adjustments Meeting
6:30 p.m.



SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE:

In accordance with order of the Office of the Governor issued March 16, 2020, the Board of Adjustments of the City of Dickinson, Texas will conduct the meeting scheduled at 6:30 p.m. on Monday, July 6, 2020 at 4403 Highway 3, Dickinson, Texas 77539 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). [There will be no public access to the location described above.]

This supplemental written notice, the meeting agenda, and the agenda packet, are posted online at <http://www.ci.dickinson.tx.us/agendacenter>.

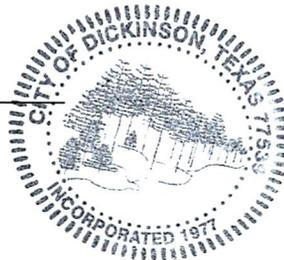
The public toll-free dial-in number to participate in the telephonic meeting is 833-403-1228, Conference ID: 272 322 234#.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.



Alun W. Thomas, City Secretary



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

July 6, 2020

NOTICE is hereby given of a **Regular Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Monday, July 6, 2020 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, for the purpose of considering the following numbered items.

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Dickinson, Texas will **conduct the meeting by telephone conference** in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). **The public toll-free dial-in number to participate in the telephonic meeting is 833-403-1228, Conference ID: 272 322 234#.**

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 CONCERNING: Approval of the Minutes of the January 6, 2020 Regular Meeting.

ITEM 3.) CONDUCT A PUBLIC HEARING CONCERNING: VARIANCE NUMBER 20200254, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear setback requirement at 2411 21st Street, Dickinson, Texas 77539.

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

ITEM 4.) CONSIDERATION AND POSSIBLE ACTION REGARDING: VARIANCE NUMBER 20200254, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear setback requirement at 2411 21st Street, Dickinson, Texas 77539.

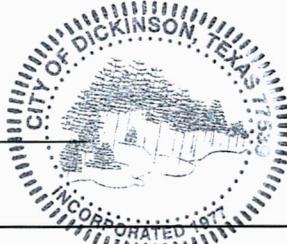
ITEM 5.) ADJOURN

CERTIFICATION

This is to certify that a copy of the notice of a Regular Meeting of the Board of Adjustments for July 6, 2020, was posted on the bulletin board at City Hall, 4403 State Highway 3, Dickinson, Texas, on the 30th day of June 2020, prior to 6:30 p.m.

Alun W. Thomas

Alun W. Thomas, City Secretary



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

Board of Adjustments

ITEM 1

**Call to Order and Certification
of a Quorum**

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

MEETING DATE: July 6, 2020

BOARD MEMBERS

PRESENT

ABSENT

DAWN KING, Chairperson

TIM PHILPOT, Vice-Chairperson

SHAMARION BARBER

ALLEN CARLILE

KEVIN EDMONDS

ALTERNATE MEMBERS

RONALD HEBERT

JOSEPH KELLY

ALSO IN ATTENDANCE

DAVID OLSON, City Attorney

Kola Olayiwola, Director of Community Services

S. R. Burgess, Chief Building Official

Board of Adjustments

ITEM 2

Dawn King, Chairperson
Tim Philpot, Vice-Chairperson
Shamarion Barber
Allen Carlile

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

Kevin D. Edmonds
Ronald Hebert, Alternate
Joseph Kelly, Alternate

January 6, 2020

The Dickinson Board of Adjustments met in a duly called and announced **Regular Meeting** on **Monday, January 6, 2020**, 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

Chairperson Dawn King called the meeting to order at 6:30 p.m. Community Development Coordinator David López called roll and certified a quorum. Board of Adjustment Members present were as follows: Chairperson Dawn King, and Board Members Allen Carlile and Kevin Edmonds. Alternate Member Ronald Hebert, Alternate Member Joseph Kelly, Interim Director of Community Development S. R. Burgess, and Assistant Building Official Jeff Pahlman were also present. Vice-Chairperson Tim Philpot and Board Member Shamarion Barber were absent.

ITEM 2) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Minutes of the December 2, 2019 Special Meeting.

Board Member Carlile made a motion to approve the minutes of the December 2, 2019 Special Meeting, and Board Member Edmonds seconded the motion. There being no discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)
0 NAYS

MOTION PASSED

ITEM 3) CONDUCT A PUBLIC HEARING CONCERNING: A Variance Request to Section 18-50(4)(f) of the Zoning Ordinance. The Request is to Allow for the Residential Structure to be elevated and exempted from the requirement of having a garage, at 1100 Magnolia Terrace, Dickinson, Texas 77539.

Chairperson King opened the public hearing at 6:32 p.m.

A. Staff's Presentation of the Variance

Interim Director of Community Development S. R. Burgess presented the Item and explained the request to the Board.

B. Applicant's Statement

Lynn Coleman, 1100 Magnolia Terrace, Dickinson, Texas – Ms. Coleman explained the need for the requested variance, saying that she would like to extend her master bedroom into what is now the garage.

C. Those in Favor

Ashley Yell, 3510 Maple Drive, Dickinson, Texas – Ms. Yell supports the application for a variance, and she brought with her a list of signatures from her neighbors who support the elevation of the home.

Jim Gentile, Director of Grants Administration for Galveston County – Mr. Gentile asked that the Board please approve the request, as a denial of the request would be very costly to the Applicant.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairperson King adjourned the public hearing at 6:37 p.m.

ITEM 4) CONSIDERATION AND POSSIBLE ACTION REGARDING: A Variance Request to Section 18-50(4)(f) of the Zoning Ordinance. The Request is to Allow for the Residential Structure to be elevated and exempted from the requirement of having a garage, at 1100 Magnolia Terrace, Dickinson, Texas 77539.

Interim Director of Community Development S. R. Burgess addressed questions regarding the height of the planned elevation (approximately 6 feet) and whether the current garage will also be elevated (it will). Mr. Burgess said that staff feels that the application for a variance should be granted as it will provide much-needed relief to the Applicant while also allowing the city to benefit by having one more house elevated. Mr. Burgess suggested that, if the Board would like to require a garage on the property, that it consider granting this request but requiring that a garage

be built later, perhaps five years from now. Alternate Board Member Hebert noted that many other houses in the neighborhood do not have garages.

Following the discussion concerning the request, Board Member Carlile made a motion to approve the variance request, and Board Member Edmonds seconded the motion. There being no further discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

ITEM 5) CONDUCT A PUBLIC HEARING CONCERNING: VAR-19-1115, A Variance Request to Section 18-50(4)(f) of the Zoning Ordinance. The Request is to Allow for the Residential Structure to be improved more than Fifty (50) percent of the appraised value and be exempted from the requirement of having a garage, at 2718 Oak Drive, Dickinson, Texas 77539.

Chairperson King opened the public hearing at 6:42 p.m.

A. Staff's Presentation of the Variance

Interim Director of Community Development S. R. Burgess presented the Item and explained the request to the Board. The Applicant requested to add a second story to the house and needed to elevate the house by approximately 6 inches in order to meet the minimum base flood elevation. The garage had already been enclosed when the Applicant purchased the house, and she would like to maintain that arrangement.

B. Applicant's Statement

Dana Hernandez, 2718 Oak Drive, Dickinson, Texas – Ms. Hernandez explained her request, and discussed the many issues that she has had with her contractors. At this point, the building plans are so far along that Ms. Hernandez needs the Board to approve the house not having a garage if she is to be able to complete the project. Many houses in her neighborhood have enclosed garages, and Ms. Hernandez brought a statement from one of her neighbors, along with signatures from others, to show that her neighbors support her application. She added that the property does have a detached garage, but at approximately 178 square feet, it falls shy of the City's 250 square feet requirement.

C. Those in Favor

Mike Ford, 2709 Oak Drive, Dickinson, Texas – Mr. Ford is the former owner of 2802 Oak Drive, which is the house immediately South of and next to 2718 Oak Drive. When Mr. Ford purchased that house, it did not have a garage. Similarly, when he bought his house at 2709 Oak Drive, it did not have a garage. Both of the houses look great without a garage. The City is in the process of reconstructing the street, cleaning the bayou behind it, and improving water and sewer lines. The Applicant is trying to make improvements and should be allowed to.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairperson King adjourned the public hearing at 6:51 p.m.

ITEM 6) CONSIDERATION AND POSSIBLE ACTION REGARDING: VAR-19-1115, A Variance Request to Section 18-50(4)(f) of the Zoning Ordinance. The Request is to Allow for the Residential Structure to be improved more than Fifty (50) percent of the appraised value and be exempted from the requirement of having a garage, at 2718 Oak Drive, Dickinson, Texas 77539.

The Board discussed the request and the City's definition of a garage, with Interim Director of Community Development S. R. Burgess confirming that staff approves permits without physically visiting properties. It was not until Mr. Burgess visited the property following the issuance of the building permit that he observed that the garage had been enclosed. Mr. Burgess discussed the interaction of zoning regulations with floodplain regulations, and the requirement that making improvements to properties that in total exceed 50% of the value of the property come into compliance with all current zoning regulations, such as having a garage.

Following the discussion, Board Member Edmonds made a motion to approve the variance request, and Board Member Carlile seconded the motion. There being no further discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

ITEM 7) CONDUCT A PUBLIC HEARING CONCERNING: VAR-19-1160, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear and front setback requirements at 2504 46th Street, Dickinson, Texas 77539.

Chairperson King opened the public hearing at 6:57 p.m.

A. Staff's Presentation of the Variance

Interim Director of Community Development S. R. Burgess presented the Item and explained the request to the Board. The lot is very small, so the garage will be built underneath the house once it has been elevated. However, the City's setback requirements present a significant problem for this uniquely shaped piece of land. This proposal has been developed with staff's input and staff recommends approval of the request.

B. Applicant's Statement

Sixto Gonzalez, 2504 46th Street, Dickinson, Texas – Mr. Gonzalez, speaking on behalf of his parents (the Applicants), said that this approval is important to his family and urged the Board to approve it.

C. Those in Favor

None.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairperson King adjourned the public hearing at 7:01 p.m.

ITEM 8) CONSIDERATION AND POSSIBLE ACTION REGARDING: VAR-19-1160, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear and front setback requirements at 2504 46th Street, Dickinson, Texas 77539.

Interim Director of Community Development S. R. Burgess confirmed that the house going on the lot will be completely new, replacing the previous structure. The dimensions of lot, Mr. Burgess said, and City Attorney Scott Bounds confirmed, predates the City's zoning ordinance, so is

grandfathered in. This request, therefore, only addresses the setback requirements. Following the discussion concerning the request, Board Member Carlile made a motion to approve the variance request with the condition that the property first be replatted, and Board Member Edmonds seconded the motion. There being no further discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

- ITEM 9) CONDUCT A PUBLIC HEARING CONCERNING: VAR-19-1290, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear, front, and side setback requirements at 4902 East 35th Street, Dickinson, Texas 77539.**

Chairperson King opened the public hearing at 7:10 p.m.

A. Staff's Presentation of the Variance

Interim Director of Community Development S. R. Burgess presented the Item and explained the request to the Board. The house, he said, is large relative to the lot, so staff recommends reducing the setbacks on all four sides of the house. The house will have a garage. Board Member Edmonds said that the property did not have a sign posted on it today, although it had in previous days, and questioned whether the Board should hold this public hearing. Chairperson King asked City Attorney Scott Bounds for his legal opinion. Mr. Bounds explained the City's Code of Ordinances and said that the sign must be posted for at least the ten days immediately preceding the date of the hearing. The Board, he said, determines whether sufficient and reasonable notice of the hearing was given.

Chairperson King adjourned the public hearing at 7:18 p.m. for the discussion. Board Member Edmonds said that he was concerned about the posting of the sign from a due process standpoint, to ensure that the neighbors were properly aware of the hearing, and asked Mr. Burgess for the copies of the certified mailing receipts so that he could be comfortable that the notice was properly given. Board Member Edmonds then questioned whether the letter itself also needed to have the name of its intended recipient rather than just being a form letter; Mr. Bounds said that the letter was legally sufficient and appropriate. Following the discussion, it was the consensus of the Board that there was sufficient evidence that proper notice of the public hearing had been given. Chairperson King reopened the public hearing at 7:24 p.m.

B. Applicant's Statement

Josh Winkleman, Allco Construction, P.O. Box 3684, Beaumont, Texas – Mr. Winkelman is the contractor for the project. He explained that the project is a complete demolition and rebuild of the house under the General Land Office's program for Hurricane Harvey recovery. He explained the process to the Board and said that the home will comply with all City codes and regulations.

C. Those in Favor

None.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairperson King adjourned the public hearing at 7:26 p.m.

ITEM 10) CONSIDERATION AND POSSIBLE ACTION REGARDING: VAR-19-1290, A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear, front, and side setback requirements at 4902 East 35th Street, Dickinson, Texas 77539.

The Board discussed the request and the potential to require a replat of the lot, with Interim Director of Community Development S. R. Burgess addressing questions from the Board. Board Member Carlile made a motion to approve the variance request with a requirement that the lot be replatted and an offer to approve a variance to the City's minimum lot size requirement in order to accommodate the replat, and Alternate Board Member Kelly seconded the motion. There being no further discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

ITEM 11) CONDUCT A PUBLIC HEARING CONCERNING: A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the side setback requirements at 4306 East 31st Street, Dickinson, Texas 77539.

Chairperson King opened the public hearing at 7:30 p.m.

A. Staff's Presentation of the Variance

Interim Director of Community Development S. R. Burgess presented the Item and explained the request to the Board. The plan is for the manufactured home on the lot to be removed, and a site-built house built. The house will need to be located two feet closer to one of the side lot lines than currently allowed by the City's setback requirements. That side of the building will have a properly engineered fire wall.

B. Applicant's Statement

Brett Reeves, Thompson Construction – Mr. Reeves is the contractor for the project, which is a General Land Office Community Development Block Grant Disaster Recovery (CDBG-DR) project on a very small lot. The house, he said, will be elevated by six feet.

C. Those in Favor

None.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairperson King adjourned the public hearing at 7:33 p.m.

ITEM 12) CONSIDERATION AND POSSIBLE ACTION REGARDING: A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the side setback requirements at 4306 East 31st Street, Dickinson, Texas 77539.

Following a discussion concerning the expected effectiveness of the fire wall given the overhang on that side of the house, and the size of the proposed house, Board Member Edmonds made a motion to approve the variance request, and Board Member Carlile seconded the motion. There being no further discussion, Chairperson King called for a vote.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

ITEM 13) EXECUTIVE SESSION: The Board of Adjustments will now hold a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

- A. Section 551.071 – Consultation with Attorney regarding pending litigation and matters in which the duty of the City Attorney requires to be discussed in closed meeting.

Chairperson King said that this Item was not needed.

ITEM 14) RECONVENE

Because there was no Executive Session, this Item was not needed.

ITEM 15) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

Because there was no Executive Session, this Item was not needed.

ITEM 16) ADJOURN

Board Member Hebert made a motion to adjourn the meeting at 7:37 p.m. and Alternate Board Member Kelly seconded the motion.

VOTE:

5 AYES (Carlile, Edmonds, Hebert, Kelly, King)

0 NAYS

MOTION PASSED

Dawn King, Chairperson

Board of Adjustments

ITEM 3

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

MEETING DATE July 6, 2020

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: VARIANCE NUMBER 20200254 , A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear setback requirement at 2411 21st Street, Dickinson, Texas 77539.
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BACKGROUND:	This home is a part of the General Land Office's assistance program. The City of Dickinson Zoning Ordinance requires certain setback distances for buildings, but the proposed project seeks to build closer to the rear property line, reducing the setback from 15' to 8.4'.
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ATTACHMENTS:	<ul style="list-style-type: none"> • Variance Application • Aerial Map • Address Affidavit • Sign Affidavit • Publication Affidavit
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SUBMITTING STAFF MEMBER	Alun W. Thomas, City Secretary, by request from S.R. Burgess, Chief Building Official
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ACTIONS TAKEN		
APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READINGS PASSED <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd	OTHER



Community Development
City of Dickinson

BOARD OF ADJUSTMENTS VARIANCE APPLICATION

PROPERTY INFORMATION

Address: 2411 21st St Dickinson Texas 77539

Legal Description: ABST 19 PAGE 23 PT OF LOT 7 BLK 191 MOORES ADDN

Present Zoning: Residential

Variance Being Requested Description:

new structure will be over the build line. Request a rear set back adjustment To 8.4'

OWNER INFORMATION

Owner Name: Yolanda Morgan

Phone #: _____

Address: 2411 21st St

City: Dickinson

State: TX

Zip: 77539

APPLICANT/AGENT INFORMATION

Applicant Name: Tegrity Homes

Phone #: 409-457-7488

Address: 8607 CR 48

City: Rosharon

State: Tx

Zip: 77583

* 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

Stacey Martinez

5/6/2020

Signature of Contractor/Authorized Agent

Printed Name

Date

FOR OFFICE USE ONLY

Variance Number: 20200254

Fees Due: \$650.00

Date Submitted: 5/12/2020

Payment: CH#10565

Reviewer: DRBurgin

Date: 5-21-2020

Approved Denied

Board Of Adjustments Meeting Date: July 6th 2020

Approved Denied



BOARD OF ADJUSTMENTS VARIANCE APPLICATION

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
- Site Plan with Requested Variance Shown
- \$525.00 Fee

Submit Immediately *AFTER* Notices Have Been postmarked:

- Sign & Address Affidavit

Bring these items to the Board of Adjustment Meeting:

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

What is a variance?

A variance is a deviation from the property development standards for the district where development is proposed.

Who may request a variance?

A variance 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 variance request take?

Many factors influence the amount of time required to complete a variance request. A good estimate is 5-6 weeks from the pre-application conference. The Board of Adjustments has a Regular Meeting time of the First Monday of the month, however the Board of Adjustments does not meet on a regular basis, because of this fact please allow for time and consideration in an effort to ensure staff can have a quorum for the 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 cost of a variance request?

A non-refundable fee of \$525.00 must accompany a completed Board of Adjustment Variance 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 Non-refundable Application Fee
- \$250.00 Newspaper Notice Fee
- 25.00/Variance Sign, to be placed every 200' of public street frontage



BOARD OF ADJUSTMENTS VARIANCE 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 Zoning or Use of Property
- Special circumstances that are peculiar to the land or structure
- Proof these special circumstances are not self-imposed or the result of the applicant's actions
- Description of compatibility of proposed variance with the surrounding area
- Evidence variance will not adversely affect the health, safety or welfare of the public
- 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.

Conditions for considering variances:

To approve an application for a variance, the board shall make an affirmative finding that each of the following criteria is met:

- Special circumstances exist that are peculiar to the land or structure.
- These special circumstances are not self-imposed or the result of the actions of the applicant.
- Literal interpretation and enforcement of the terms and provisions of this chapter would cause an unnecessary and undue hardship.
- Granting the variance is a minimum action that will make use of the land or structure which is not contrary to the public interest and which would carry out the spirit of this chapter and would result in substantial justice.
- Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.
- Such variance will not authorize a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.
- The variance will not adversely affect the health, safety or welfare of the public.

Tegrity Homes

8607 CR 48

Rosharon, Texas 77583

www.tegrityhomes.com

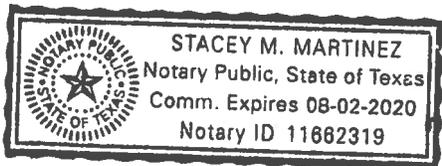
5/7/2020

I Yolanda Morgan, property owner of 2411 21st Street Dickinson Texas 77539 authorize Tegrity Homes to act on my behalf in requesting a variance for new construction of a single-family residence on my lot.

Sincerely,

Yolanda Morgan
Yolanda Morgan

*Signed and sworn before me
on this 7th day of May 2020.*



Stacey M. Martinez



Avenue G

21st St

21st St

2411 21st Street

Avenue G

21st St

Avenue G

21st St

21st St

Avenue G



ADDRESS AFFIDAVIT

I hereby certify that the required notice was sent on 2411 21st St., 2020, by certified mail, return receipt requested, to each of the attached property owners who are within 200' of the property that is the subject of the Specific Use Permit, Zoning Case, or Variance is being pursued.

S.R. Burgess
Signature

S.R. Burgess
Printed Name

Date: 6-18-2020

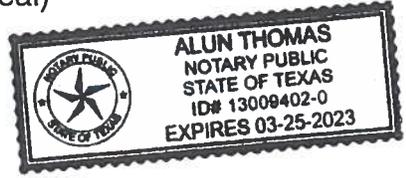
ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF GALVESTON §

BEFORE ME, the undersigned authority, on this day personally appeared S. R. Burgess, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 18th day of June 2020.

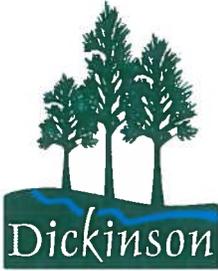
(Seal)



Alun W. Thomas
Notary Public In and For the State of Texas

My Commission Expires: 3-25-2023

GEOID	ID	NAME	ADDRESS2	ADDRESS3	CITY	ST	ZIP	SITUS	LEGAL
5182-0190-0004-000	166076	GREATER NEW HOPE MISSIONARY	BAPTIST CHURCH	PO BOX 1611	DICKINSON	TX	77539-1611	2109 AVE H DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOTS 4-5 BLK 190 MOORES ADDN
5182-0190-0006-000	166077	LOPEZ MARIA T	2314 AVENUE H		DICKINSON	TX	77539-4834	2101 AVE H DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 6 BLK 190 MOORES ADDN
5182-0190-0010-000	166075	WHITING CURTIS RAY	1613 INVERNESS LN		PEARLAND	TX	77581-5911		ABST 19 PERRY & AUSTIN LOT 10 BLK 190 MOORES ADDN
5182-0190-0011-000	166081	SLATER MARGARET ANN	2102 AVENUE C		DICKINSON	TX	77539-3613		ABST 19 PERRY & AUSTIN LOTS 11 - 12 BLK 190 MOORE ADDN DICKINSON
5182-0191-0007-001	354654	BERRY VELMA	PO BOX 69		DICKINSON	TX	77539-3532	2413 21ST ST DICKINSON, TX 77539	ABST 19 PAGE 23 PT OF LOT 7 (7-1) BLK 191 MORRES ADDN UND 1/2 INT
5182-0191-0007-002	354653	BERRY JOYCE	2413 21ST ST		DICKINSON	TX	77539-3532	2413 21ST ST DICKINSON, TX 77539	ABST 19 PAGE 23 PT OF LOT 7 (7-2) BLK 191 MORRES ADDN UND 1/2 INT
5182-0191-0001-000	166082	JACKSON HENRY LEE JR	2421 1/2 21ST ST		DICKINSON	TX	77539-3532	2421 1/2 21ST ST DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOTS 1 & 2 BLK 191 MOORE ADDN MH 1980 KIRKWOOD REDMAN 12X48 YLW
5182-0160-0004-000	165933	MONTEMAYOR ARTURO M & MARIA E ROJAS	2113 AVE G		DICKINSON	TX	77539	2113 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 4 BLK 160 MOORES ADDN
5182-0160-0005-000	605293	CONFIDENTIAL OWNER	2113 AVE G		DICKINSON	TX	77539	2111 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 5 BLK 160 MOORES ADDN
5182-0191-0003-000	166084	YELL BEVERLY E	2007 AVENUE H		DICKINSON	TX	77539-3515	2007 AVE H DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 3-4 BLK 191 MOORES ADDN
5182-0191-0008-000	166089	MOORE CORENA L	2016 AVENUE G		DICKINSON	TX	77539	2016 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 8 BLK 191 MOORE ADDN TO DICKINSON
5182-0160-0004-001	165934	BOOKMAN LEO & ANGELINE	2510 AVENUE B		DICKINSON	TX	77539-5008	2109 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 6 BLK 160 MOORES ADDN
5182-0191-0005-000	166085	JOSEPH NATHAN J	2414 AVENUE H		DICKINSON	TX	77539-4836	2011 AVE H DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 5 BLK 191 MOORE ADDN DICKINSON
5182-0191-0009-000	166090	WILLIAMS MARY LOUISE	2014 AVENUE G		DICKINSON	TX	77539-3510	2014 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 9 BLK 191 MOORE ADDN
5182-0191-0010-000	166088	TAMEZ ELOY	PO BOX 8628		HOUSTON	TX	77249-8628	2010 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN SUR LOT 10 BLK 191 MOORES ADDN
5182-0191-0011-000	510514	TAMEZ ELOY	PO BOX 8628		HOUSTON	TX	77249-8628	2006 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN SUR LOT 11 BLK 191 MOORES ADDN
5182-0161-0001-000	165939	LEWIS FLONNIE MAE	105 4TH AVE N		TEXAS CITY	TX	77590	2507 21ST ST DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 1-2 BLK 161 MOORE ADDN DICKINSON
5182-0191-0012-000	510515	TAMEZ ELOY	PO BOX 8628		HOUSTON	TX	77249-8628	2002 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN SUR LOT 12 BLK 191 MOORES ADDN
5182-0161-0003-001	727104	CALDWELL YUVETTE J	4808 32ND ST		DICKINSON	TX	77539-5666		ABST 19 PERRY & AUSTIN LOT 3 (3-1) BLK 161 MOORE ADDN
5182-0161-0003-000	165940	LAWSON WILBERT	2011 AVE G		DICKINSON	TX	77539	2011 AVE G DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOT 4 BLK 161 MOORE ADDN
5182-0161-0007-000	165943	WHITE ELSIE M	2513 21ST ST		DICKINSON	TX	77539-3556	2513 21ST ST DICKINSON, TX 77539	ABST 19 PERRY & AUSTIN LOTS 7- 8 BLK 161 MOORE ADDN TO DICKINSON
5182-0161-0005-000	165941	REYNA MARGARITO	2503 23RD ST		DICKINSON	TX	77539-3542		ABST 19 PERRY & AUSTIN LOT 5 BLK 161 MOORES ADDN



Sign Affidavit

I hereby certify that the public hearing signs were posted on the Property at 2411 21st St. Dickinson, TX 77539, on 6-26-2020, 2020, which is at least ten (10) days prior to the meeting of the Board of Adjustments at which the Specific Use Permit, Zone Change or Variance will be considered, and I understand that such public hearing signs must remain posted until final action on the request has been taken by the Dickinson City Council.

[Signature]
Signature
Date: 6/29/2020

S.R. Burgess
Printed Name

ACKNOWLEDGMENT

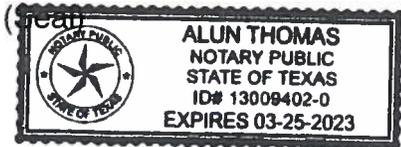
THE STATE OF Texas §
COUNTY OF Galveston §

BEFORE ME, the undersigned authority, on this day personally appeared S. R. Burgess, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 29th day of June 2020.

[Signature]
Notary Public In and For the State of Texas

My Commission Expires: 3-25-2023



ZONING

VARIANCE

The Board of Adjustments of the City of Dickinson will hold a public hearing to consider a requested map change, variance or Specific Use Permit.

Address of requested change: 2411-21st St Dickinson TX 77539

Meeting time & location

At 6:30 p.m. on Monday, July 6, 2020
At City Hall, 4403 State Highway 3, Dickinson, Texas 77539

This property is currently zoned: Conventional Residential

A request has been made for: Residential to large lot / G
871000

06/26/2020 11:34:50 AM

Board of Adjustments

ITEM 4

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

MEETING DATE July 6, 2020

TOPIC:	CONSIDERATION AND POSSIBLE ACTION CONCERNING: VARIANCE NUMBER 20200254 , A Variance Request to Section 18-50 of the Zoning Ordinance. The Request is to allow for a variance to the rear setback requirement at 2411 21st Street, Dickinson, Texas 77539.
BACKGROUND:	In the previous agenda item, the Board of Adjustments conducted a public hearing concerning a variance request from the provisions of Chapter 18 Zoning, Article IV Zoning Districts, Section 18-50.
RECOMMENDATION:	Staff Recommends Approval of the Variance Request
ATTACHMENTS:	<ul style="list-style-type: none">• None
SUBMITTING STAFF MEMBER	Alun W. Thomas, City Secretary, by request from S.R. Burgess, Chief Building Official

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

Board of Adjustments

ITEM 5

Adjourn