

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

AGENDA
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
- ITEM 2) CONSIDERATION AND POSSIBLE ACTION REGARDING:** Approval of the Minutes of the September 14, 2015 Special Meeting.
- 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.
- A. Applicant's Presentation of Zoning Case
 - B. Those In Favor
 - C. Those Opposed
 - D. Applicant's Rebuttal
- 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.

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.

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

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.

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 **October 5, 2015**, was posted on the bulletin board at City Hall, 4403 State Highway 3, Dickinson, Texas, on or before the **1st day of October 2015**, prior to 5:00 p.m.


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: October 5, 2015

BOARD MEMBERS

PRESENT

ABSENT

SHAMARION BARBER

TIM PHILPOT

DAWN KING

LAUREN WHITE

ALLEN CARLISLE

ALTERNATE MEMBERS

RONALD HEBERT

Dawn King, Chairman
Tim Philpot, Vice Chairman
Shamarion Barber

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

Lauren White
Allen Carlisle
Ronald Hebert

September 14, 2015

NOTICE is hereby given of a **Special Meeting** of the Board of Adjustments of the City of Dickinson, Texas to be held on **Monday, September 14, 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

Ronald Hebert called the meeting to order at 6:33 p.m. Community Development Coordinator, David Lopez called roll and certified a quorum. Board of Adjustment Members present were as follows: Chairman Ronald Hebert, Vice-Chairman Tim Philpot, Dawn King and Allen Carlisle. Commissioners Shamarion Barber and Lauren White were absent. Also present was Director of Community Development Zach Meadows.

ITEM 2) CONSIDERATION AND POSSIBLE ACTION REGARDING: Approval of the Minutes of the February 2, 2015 Regular Meeting.

Board Member Dawn King made a motion to approve the minutes of the February 2, 2015 Regular Meeting as presented and Board Member Allen Carlisle seconded the motion.

VOTE:

4 AYES (Carlisle, Hebert, King, Philpot)
0 NAYS

MOTION PASSED

ITEM 3) CONSIDERATION AND POSSIBLE ACTION REGARDING: Election of Chairman and Vice Chairman

Board Member Allen Carlisle made a motion to nominate Dawn King as Chairman and Tim Philpot as Vice-Chairman. Board Member Hebert seconded the motion.

VOTE:
4 AYES (Carlisle, Hebert, King, Philpot)
0 NAYS
MOTION PASSED

ITEM 4) PUBLIC HEARING CONCERNING: A variance request to waive the required garage requirements per section 18-50(6)(d) of the City of Dickinson Code of Ordinances on property legally described as Abstract 78 Robert Hall Addition Lot 20 Block 370 Barberia & Improvements. Generally located east of Hwy 3 and south of 46th Street with the address being 2933 48th Street.

Chairman King opened the Public Hearing at 6:38 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zach Meadows provided the Board with an explanation of the variance request. Representative from Oak Creek Homes also gave his understanding of the request and indicated the need for the variance.

B. Those In Favor

Joshua Owens, representative from H-GAC spoke in favor of the request, indicating he was the responsible party handling the grant from the Federal Government on the Back Again Program.

C. Those Opposed

No one spoke in opposition to the proposed amendment.

D. Applicant's Rebuttal

None.

Chairman King closed the Public Hearing at 7:01 p.m.

ITEM 5) CONSIDERATION AND POSSIBLE ACTION CONCERNING: A variance request to waive the required garage requirements per section 18-50(6)(d) of the City of Dickinson Code of Ordinances on property legally described as Abstract 78 Robert Hall Addition Lot 20 Block 370 Barberia & Improvements. Generally located east of Hwy 3 and south of 46th Street with the address being 2933 48th Street.

After a brief discussion, Chairman King made a motion to deny the variance request, and Board Member Hebert seconded the motion.

VOTE:
4 AYES (Carlisle, Hebert, King, Philpot)
0 NAYS
MOTION PASSED

ITEM 6) PUBLIC HEARING CONCERNING: A variance request to reduce the required front yard setback from twenty-five (25) feet to twenty feet (20) on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

Chairman King opened the Public Hearing at 7:02 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zach Meadows provided the Commission with an explanation of the variance request. Zeph Capo, Applicant also stated why he was bringing forth the variance request.

B. Those In Favor

No one spoke in favor of the proposed variance request.

C. Those Opposed

George Dressendorfer explained that he was not a big fan of having the potential of a house allowed more forward than the others in the neighborhood, possibly blocking his view.

D. Applicant's Rebuttal

None.

Chairman King closed the Public Hearing at 7:12 p.m.

ITEM 7) CONSIDERATION AND POSSIBLE ACTION REGARDING: A variance request to reduce the required front yard setback from twenty-five (25) feet to twenty feet (20) on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

After a brief discussion, Board Member Allen Carlisle made motion to allow any deck or overhang to extend up to the twenty (20) feet, however the structure must stay behind the twenty-five (25) foot setback line. Vice-

chairman Tim Philpot seconded the motion.

VOTE:

3 AYES (Carlisle, King, Philpot)

1 NAYS (Hebert)

MOTION PASSED

ITEM 8) PUBLIC HEARING CONCERNING: A variance request to reduce the required side yard setback for the right side of the property from five (5) feet to three (3) feet on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

Chairman King opened the Public Hearing at 7:35 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zach Meadows provided the Commission with an explanation of the variance request.

B. Those In Favor

No one spoke in favor of the proposed variance request.

C. Those Opposed

George Dressendorfer explained that he took issue with the allowance of Mr. Capo from building closer to his structure, and believed that it was a possible safety hazard.

D. Applicant's Rebuttal

Mr. Capo, explained that he had met with staff and this was an agreed upon compromise in order to reach a buildable footprint.

Chairman King closed the Public Hearing at 7:40 p.m.

ITEM 9) CONSIDERATION AND POSSIBLE ACTION REGARDING: A variance request to reduce the required side yard setback for the right side of the property from five (5) feet to three (3) feet on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

After a brief discussion, Board Member Hebert made a motion to deny the

variance request, and Vice-Chairman Tim Philpot seconded the motion.

VOTE:

4 AYES (Carlisle, Hebert, King, Philpot)

0 NAYS

MOTION PASSED

- ITEM 10) PUBLIC HEARING CONCERNING:** A variance request to allow a minimum lot area of four thousand one hundred (4100) square feet instead of the required six thousand (6000) square feet on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

Chairman King opened the Public Hearing at 7:48 p.m.

A. Applicant's Presentation of Zoning Case

Director of Community Development Zach Meadows provided the Commission with an explanation of the variance request.

B. Those In Favor

No one spoke in favor of the proposed variance request.

C. Those Opposed

No one spoke in opposition to the proposed amendment.

D. Applicant's Rebuttal

None.

Chairman King closed the Public Hearing at 7:49 p.m.

- ITEM 11) CONSIDERATION AND POSSIBLE ACTION REGARDING:** A variance request to allow a minimum lot area of four thousand one hundred (4100) square feet instead of the required six thousand (6000) square feet on property legally described as Abstract 36 W G Banks Lot 1 Block 8 Tropical Gardens. Generally located east of Scenic Dr. and south of Gum Dr.

After a brief discussion, Board Member Carlisle motioned to approve the variance request, and Board Member Hebert seconded the motion.

VOTE:
4 AYES (Carlisle, Hebert, King, Philpot)
0 NAYS
MOTION PASSED

ITEM 12) ADJOURN

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

VOTE:
4 AYES (Philpot, King, Hebert, and Carlile)
0 NAYS
MOTION PASSED

The meeting was adjourned at 7:52 p.m.

Dawn King, Chairman

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

MEETING DATE October 5, 2015

TOPIC:	Conduct A Public Hearing For 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.
---------------	---

BACKGROUND:	<p>The Ministry of Encouragement Church met with staff in January 2014, about constructing a fence on the vacant property next to their church building. Staff had indicated in that meeting that the church could proceed with their plans for a rod iron fence on the property being that the City's Zoning Ordinance allowed such a fence on the property.</p> <p>The Church acquired the necessary funds and started erecting the fence at a much later date, approx. two (2) months ago. At that time staffed noticed the fence and had questions as to its validity in line with the ordinance. The issue was that the property fell within the adopted overlay district. The overlay district has varying degrees of different regulations than the standard Zoning Ordinance.</p> <p>Staff came to the conclusion, with confirmation from the City Attorney that the fence was considered new construction and thus would have to be constructed to the overlay district standards, which did not allow for the rod iron type of fence. The City Attorney however did indicate to staff that we should extend the ability of the Board of Adjustments to at their discretion allow the fence to remain.</p> <p>After meeting with representatives from the Ministry of Encouragement, the church indicated that it would like to proceed with the variance request, but that it would like to offer compliance with the other sections of the fence ordinance for the overlay district by planting a vegetative screen around the perimeter of the property adjacent to the fence.</p> <p>The ordinance requires a public hearing for all variance requests.</p>
--------------------	--

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

Dickinson Board of Adjustments
Agenda Item Data Sheet

RECOMMENDATION: None

- ATTACHMENTS:**
- Variance Request Application
 - Section 18-157 & 18-158 of Zoning Ordinance
 - Survey of property
 - 200 foot radius map of the property
 - Pictures of Fence
 - Public Hearing Notice

SUBMITTING STAFF MEMBER: Zach Meadows, Director of Community Development

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

VAR-15-1207



COMMUNITY DEVELOPMENT
VARIANCE APPLICATION

PROPERTY

Address 3424 Hwy 3

Legal Description ABST 19 Perry & Austin Lots 43-46 & Lts 51-53
O/L 119 Addn D Central Park

Present Zoning SC

- 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) Ministry of Encouragement Church	Phone#/Fax/Email 281-337-2214
---	----------------------------------

Mailing Address (Street, City, State, Zip)
2513 Avenue D, Dickinson, TX 77539

APPLICANT/AGENT

Name(s) Walter D. Shanks	Phone#/Fax/Email 281-337-2214
-----------------------------	----------------------------------

Mailing Address (Street, City, State, Zip)
2513 Avenue D, Dickinson, TX 77539

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

DESCRIPTION

Describe the variance being requested. We are requesting a deviation from the property development standards that are stated in Sect. 18-157 on the installed fence at 3424 Hwy 3. We would like to keep the installed fence and apply the standards required by Sect. 18-158, which states the planting of vegetative screen (trees & shrubs) I hereby certify that the above information is true to the best of my knowledge.

Walter D. Shanks
SIGNATURE (Applicant/Owner)

RECEIVED (Date, Time, Staff Signature) 09-02-15A11:13 RCVD <i>[Signature]</i>	BOARD OF ADJUSTMENTS HEARING DATE October 5, 2015
--	--

OVERLAY DISTRICT STANDARDS

Sec. 18-157. - Fencing.

- (a) Front yard. Fencing is not allowed in the front yard or between any building and the front property line.
- (b) Side yard. Fencing is allowed within side yards as follows:
 - (1) An approved shrub hedgerow using plants from the approved tree and shrub list included in section 18-136 is required to be placed adjacent to all fencing;
 - (2) When non-residential uses are not adjacent to residential uses, only dark-green, plastic (or vinyl) coated, chain link or welded wire fences, a maximum four (4) feet high are allowed. An approved shrub hedgerow using plants from the approved tree and shrub list included in section 18-136 is required to be placed adjacent to fencing; and
 - (3) When non-residential uses are adjacent to residential uses, a minimum eight (8) feet high solid fence and vegetative screen, as prescribed herein, located in the non-residential use is required.
- (c) Rear yard. Fencing is allowed within rear yards as follows:
 - (1) When non-residential uses are not adjacent to residential uses, only dark-green, plastic (or vinyl) coated, chain link or welded wire fences, a maximum four (4) feet high are allowed. An approved shrub hedgerow, using plants from the approved tree and shrub list included in section 18-136 is required to be placed adjacent to all fencing, and
 - (2) When non-residential uses are adjacent to residential uses, a minimum eight (8) feet high solid fence and vegetative screen as prescribed herein located in the non-residential use is required.

(Ord. No. 740-2012, § 2(Exh. A), 7-24-12)

Sec. 18-158. - Vegetative screen.

- (a) When non-residential uses are adjacent to residential uses, an eight (8) foot tall fence and a vegetative screen complying with the standards established in this section shall be provided and maintained by the non-residential use along all rear and side property lines that are common to any residentially-zoned property.
 - (1) In the event that a six (6) foot tall fence already exists on the residentially-zoned property that abuts the commercial property, then the commercial property may utilize such existing six (6) foot tall fence to meet the above requirements and must provide the vegetative screening required below.
 - (2) If a vegetative screen already exists on the non-residential property that provides the same visual buffer as that described below at maturity, the existing vegetation shall not be removed and may qualify as the vegetative screen required by this section.
 - (3) In the event that neither a fence nor any type of vegetative screen exists between a commercial property and a residentially-zoned property, both an eight (8) foot tall fence

and a vegetative screen complying with the standards established in this section must be provided.

- (b) Planting strip. A planting strip for the vegetative screen shall consist of hedges and trees and shall be of sufficient width and density to provide an effective screen. The planting strip shall contain no structures or other use. Such planting strip shall not be less than eight (8) feet in height. Earth mounding or berms may be used, but shall not be used to achieve more than two (2) feet of the required screen.
- (c) Standards.
 - (1) Width of planting strip. Five (5) feet minimum.
 - (2) Allowed plant material. A combination of trees and shrubs from the city's approved tree and shrub list.
 - (3) Size of plants.
 - a. Shrubs shall be a minimum height of four (4) feet at time of planting and must reach a height of eight (8) feet within two (2) years.
 - b. Trees shall be a minimum two-inch caliper at time of planting.
 - (4) Planting density. Such that within two (2) years of normal growth, a solid screen will be formed to a height of at least eight (8) feet above adjacent grade and shall consist of a double row of shrubs planted in a triangular pattern and spaced no more than thirty (30) inches apart, center-of-plant to center-of-plant. In addition to the shrubs, trees shall be placed no more than twenty (20) feet apart, unless the city approves a greater distance based on the normal spacing requirement for a particular species of tree as supported by a report from a qualified arborist.
 - (5) Required maintenance. The vegetative screen must be maintained indefinitely by the commercial property owner and/or occupant.

(Ord. No. 740-2012, § 2(Exh. A), 7-24-12)



Ministry of Encouragement Church, 3424 Hwy 3, Dickinson, TX 77539

September 1, 2015

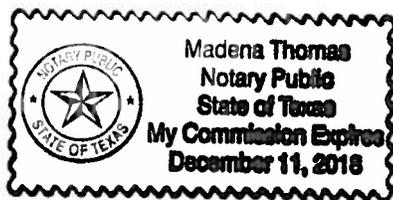
To Whom It May Concern:

I, Walter D. Shanks, do acknowledge that I am the registered agent of Ministry of Encouragement Church and have the authorization to make request and decisions on the churches behalf.

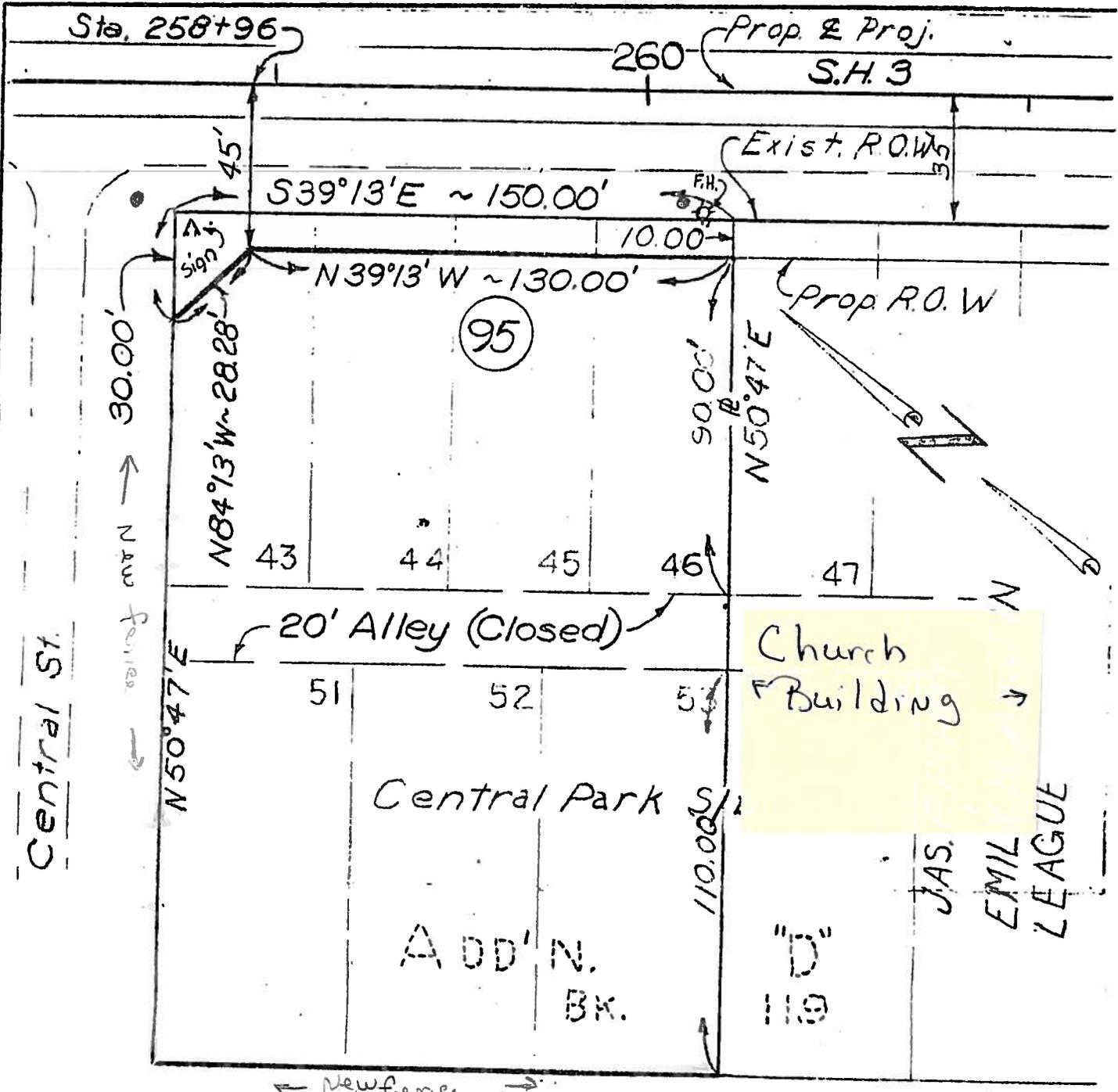
Walter D. Shanks

State of Texas
County of Galveston

Subscribed and sworn to before me by Walter D. Shanks this 2 day of September 2, 2015



Notary Public



EXISTING	TAKING	REMAINING
0.792 AC.	0.039 AC.	0.753 AC.

PARCEL NO. (95)

RIGHT OF WAY SKETCH
 SHOWING PROPERTY OF
 Ministry of Encouragement
 S.H. 3 Acct. 8012-1-48
 Galveston County
 OFFICE OF THE RES. ENGR. Jan, 1978

SCALE 1" = 40'







ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R162601	MINISTRY OF ENCOURAGEMENT	CHURCH	2504 AVE D		DICKINSON	TX	77539-5025
R162616	MINISTRY OF ENCOURAGEMENT	CHURCH	2504 AVE D		DICKINSON	TX	77539-5025
R162616	MINISTRY OF ENCOURAGEMENT	CHURCH	2504 AVE D		DICKINSON	TX	77539-5025
R162629	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162630	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162631	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162632	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162633	MATULA MIT TRUST	JACQUELINE GRACE VALCOVIAK TRUSTEE	2126 MEADOWS BLVD		LEAGUE CITY	TX	77573
R162634	MATULA MIT TRUST	JACQUELINE GRACE VALCOVIAK TRUSTEE	2126 MEADOWS BLVD		LEAGUE CITY	TX	77573
R162635	DILLON, MICHAEL	2415 FM 517 RD E			DICKINSON	TX	77539
R162636	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162637	RUIZ, JOE DICK & SYLVIA	PO BOX 372			DICKINSON	TX	77539-0372
R162638	MANCHAC, ROBERT L JR & CHERYL MANCHAC	AND ANDREW J MANCHAC & SAVANNAH MANCHAC	3443 AVE G		DICKINSON	TX	77539
R162639	MANCHAC, ANDREW	3443 AVE G			DICKINSON	TX	77539
R162640	MANCHAC, ROBERT JR	& SAVANNAH MANCHAC & ANDREW MANCHAC & MARSHALL MAN	3443 AVE G		DICKINSON	TX	77539
R163301	FLORES, EMMA	701 S 20TH AVE			EDINBURG	TX	78539-4833
R163302	SAAVEDRA, MARGARITA A	2714 CHICAGO ST			DICKINSON	TX	77539-5107
R163303	MISHLER, THOMAS D & RENEE	3419 HWY 3			DICKINSON	TX	77539-5150
R166741	OUCH, SOTHAVY & SOVANNA	3818 RAMBLE CREEK DR			MISSOURI CITY	TX	77459-7019
R166742	PEREZ, JOSE ANGEL & JOANNA	2605 PECAN ST			DICKINSON	TX	77539-4955
R166743	LOREDO, DAVID & REBECA	2515 PECAN ST			DICKINSON	TX	77539
R166744	STIDVENT, RONALD M, JR	2509 PECAN ST			DICKINSON	TX	77539
R166757	HERNANDEZ, LEONARDO JAVIER & MARTIN DE JESUS HERNANDEZ	3301 AVE C			DICKINSON	TX	77539
R166758	PATEL, KETAN ATMARAM	417 WILLOW POINTE DR			LEAGUE CITY	TX	77573-6748
R166759	LLANOS, ROBERT JR & ALICIA	2602 PECAN ST			DICKINSON	TX	77539-4956
R167204	JIMENEZ, ELEUTEREO & MARIA	3513 HWY 3			DICKINSON	TX	77539

ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R167205	MATULA MIT TRUST	JACQUELINE GRACE VALCOVIAK TRUSTEE	2126 MEADOWS BLVD		LEAGUE CITY	TX	77573
R304445	LOREDO, DAVID & REBECA	2515 PECAN ST			DICKINSON	TX	77539

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

MEETING DATE October 5, 2015

TOPIC:	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.
---------------	---

BACKGROUND:	This is the consideration and possible action item related to the proceeding public hearing.
--------------------	--

RECOMMENDATION:	None
------------------------	------

ATTACHMENTS:	None
---------------------	------

SUBMITTING STAFF MEMBER:	Zach Meadows, Director of Community Development
---------------------------------	---

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

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

MEETING DATE October 5, 2015

TOPIC:	Conduct A Public Hearing For 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.
---------------	---

BACKGROUND:	<p>Keith Lilley, Property Owner, is looking to build Marai's Restaurant on the property described above. There is no way that you can situate the building on the property in order to meet the required parking spaces per City of Dickinson Code of Ordinances. Section 18-97 of the Code of Ordinances allows for business developments to have shared parking facilities, however the required parking must first be met and then additional shared parking can be provided.</p> <p>The variance that is being requested is to allow the restraint to use the shared parking before it fulfils its required parking on site. The planning & Zoning Commission at their regular scheduled September 15 meeting approved Marai's Site plan contingent on the approval of this variance by the Board of Adjustments.</p> <p>The ordinance requires a public hearing for all variance requests.</p>
--------------------	---

RECCOMENDATION:	Staff recommends approval of variance
------------------------	---------------------------------------

ATTACHMENTS:	<ul style="list-style-type: none">• Variance Request Application• Section 18-97 of Zoning Ordinance• Site Development Plan• Site Plan of Additional Parking• 200 foot radius map of the property• Public Hearing Notice
---------------------	--

SUBMITTING STAFF MEMBER:	Zach Meadows, Director of Community Development
---------------------------------	---

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

1 Sign



\$ 475.00

COMMUNITY DEVELOPMENT VARIANCE APPLICATION

PROPERTY

Address 2015 FM 517 E Dickinson, TX 77539

Legal Description

Present Zoning GENERAL COMMERCIAL

- 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) <u>KEITH LILLEY</u>	Phone#/Fax/Email <u>832 618-3315</u>
-----------------------------	--------------------------------------

Mailing Address (Street, City, State, Zip)
2015 FM 517 E Dickinson, TX 77539

APPLICANT/AGENT

Name(s) <u>FINEAS X LOVER TERRI LEITA</u>	Phone#/Fax/Email <u>281-802-4080</u>
---	--------------------------------------

Mailing Address (Street, City, State, Zip)
PO Box 1037 KEMAH, TX 77565

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

DESCRIPTION

Describe the variance being requested.
FEWER PARKING SPACES WITH SHARED PARKING ON ADJACENT PROPERTY

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

[Signature]
SIGNATURE (Applicant/Owner)

RECEIVED (Date, Time, Staff Signature) <u>09-09-15P05:31</u>	BOARD OF ADJUSTMENTS HEARING DATE
---	-----------------------------------

CITY OF DICKINSON CODE OF ORDINANCES

Sec. 18-97. - Joint parking facilities.

Required off-street parking for any number of separate uses may be combined in a joint parking facility under the conditions of this section, subject to the approval of a joint parking facility plan by the zoning official. Such joint parking facility plan shall be reviewed by the zoning official for conformance with this section.

- (1) Joint parking facilities permitted. Whenever two (2) or more uses are located together in a common building, shopping center, or other integrated building complex, the parking requirements may be complied with by providing a permanent, common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The joint parking facility shall be located within three hundred (300) feet from all uses, and shall not be separated from such uses by arterial streets. The total number of spaces provided shall not be less than the sum of the individual requirements for all uses, unless otherwise permitted in these regulations. Spaces provided for any permanent residents of dwellings shall be clearly designated and separated from spaces provided for employees, customers and service.
- (2) Multiple ownerships and structures. Where buildings, uses or structures participating in a joint parking facility are owned by multiple owners, each owner shall provide evidence of a permanent, legal instrument, approved by the city attorney, which guarantees such owner's rights to the use of the parking facility. Any termination of or amendment to such an agreement shall be subject to the approval of the city.
- (3) Churches. Churches may establish joint parking facilities with other uses that do not have a time conflict in parking demand. However, only fifty (50) percent of a church's required parking spaces may be provided in this manner. In addition, such joint parking facilities shall be located no more than four hundred (400) feet from the church sanctuary.
- (4) Guarantee. Joint parking facilities shall guarantee the permanency of the joint use through an appropriate legal instrument, approved by the city attorney, and filed of record.

(Ord. No. 420-2001, § 1, 7-24-01)

- GENERAL NOTES:**
- 1) REFERENCE LINES AND GRADES
 - 2) EXISTING UTILITIES
 - A. VERIFY LOCATION AND ELEVATION OF EXISTING FACILITIES PRIOR TO CONSTRUCTION OF PROPOSED FACILITIES.
 - B. PROTECT ALL EXISTING UTILITIES DURING CONSTRUCTION.
 - C. NO EXCAVATING OR OTHER CONSTRUCTION ACTIVITY SHALL BE CONDUCTED IN THE IMMEDIATE VICINITY OF A FACILITY IN THE ABSENCE OF A PERMITS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES CAUSED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE THESE UNDERGROUND FACILITIES.
 - D. OVERHEAD LINES MAY EXIST ON THE PROPERTY. THEY HAVE NOT BEEN SHOWN. THE CONTRACTOR SHALL LOCATE THEM PRIOR TO BEGINNING ANY CONSTRUCTION. TEXAS LAW, SECTION 702, HEALTH AND SAFETY CODE, FORBIDS ALL ACTIVITIES IN WHICH PERSONS OR THINGS MAY COME WITHIN 8 FEET OF OVERHEAD LINES UNLESS THE PERSONS OR THINGS ARE LEGALLY RESPONSIBLE FOR THE SAFETY OF CONSTRUCTION WORKERS UNDER THIS LAW. THIS LAW CARRIES BOTH CRIMINAL AND CIVIL LIABILITY.
 - 3) EXISTING CONDITIONS
 - A. SPECIAL CARE SHALL BE TAKEN TO NOT DAMAGE ANY TREES OR DESTROY THE DRAINAGE.
 - B. EXCESS EXCAVATED MATERIAL SHALL BE DISPOSED OF AS DETERMINED BY THE OWNER OR AS SPECIFIED ON THE DRAWINGS. SOIL SHALL NOT BE DEPOSITED GREATER THAN 4" DEEP WITHOUT PERMISSION FROM THE OWNER.
 - C. PERMITS
 - D. OWNER TO OBTAIN ALL PERMITS REQUIRED BY CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING CONSTRUCTION OF UTILITY AND/OR CULVERTS WITHIN ROAD RIGHT-OF-WAYS.
 - 4) CONTRACTOR SHALL ASSUME RESPONSIBILITY THAT ALL CONSTRUCTION PERMITS HAVE BEEN OBTAINED FROM THE CITY, COUNTY, AND STATE OF TEXAS PRIOR TO COMMENCEMENT OF WORK. REQUIRED PERMITS SHALL BE OBTAINED AT HIS EXPENSE.
 - 5) SAFETY: OBEY ALL FEDERAL, STATE, AND LOCAL SAFETY REGULATIONS WHEN WORKING IN OR NEAR PUBLIC ROAD RIGHT-OF-WAYS.
 - 6) CONTRACTOR SHALL COMPLY WITH OSHA REGULATIONS AND STATE OF TEXAS LAWS CONCERNING EXCAVATION, TRENCHING, AND SHORING.

SURVEY NOTES:

1. ALL BEARINGS AND STREET RIGHT OF WAYS ARE BASED ON RECORDED PLAT.
2. SURVEYING AND PROPERTY SURVEYING, SURVEY BASED ON LEGAL AND LEGAL DESCRIPTION AS PER AN ON THE GROUND SURVEY, EXISTING BUILDING LINES, ETC., SHOWN ARE AS IDENTIFIED BY OF MC. S2021-D-1100 OF GREAT AMERICAN TITLE COMPANY.
3. NOTHING IN THIS STATEMENT IS INTENDED TO EXPRESS AN OPINION REGARDING THE ACCURACY OF THIS STATEMENT.
4. THE WORD CENTER IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF ONLY.
5. SURVEY IS CENTERED FROM THE SURVEYING ASSOCIATES, INC. THE LINDSAY HERDON ARE PROVIDED, CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS PREPARED. IT IS UNDERSTOOD THAT THE USE OF, REPRODUCTION OR REPRODUCTION OF SAME IN ANY MANNER WITHOUT THE EXPRESS WRITTEN PERMISSION OF SURVEYING ASSOCIATES, INC. SURVEYING ASSOCIATES, INC. SHALL BE HELD HARMLESS AGAINST DAMAGES OR EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE, REPRODUCTION OR REPRODUCTION, COPYRIGHT 2011. ALL RIGHTS RESERVED.

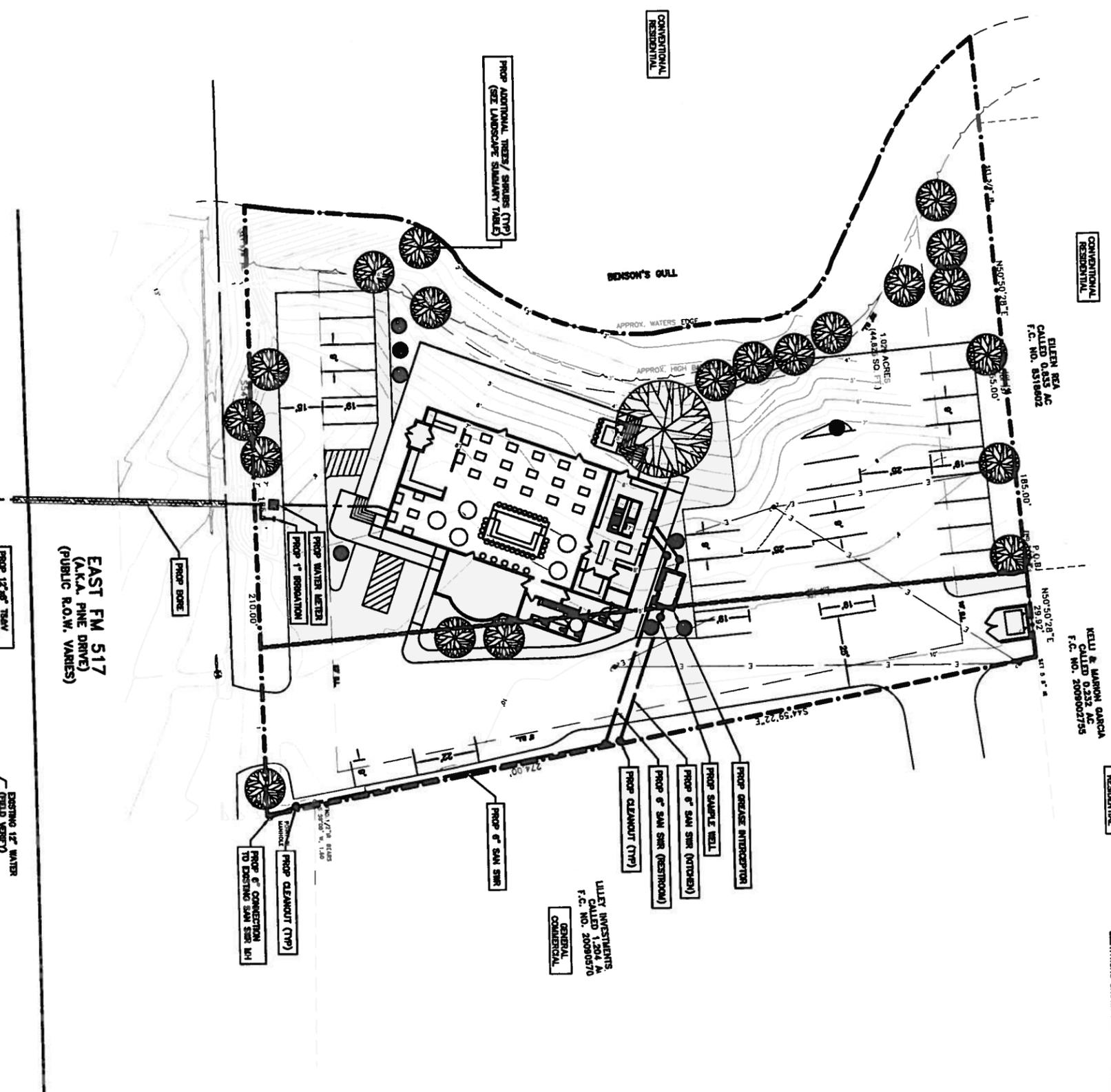
OWNER:
KEITH LILEY
2111 FM 517 EAST
DICKINSON TEXAS

ARCHITECT:
FINEAS & CLOVER
PO BOX 1017
KEMAH, TEXAS 77565

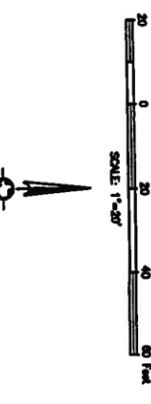
SURVEYOR:
SOUTH TEXAS SURVEYING ASSOCIATES
RICHMOND AVE, BLDG J SUITE 101
HOUSTON, TEXAS 77082

CIVIL ENGINEERING:
SHELMARK ENGINEERING, L.L.C.
CIVIL/MARINE/PLANNING/STRUCTURAL
421 FM 517 Road East | Dickinson, Texas 77539
TX Perm No. F-2115

FLOOD NOTE:
PROPERTY LIES WITHIN FLOOD ZONE "AE" BEHIND FIRM. ACCORDING TO F.I.R.M. MAP NO. 481868 010A DATE 2-18-03 BY GRAPHING PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION. BEFORE ANY DEPENDENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.



BOUNDARY:
PRO AM5489
STEEL ROD W/ SERIE STAMPED HOCS 57 1986
AT THE DICKINSON POST OFFICE
ELEV. = 12.30 FEET
HAND 88, 2001 ADJUSTMENT
ELEVATIONS SHOWN ARE 2001 ADJUSTMENT.



PARKING REQUIRED

UNIT TYPE	SPACES PER UNIT	TOTAL REQUIRED
RESTAURANT (6,000 SF)	1 PER 100 SF	60 SPACES
EMPLOYEES	1 PER 2 EMPLOYEE	10 SPACES
TOTAL REQUIRED 60 SPACES		

PARKING PROVIDED

TYPE	PARKING PROVIDED
FULL-SIZED HANDICAP	2 SPACES
ADDITIONAL OFFSITE	24 SPACES
TOTAL PROVIDED 56 SPACES	

NOTE: PROPOSED RESTAURANT ON SITE PROVIDED 21 SPACES WITH A 4,800 SF RESTAURANT.

PROPOSED LANDSCAPE SUMMARY

NEW PLANTING:
FRONTAGE TREES: 1 TREE PER 30' OF FRONTAGE 210/30 = 7 EA
PARKING LOT ISLAND TREES: 1 TREE PER 10 PARKING SPACES = 3 EA
PARKING LOT SCREENING: 10 SHRUBS PER 30' OF FRONTAGE = 50 EA

NOTE: LANDSCAPING MUST MEET LANDSCAPING REQUIREMENTS SET BY THE CITY OF DICKINSON ORDINANCE. CHANGE IN LANDSCAPING MUST BE APPROVED BY URBAN FORESTRY.

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

PROJECT: MARAIS RESTAURANT
2015 FM 517 DICKINSON, TEXAS

DATE: 03/19/15
SCALE: 1:20
DRAWN BY: SLBK
CHECKED BY: MJM

REVISIONS:

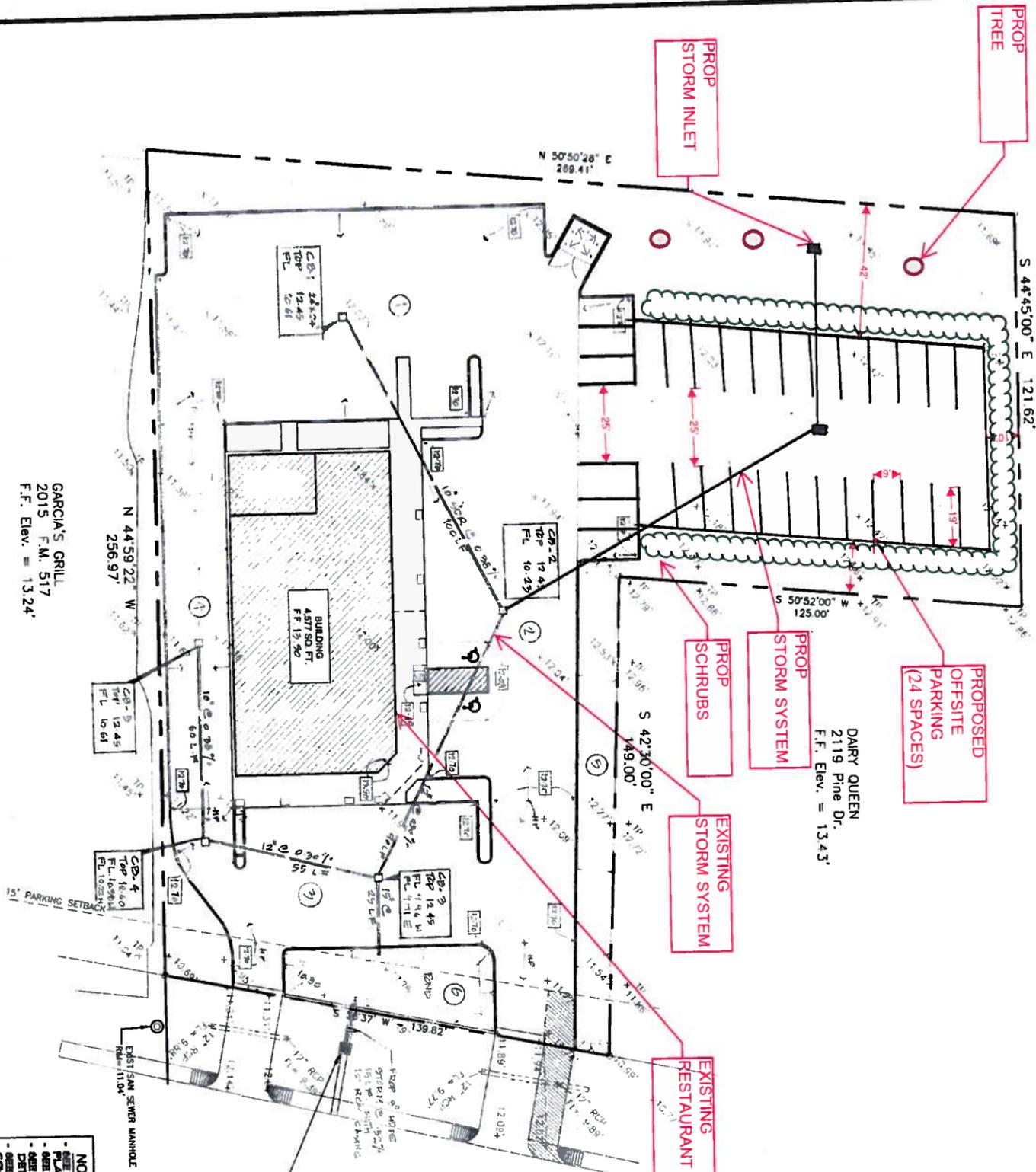
GENERAL CONSTRUCTION NOTES:

1. DIMENSION CONTROL PLAN (DCP) PREPARED BY WADHWA AND ASSOCIATES, INC. TO BE USED IN CONSTRUCTION WITH THIS PLAN FOR LOCATING ALL IMPROVEMENTS.
2. ALL UNDERGROUND UTILITIES SHOWN ARE NOT GUARANTEED TO BE COMPLETE OR DEFINITE, BUT WERE OBTAINED FROM THE BEST INFORMATION AVAILABLE.
3. CONTRACTOR TO VERIFY ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION.
4. THE LOCATION OF ALL UTILITIES PRESENTED ON THESE DRAWINGS ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND ALL DAMAGES WHICH MIGHT BE OCCURRED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE THESE UNDERGROUND UTILITIES.
5. CONTRACTOR TO OBTAIN ALL PERMITS AND APPROVALS REQUIRED PRIOR TO COMMENCING CONSTRUCTION OF UTILITIES OR WORK IN THE CITY STREET RIGHT-OF-WAY.

LANDSCAPING REQUIREMENTS:

1. 10 SCHRUBS PER 30 LINEAR FEET @ 301 LF = 100 EA
2. 1 TREE PER 10 SPACES @ 24 SPACES = 3 EA

LANDSCAPE PLAN MUST CITY OF DICKINSON LANDSCAPE ORDINANCE



GARCIA'S GRILL
2015 F.M. 517
F.F. Elev. = 13.24'

DAIRY QUEEN
2119 Pine Dr.
F.F. Elev. = 13.43'

ALL DRAWINGS, SPECIFICATIONS AND NOTES PRESENTED ON THIS SHEET ARE THE PROPERTY OF WADHWA AND ASSOCIATES, INC. AND NO PART THEREOF SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF WADHWA AND ASSOCIATES, INC. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL THE DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED IMMEDIATELY OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

DICKINSON BBQ CO.
2111 F.M. 517
DICKINSON, TEXAS 77539

OWNER / DEVELOPER
TOM R. KEYWORTH AND
LINDA S. KEYWORTH
400 FOX RUN LN.
LAGUE CITY, TEXAS 77573
TEL: (281) 337-8851

GENERAL CONTRACTOR
AGGIE CONSTRUCTION CO., INC.
LEO SPAETH, JR.
6900 YIPONDAL
HOUSTON, TEXAS 77080
TEL: (713) 441-2174
FAX: (713) 441-8111

NOTE:

- SEE GUT. SET FOR SITE
- SEE GUT. FOR UTILITY PLAN
- SEE GUT. FOR PAVING
- SEE GUT. FOR DRAINAGE
- SEE GUT. FOR PAVEMENT CONSTRUCTION NOTES



DRAINAGE PLAN

1.206 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND A PART OF LOT 156, ADDITION "D" TO THE TOWN OF DICKINSON, GALVESTON COUNTY AND RECORDED IN VOLUME 155, PAGE 10 OF THE GALVESTON COUNTY MAP RECORDS, GALVESTON COUNTY, TEXAS.

FOR INTERIM REVIEW ONLY
SURVEY WAS PROVIDED BY:
GODINICH SURVEYORS, L.L.C.
8505 YIPONDAL
HOUSTON, TEXAS 77080
713-722-0211

LEGAL DESCRIPTION

ACCORDING TO THE ORIGINAL SUBDIVISION MAP AND ASSOCIATED PLANS, THE 100 YEAR FLOOD PLANE, THE 100 YEAR FLOOD PLANE, THE 100 YEAR FLOOD PLANE.

AREA SCHEDULE	LAND AREA	TOTAL FLOOR AREA	OPEN SHEET AREA	TOTAL PAVING AREA
1	1.206	4,977	1,100	1,100
2	0.000	0.000	0.000	0.000
3	0.000	0.000	0.000	0.000
4	0.000	0.000	0.000	0.000
5	0.000	0.000	0.000	0.000
6	0.000	0.000	0.000	0.000
7	0.000	0.000	0.000	0.000
8	0.000	0.000	0.000	0.000
9	0.000	0.000	0.000	0.000
10	0.000	0.000	0.000	0.000
11	0.000	0.000	0.000	0.000
12	0.000	0.000	0.000	0.000
13	0.000	0.000	0.000	0.000
14	0.000	0.000	0.000	0.000
15	0.000	0.000	0.000	0.000
16	0.000	0.000	0.000	0.000
17	0.000	0.000	0.000	0.000
18	0.000	0.000	0.000	0.000
19	0.000	0.000	0.000	0.000
20	0.000	0.000	0.000	0.000
21	0.000	0.000	0.000	0.000
22	0.000	0.000	0.000	0.000
23	0.000	0.000	0.000	0.000
24	0.000	0.000	0.000	0.000
25	0.000	0.000	0.000	0.000
26	0.000	0.000	0.000	0.000
27	0.000	0.000	0.000	0.000
28	0.000	0.000	0.000	0.000
29	0.000	0.000	0.000	0.000
30	0.000	0.000	0.000	0.000
31	0.000	0.000	0.000	0.000
32	0.000	0.000	0.000	0.000
33	0.000	0.000	0.000	0.000
34	0.000	0.000	0.000	0.000
35	0.000	0.000	0.000	0.000
36	0.000	0.000	0.000	0.000
37	0.000	0.000	0.000	0.000
38	0.000	0.000	0.000	0.000
39	0.000	0.000	0.000	0.000
40	0.000	0.000	0.000	0.000
41	0.000	0.000	0.000	0.000
42	0.000	0.000	0.000	0.000
43	0.000	0.000	0.000	0.000
44	0.000	0.000	0.000	0.000
45	0.000	0.000	0.000	0.000
46	0.000	0.000	0.000	0.000
47	0.000	0.000	0.000	0.000
48	0.000	0.000	0.000	0.000
49	0.000	0.000	0.000	0.000
50	0.000	0.000	0.000	0.000

- NOTES**
- 1) THE DETENTION AND DAMAGE FACILITIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.
 - 2) ALL CHANNEL FACILITIES SHALL HAVE EROSION CONTROL ESTABLISHED UPON CONSTRUCTION.
 - 3) UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON OBSERVED UNDERGROUND UTILITIES AND OWNER/OPERATOR RECORDS. CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
 - 4) ANY FUTURE DEVELOPMENT OF TRANSPORTATION REVIEW AND APPROVALS PRIOR TO CONSTRUCTION.
 - 5) CONTRIBUTION TO HIGH UTILITY LOCATOR SERVICES AT LEAST 7' HIGH PRIOR TO AIR EXCAVATION.
 - 6) LOWER STORM PROTECTIVE SYSTEMS (000) 344-4345 TEXAS ONE CALL SYSTEM (800) 245-4345

DETECTION SQUARE

1) TOTAL AREA (SQ. FEET)	1.21
2) RAINFALL INTENSITY (IN/HR)	0.50
3) ESTIMATED TIME OF CONCENTRATION (MIN)	10.0 (2-YEAR STORM)
4) ESTIMATED TIME OF CONCENTRATION (MIN)	13.91 (100-YEAR STORM)
5) CRITICAL STORAGE CAPACITY (CU YD)	24
6) RAINFALL EXCESSIVE METHOD, RAINFALL METHOD	1.00 (2-YEAR STORM)
7) RAINFALL EXCESSIVE METHOD, RAINFALL METHOD	1.00 (100-YEAR STORM)
8) DESIGN RAINFALL INTENSITY (IN/HR)	6.93 (2-YEAR STORM)
9) DESIGN RAINFALL INTENSITY (IN/HR)	9.57 (100-YEAR STORM)
10) PEAK FLOW RATE (GPM)	10,424 (2-YEAR STORM)
11) PEAK FLOW RATE (GPM)	14,447 (100-YEAR STORM)
12) STORAGE VOLUME ESTIMATION (CU YD)	14.447 (0.46 ac-ft)
13) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
14) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
15) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
16) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
17) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
18) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
19) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
20) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
21) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
22) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
23) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
24) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
25) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
26) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
27) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
28) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
29) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
30) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
31) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
32) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
33) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
34) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
35) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
36) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
37) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
38) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
39) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
40) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
41) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
42) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
43) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
44) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
45) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
46) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
47) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
48) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
49) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)
50) STORAGE VOLUME ESTIMATION (CU YD)	15.889 (0.50 ac-ft)

LEGEND

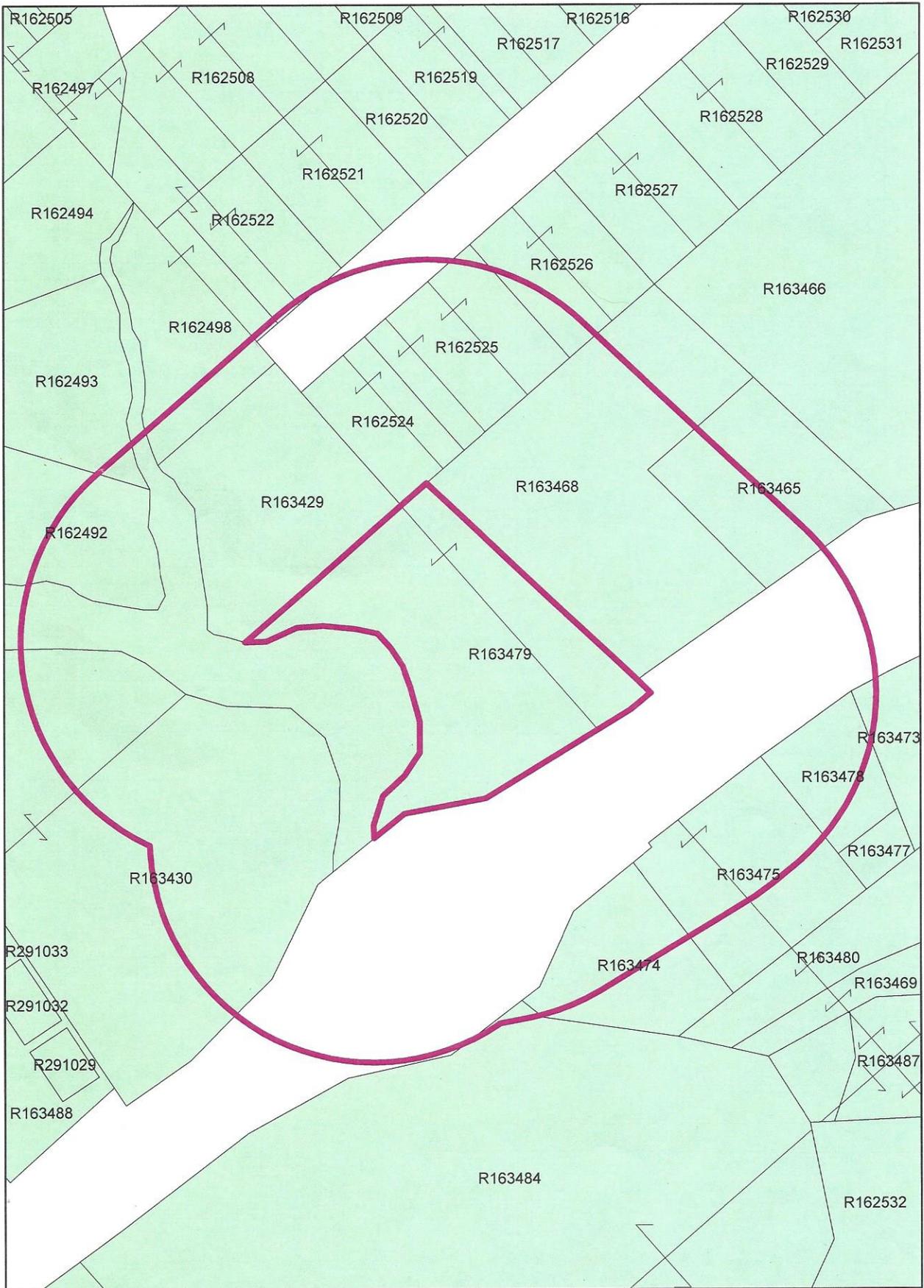
EXISTING CONTOURS
PROPOSED SPOT ELEVATION
FLOW LINE
TOP OF CURB
TOP OF PAVING
TOP OF CURB
TOP OF WALK
HP
HP
E.O.P.
TOP OF GRADE
DIRECTION OF FLOW



ALBERT NATHAN, JR., P.E., R.P.L.S.
CONSULTING ENGINEER AND SURVEYOR
2012 WADSWORTH
WADHWA AND ASSOCIATES, INC.
400 FOX RUN LN.
LAGUE CITY, TEXAS 77573
TEL: (281) 337-8851
FAX: (281) 337-8852

WADHWA AND ASSOCIATES, INC.
1500 WADSWORTH
HOUSTON, TEXAS 77080
TEL: (713) 441-2174
FAX: (713) 441-8111

ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R162492	JOHNSON, STEPHANIE E	3518 ASH CIR			DICKINSON	TX	77539
R162493	BARD, EUGENE L & SHERRY	3517 ASH CIR			DICKINSON	TX	77539-4701
R162498	REA, HARRIETT CHARMARINE	2008 HOLLY DR			DICKINSON	TX	77539
R162522	WEST, WILLIAM D &	GAYLA L POEHL WEST	907 WINTER ST		BRYAN	TX	77803-4568
R162524	GARCIA, KELLI & MARION GARCIA	2004 HOLLY DR			DICKINSON	TX	77539
R162525	RODRIGUEZ, MARY F & THOMAS	RODRIGUEZ	2022 HOLLY DR		DICKINSON	TX	77539
R162526	BROUSSARD, HEATHER	2106 HOLLY DR			DICKINSON	TX	77539
R163429	REA, E	2008 HOLLY DR			DICKINSON	TX	77539-4736
R163430	TEATHER, ROY & JOANNE	1919 E FM 517			DICKINSON	TX	77539-8652
R163465	MIKE & JOE CORPORATION	2119 FM 517 RD E			DICKINSON	TX	77539-8660
R163468	LILLEY INVESTMENTS LLC	2911 MISTY WIND CT			LEAGUE CITY	TX	77573
R163473	JOHNSON, GEORGE JR	2122 E FM 517			DICKINSON	TX	77539
R163474	JOHNSON, GEORGE H JR &	GEORGE H JOHNSON SR	2108 FM 517 RD E		DICKINSON	TX	77539-8659
R163475	JOHNSON, GEORGE H JR &	GEORGE H JOHNSON SR	2108 FM 517 RD E		DICKINSON	TX	77539-8659
R163478	→ SWALLEN CENTERS INC	%HUDSON INVESTMENT	7887 SAN FELIPE, STE 122		HOUSTON	TX	77063
R163479	GARCIA, HERIBERTO &	JUANITA	1113 8TH AVE N		TEXAS CITY	TX	77590-7402
R163484	→ FULLERTON, HAL B	2010 FM 517 RD E			DICKINSON	TX	77539-8653





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 Perry & Austin All N 250 Feet E Benson Gully Block 157 & Adjacent 31 X 257 X 55 X 250 Feet Block 156 Addition Dickinson

Location: Generally Located West Of Wagon Road And North Of FM 517 With The Address Being 2015 FM 517

Variance Requested: 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

Meeting Date: **Board of Adjustments** – Monday, October 5, 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 October 5, 2015

TOPIC:	Consideration And Possible Action 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.
---------------	---

BACKGROUND:	This is the consideration and possible action item related to the proceeding public hearing.
--------------------	--

RECOMMENDATION:	Staff recommends approval of variance
------------------------	---------------------------------------

ATTACHMENTS:	None
---------------------	------

SUBMITTING STAFF MEMBER:	Zach Meadows, Director of Community Development
---------------------------------	---

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

ADJOURN

TIME: _____

MOTION: _____

SECOND: _____

VOTE _____