



**NOTICE OF MEETING  
BOARD OF ADJUSTMENTS  
THURSDAY, JANUARY 26, 2017**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENTS OF THE CITY OF SEABROOK WILL HOLD A MEETING ON **THURSDAY, JANUARY 26, 2017 AT 7:00 PM.**, SEABROOK CITY HALL, 1700 FIRST STREET, SEABROOK, TEXAS TO **DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW. ALTHOUGH THIS IS NOT AN OFFICIAL COUNCIL MEETING, A QUORUM OF COUNCIL MEMBERS MAY BE PRESENT.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-291-5600 OR FAX 281-291-5690 FOR FURTHER INFORMATION.

**1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker, shall be limited to city business or city-related business or matters of general public interest, and shall not include any personal attacks. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

**2.0 SPECIFIC PUBLIC HEARING**

- 2.1 Request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 5, "Off-Street Parking, Loading, Ingress and Egress; and Landscaping and Safety Requirements", Section 5.04 "Comprehensive Parking Regulation Matrix", Table 5-C "Required Parking Spaces by Land Use Category", Banks and Financial Services, 1 space per 400 square of gross area + 8 stacking spaces per teller lane.**

**Applicant/Owner:** JSC Federal Credit Union, 1330 Gemini St, Houston, TX 77058

**Legal Description:** Lot 1, Block 1, Sandhya Subdivision, Harris County Texas. This property is located immediately north of Nasa Parkway and abuts the City of Seabrook city limits.

**3.0 NEW BUSINESS**

**3.1 Consider and take all appropriate action on the request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 5, "Off-Street Parking, Loading, Ingress and Egress; and Landscaping and Safety Requirements", Section 5.04 "Comprehensive Parking Regulation Matrix", Table 5-C "Required Parking Spaces by Land Use Category", Banks and Financial Services, 1 space per 400 square of gross area + 8 stacking spaces per teller lane.**

**3.2 Election of a Vice Chairman for the Board of Adjustments.**

**4.0 ROUTINE BUSINESS**

**4.1 Approve the minutes from the December 5, 2016 meeting.**

**THE BOARD OF ADJUSTMENTS RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.**

**CERTIFICATE**

I certify that this notice was posted on the bulletin board at Seabrook City Hall on or before 5:00 p.m. Thursday, January 19, 2017 and that it will remain posted until the meeting has ended.

/s/Alesia Hammock - Secretary



# Application for Land Development Permit

**\*\*Incomplete applications cannot be processed\*\***

- Zoning Change     
  Text Change     
  Zoning Variance     
  Planned Unit Development  
 Conditional Use Permit     
  Subdivision Plat     
  Preliminary     
  Final     
  Amending

## APPLICANT INFORMATION Check appropriate box(es)

Name: Michael Porterfield \_\_\_\_\_ E-Mail: mlparchitect1955@gmail.com \_\_\_\_\_  
 Address: 1302 Woodland \_\_\_\_\_ Fax #: \_\_\_\_\_  
 City: Seabrook \_\_\_\_\_  
 State: TX \_\_\_\_\_ ZIP 77586 \_\_\_\_\_ Phone: 281 455-1625 \_\_\_\_\_

Applicant is  Owner of property  Agent for Owner  Agent for Purchaser  Purchaser  City of Seabrook  
 If Applicant is acting on behalf of Owner in this application, Owners signature below authorizes this application.

Owner(s): Paul Maslonka (JSC Federal Credit Union) Signature: \_\_\_\_\_  
 Date: 12-13-2016 Signature: \_\_\_\_\_

Owner(s) Mailing address(es): \_\_\_\_\_ Phone #: 281 488-7070x1187 \_\_\_\_\_  
 Name: Paul Maslonka (JSC Federal Credit Union) Name: \_\_\_\_\_  
 Address: 1330 Gemini \_\_\_\_\_ Address: \_\_\_\_\_  
 City: Houston \_\_\_\_\_ City: \_\_\_\_\_  
 State: TX \_\_\_\_\_ Zip 77058 \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

## PROPERTY INFORMATION

Property Address: 3620 Nasa RD. 1 \_\_\_\_\_  
 Legal Description: Lot 1 Sandhya Subdivision \_\_\_\_\_ Block \_\_\_\_\_  
 Addition 0.7419 Acre out of the Ritson Morris Survey, Abstract N0.52 \_\_\_\_\_  
 (You may attach Metes & Bounds description from your Deed if available)

Current Zoning Classification: A/E \_\_\_\_\_ (Available from Building Department)  
 Current Use of Property: Previously a Day Care that has been torn down \_\_\_\_\_  
 (Be specific)

Number of existing Driveways: one \_\_\_\_\_  
 General Dimensions of Property: Width: 135 \_\_\_\_\_ Depth: 220 \_\_\_\_\_ Land Area: \_\_\_\_\_ Sq. Feet: 0.7419 \_\_\_\_\_ Acres: \_\_\_\_\_

Adjoining Uses: North El Lago residential \_\_\_\_\_ South 1 \_\_\_\_\_  
 Adjacent Streets: East Hotel \_\_\_\_\_ West Shopping Center \_\_\_\_\_  
 North \_\_\_\_\_ South Nasa RD 1 \_\_\_\_\_  
 East \_\_\_\_\_ West \_\_\_\_\_

Is the property served with: City Water?  Yes  No      City Sewer?  Yes  No



NAME: Michael Porterfield

DATE: 01/26/2017

ADDRESS: 3620 Nasa Road One

FILE #: 2017-01 BOA

**VARIANCE REQUEST: Request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 5, "Off-Street Parking, Loading, Ingress and Egress; and Landscaping and Safety Requirements", Section 5.04 "Comprehensive Parking Regulation Matrix", Table 5-C "Required Parking Spaces by Land Use Category", Banks and Financial Services, 1 space per 400 square feet of gross area + 8 stacking spaces per teller lane.**

**As per City Code, Section 10.04.02, "the issuance of a variance may not be granted unless the board shall determine that the following criteria have been met:**

**A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved which are not applicable to other lands, structures or buildings in the same district.**

8 stacking spaces per teller lane.

**B. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this ordinance.**

Banks or Financial Institutions in the same district under the terms of this ordinance do not comply with that Literal interpretation of "8 stacking spaces per teller lane".

**C. That the special conditions and circumstances do not result from the actions of the applicant.**

While plans were being developed and near completion the new FEMA map changes came into effect and the site had to be raised several feet to elevation 15'-6. This special condition and circumstance affected the site layout. The building drive thru placement due to the site constraints created one lane stack up space that would back up onto Nasa RD 1. In our effort to mitigate this problem additional lanes were added to allow additional stack up space. In our mind the additional drive thru lanes solved the stacking problem.

**D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.**

Owner presently has one Credit Union with one drive thru lane operating with stacking space for 4 cars. Applicant visited each of the Banks and Financial Institutions in the same district and found each are presently non-compliant with the ordinance requirements of 8 stacking spaces per teller lane.

**E. That a literal enforcement of the provisions of this ordinance would result in unnecessary hardship**

Literal enforcement of the provisions of this ordinance would result in unnecessary hardship for the owner. The stack up space for one teller line with 8 stack up spaces would extend cars stacked into the road. To mitigate this problem the owner has provided 3 additional drive thru lanes making a total of 4 lanes. Rarely would there be more than one maybe two cars in each drive thru lane at one time.

1 The Board of Adjustment of the City of Seabrook met on Monday, December 5, 2016 at City  
2 Hall, 1700 First Street, Seabrook, Texas in regular session to consider the following agenda  
3 items.

4  
5 THOSE PRESENT WERE:

6		
7	SUE ELLEN LANGGARD	CHAIRMAN
8	EDELMIRO MUNIZ	MEMBER
9	JOHN DOLAN	MEMBER
10	MICHELE GLASER	MEMBER
11	MARGARET HUNT	MEMBER
12	RICHARD NGUYEN	ALTERNATE MEMBER
13	KEVIN FERGUSON	ALTERNATE MEMBER
14	SEAN LANDIS	DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
15		SECRETARY
16	ALESIA HAMMOCK	

17  
18 Chairman Langgard called the meeting to order at 7:00 p.m. and stated there was a quorum  
19 present. Chairman Langgard stated that the voting members are: Sue Langgard, Ed Muniz,  
20 John Dolan, Michele Glaser and Margaret Hunt.

21  
22 **1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS - None**

23  
24 **2.0 SPECIFIC PUBLIC HEARING**

25  
26 **2.1 Request for a variance to increase the Area and Height size for temporary on-**  
27 **premises real estate signs as required in Appendix A, "Comprehensive Zoning",**  
28 **Article 6 "Sign Standards", Section 6.04.02. "Temporary on-premises signs", B.**  
29 **"Other on-premises real estate signs".**

30  
31 Sean Landis gave a brief report. He stated that the applicant is requesting a variance to  
32 increase the Area and Height size for temporary on –premises real estate signs as required  
33 in Appendix A, "Comprehensive Zoning", Article 6 "Sign Standards", Section 6.04.02.  
34 "Temporary on premises signs", B "Other on –premises real estate signs".

35  
36 Mr. Landis stated that the applicant is requesting two signs; One with the dimensions of  
37 8' x 8' = 64 sq. ft. with a height of 11'. The second sign's dimensions are 20' x 8' = 160  
38 sq. ft. with a height of 11'. As stated below in Section 6.04.02 B., tracts, with ten acres  
39 or more, shall be limited to two signs, each not to exceed 32 square feet in display area  
40 and ten feet in height. He also stated that the applicant's position is that due to the size of  
41 the project and the complexity of the information to be displayed, an area and height  
42 increase is required to the on-premise real estate signs. The property is approximately  
43 11.7726 Acres and has approximately 900' of frontage along Repsdorph Road. He stated  
44 that the speed limit along Repsdorph is 35 mph.

45  
46 Michele Glaser asked how tall the real estate sign is on the Repsdorph Circle.

47  
48 Sean Landis stated that it is 32 square feet and right at the 11 foot elevation mark.  
49  
50 John Dolan state that the sign was for advertising and vehicles would have to slow down  
51 to read it. He asked Mr. Landis if he had an opinion if it would be a safety hazard.  
52  
53 Mr. Landis stated that he did not have an opinion either way. He stated that typically  
54 throughout the City everyone has been able to comply with the existing regulations, there  
55 has never been a variance granted.  
56  
57 Michael Travis, Diana Lane, after being sworn in, stated that they have had a lot of  
58 people asking about the project. He stated that they have two driveways, and what they  
59 are proposing is that anyone interested can pull in and look at the sign. He stated that they  
60 are trying to put a sign out there so that people would understand what they are doing.  
61 He also stated that it was different for them because of the size of the project. He stated  
62 that once they started construction and had the management trailers on site, then they  
63 could pull in and talked to someone on site. He stated that they were trying to start in the  
64 first quarter of 2017.  
65  
66 Ed Muniz asked how long they expected the construction to take.  
67  
68 Michael Travis stated 14 to 16 months.  
69  
70 Sean Landis stated that the sign had to be removed 30 days after the construction is  
71 completed.  
72  
73 John Dolan asked if this was a single phase project.  
74  
75 Michael Travis stated that would not need that much signage once the first phase was  
76 completed.  
77  
78 Ed Muniz asked if it was possible to approve the request with a time limit.  
79  
80 Steve Weathered stated yes.  
81  
82 Michele Glaser asked what their time schedule was for getting the construction trailer on  
83 site.  
84  
85 Michael Travis stated by next summer they would have the management company on  
86 site.  
87  
88 Michele Glaser asked if he could give them a date on when they would take the sign  
89 down if it were approved, is it 3months, 6 months.  
90  
91 Michael Travis stated that it would be when they get the management company on site,  
92 which should be within a year.



93  
94  
95 Sue Langgard stated that her concern was why they feel the need to put the floor plans on  
96 the signs instead of a picture of the community. She stated that with today's technology  
97 with cell phones and the internet, why a link to the site would not work better that a huge  
98 sign.  
99

100 Michael Travis stated this was for 55 and older and most are not tech savvy. There are a  
101 lot of people 55 and older that do not believe in the internet.  
102

103 John Dolan asked, if granted the request, when they would put the sign up.  
104

105 Michael Travis stated that if it was approved they would have to have it made and it  
106 would go up as soon as possible.  
107

108 **3.0 NEW BUSINESS**  
109

110 **3.1 Consider and take all appropriate action on the request for a variance to increase**  
111 **the Area and Height size for temporary on-premises real estate signs as required in**  
112 **Appendix A, "Comprehensive Zoning", Article 6 "Sign Standards", Section 6.04.02.**  
113 **"Temporary on-premises signs", B. "Other on-premises real estate signs".**  
114

115 Chairman Langgard stated that they would vote on the questions.  
116

117 **A. That special conditions and circumstances exist which are peculiar to the**  
118 **land, structure or building involved which are not applicable to other lands,**  
119 **structures or buildings in the same district.**  
120

121 **Applicant's Answer:** Because of the overall size of the project and the demand for  
122 information about it. Because of the nature of the development.  
123

124 ***We find accordingly***  
125

126 Ayes:  
127 Nays: Langgard, Muniz, Dolan, and Glaser  
128 Abstain: Hunt  
129

130 **VARIANCE DENIED**  
131

132 **2.0 SPECIFIC PUBLIC HEARING**  
133

134 **2.2 Request for a variance to reduce the lot size requirement of 6,000 sq. ft. as required**  
135 **in Appendix A, "Comprehensive Zoning", Article 3, Section 3.12. "Old Seabrook**  
136 **district", B. "Other Uses", 2. "Area regulations" E. "Lot size".**  
137

138 Sean Landis gave a brief report. He stated that due to subsidence the Applicant is  
139 requesting to move the property line on the four most northerly lots 25' to the west  
140 creating two 5,000 sq. ft. lots with dimensions of 50' x 100' and two 7,500 sq. ft. lots that  
141 will extend to the east into the waters of the Seabrook Back Bay.  
142

143 Mr. Landis stated that the Applicant would like to preserve all 10 lots for the construction  
144 of new housing. Section 3.12 of the Comprehensive Zoning Ordinance requires that  
145 within an (OS) "Old Seabrook Zoning District", the minimum lot size be 6,000 sq. ft.  
146 If the variance is granted the two northwest lots on the property will be reduced from the  
147 required 6000 sq. ft. in area to 5000 sq. ft. in area.  
148

149 Ed Muniz asked if there was a footprint of the buildings that they want to build.

150 Sean Landis stated no, but they are not asking for any setback variances.

151 Sue Langgard asked if they could combine the lots.

152 Sean Landis stated yes, but the intent of the builder was to build on all ten lots.

153 John Dolan asked if the subsidence was recent or over long period of time.

154 Sean Landis stated that it happened over multiple years.

155 Steve Kennemore, Todville Road, after being sworn in, stated that they would like to  
156 build ten houses on the ten lots. He stated that the lots would meet the setback, height  
157 and width requirements. He stated that granting this variance would not have any effect  
158 on the neighbors.

159 Ed Muniz asked if they knew about the subsidence and the problems it caused when they  
160 bought the property.

161 Mr. Kennemore stated yes.

162 James Dyer, Hall Street, after being sworn in, stated that his concern is about public  
163 access. He objects to his property value going down and it will cause traffic congestion.

164 Greg Penton, Hardesty, after being sworn in, stated that he objects to the variance  
165 request. He stated that he was worried about what it would do to his property value.

166 John Whitman, First Street, after being sworn in, stated that he would like to see bigger  
167 houses.  
168

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184 **3.0 NEW BUSINESS**

185  
186 **3.2 Consider and take all appropriate action on the request for a variance to reduce the**  
187 **lot size requirement of 6,000 sq. ft. as required in Appendix A, “Comprehensive**  
188 **Zoning”, Article 3, Section 3.12. “Old Seabrook district”, B. “Other Uses”, 2. “Area**  
189 **regulations” E. “Lot size”.**

190  
191 Chairman Langgard stated that they would vote on the questions.

192  
193 **A. That special conditions and circumstances exist which are peculiar to the land,**  
194 **structure or building involved which are not applicable to other lands, structures or**  
195 **buildings in the same district.**

196  
197 **Applicant’s Answer:** Due to the loss of land due to subsidence we are trying to make  
198 the lots buildable.

199  
200 ***We find accordingly***

201  
202 Ayes:  
203 Nays: Langgard, Muniz, Dolan, Glaser and Hunt  
204 Abstain:

205  
206 **VARIANCE DENIED**

207  
208 **4.0 ROUTINE BUSINESS**

209  
210 **4.1 Approve the minutes from the September 21, 2016 meeting.**

211  
212 **Motion was made by John Dolan and seconded by Michele Glaser.**

213  
214 *To approve the minutes from the September 21, 2016 meeting as written.*

215  
216 Ayes: Dolan, Glaser, Hunt, and Langgard  
217 Nays: None  
218 Abstain: Muniz

219  
220 **MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.**

221  
222 **Motion was made by John Dolan and seconded by Michele Glaser.**

223  
224 *To adjourn the Board of Adjustments meeting.*

225  
226 **MOTION CARRIES BY UNANIMOUS CONSENT.**

227  
228 Meeting adjourned at 7:56 p.m.

229

230 **APPROVED THIS 26th DAY OF JANUARY, 2017.**

231

232

233

234 \_\_\_\_\_  
Sue Laggard, Chairman

\_\_\_\_\_ Alesia Hammock, Secretary

235