

1 The Board of Adjustment of the City of Seabrook met on Monday, March 14, 2022 via
2 teleconference in regular session to consider the following agenda items.

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4 THOSE PRESENT WERE:

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6	SUE LANGGARD THOMEY (exc. absence)	CHAIRMAN
7	MICHELE GLASER	VICE-CHAIR
8	EDELMIRO MUNIZ	MEMBER
9	TIN NGO	MEMBER
10	TERRY MOORE	MEMBER
11	vacant	ALTERNATE MEMBERS
12	STEVE WEATHERED	CITY ATTORNEY
13	SEAN LANDIS	DIRECTOR OF PLANNING AND
14		COMMUNITY DEVELOPMENT
15	PAT PATEL	ADMINISTRATIVE COORDINATOR

16
17 Michele Glaser called the meeting to order at 6:00 p.m.

18
19 **1.0 ADMINISTER OATH OF WITNESSES**

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21 **2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

22
23 None.

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25
26 **3.0 SPECIFIC PUBLIC HEARING**

27
28 Vice-Chair Michele Glaser opened the Public Hearing at 6:02 p.m.

29
30 **3.1 Request for a variance to the Seabrook Code of Ordinances, Appendix A.**
31 **“Comprehensive Zoning”, Article 3 “Establishment of Zoning Districts and**
32 **Associated Regulations”, Section 3.03 “R-1 Single-Family Detached Residential**
33 **District”, Subsection 3.03.04 “Area Regulations”, A. “Front Yard”, minimum (25)**
34 **twenty-five feet setback requirement; and B. “Rear Yard”, minimum (15) fifteen**
35 **feet setback requirement; and D. “Side Yard”, minimum combination (15) fifteen**
36 **feet setback/corner lot (10) ten feet minimum setback requirement; and F. “Lot**
37 **Size”, minimum size of lot (7,500) seventy-five hundred square feet requirement;**
38 **and H. “Lot Depth”, minimum lot depth (90) ninety feet requirement.**

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40 **Owner:** GFY Properties LLC, 2934 N. Island Drive, Seabrook, TX 77586

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42 **Applicant:** David Ward, 1839 Edwards, Houston, TX 77007

43
44 **Legal Description:** 2102 Todville Road, Seabrook, TX 77586

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46 Lots 6 & 7, Block 2 of Edgewater Townhomes, and addition in Harris County, Texas,
47 according to the map or plat thereof recorded in Volume 302, Page 132 of the Map
48 Records of Harris County, Texas.

51
52 **Location:** This property is located east Todville Road, north of Muecke Road
53 (9th Street), south of Hammer Street, and west of East Galveston Bay.
54

55 *Public Comments made:*

- 56 • *Rob Heverly, 2020 Todville – objecting to rear yard minimum 15ft. setback;*
57 *townhouses are not allowed in an R-1 district.*
- 58 • *Mary Anne Schmidt, 2102 Todville, president of the Homeowners Association –*
59 *unsure of what the applicant was proposing to do tonight; concerned about the*
60 *esthetics of that piece of land and what might be built there.*

61
62 Michele Glaser closed the Public Hearing at 6:13 p.m.
63

64
65 **4.0 NEW BUSINESS**

66
67 **4.1 Consider and take all appropriate action on a request for a variance to the**
68 **Seabrook Code of Ordinances, Appendix A. “Comprehensive Zoning”, Article 3**
69 **“Establishment of Zoning Districts and Associated Regulations”, Section 3.03 “R-1**
70 **Single-Family Detached Residential District”, Subsection 3.03.04 “Area**
71 **Regulations”, A. “Front Yard”, minimum (25) twenty-five feet setback**
72 **requirement; and B. “Rear Yard”, minimum (15) fifteen feet setback requirement;**
73 **and D. “Side Yard”, minimum combination (15) fifteen feet setback/corner lot (10)**
74 **ten feet minimum setback requirement; and F. “Lot Size”, minimum size of lot**
75 **(7,500) seventy-five hundred square feet requirement; and H. “Lot Depth”,**
76 **minimum lot depth (90) ninety feet requirement.**
77

78 *Director Sean Landis explained to the Board that the applicant’s request is to re-plat the*
79 *property with the following variances:*

- 80 • *Reduce the minimum “front yard” setback from the required 25’ to 20’*
- 81 • *Reduce the minimum “rear yard” setback from the required 15’ to 10’*
- 82 • *Reduce the eastern minimum corner “side yard” setback from the required 10’ to*
83 *5’*
- 84 • *Reduce the required minimum “lot size” area from 7500 square feet to 5586*
85 *square feet*
- 86 • *Reduce the minimum “lot depth” of a parcel from 90’ to 73.50’*

87
88 *Mr. Landis stated that if the variances were granted for all these set-backs then the foot-*
89 *print gets increased for building a structure to 2600 sq.ft. Townhouses are no longer*
90 *permissible within an R-1 Zoning District anymore and this Commission cannot grant a*
91 *variance to use. Only City Council would be allowed to modify the current ordinance. He*
92 *explained that this site is a grand-fathered site. If no variance is granted towards this*
93 *property then it cannot be re-platted and nothing can be built on this site. Mr. Landis*
94 *explained the process that the subdivision ordinance is currently written is if somebody*
95 *wants to plat a piece of property and there is variances required to do so as it relates to*
96 *the zoning ordinance, they would need to come before the Board of Adjustment*
97 *Commission first and get those variances granted per City Code, to then allow the*
98 *property to be platted.*
99

100 **EXECUTIVE SESSION**

101 **Section 551.071**

102
103 With the applicant not being present at the meeting, the Board of Adjustment
104 Commission agreed that an Executive Session was necessary to discuss this request.

105
106 Under Section 551.071 of the Texas Government Code, consultation with legal attorney
107 to receive legal advice on legal issues associated with variance request.

108
109 Motion to go into Executive Session to receive legal advice on legal questions made by
110 Ed Muniz, and seconded by Tin Ngo.

111
112 *The Board went into Executive Session at 6:30 p.m.*

113
114 *No action was taken into Executive Session.*

115
116 **OPEN SESSION**

117
118 *The Board reconvened at 6:48 p.m. The Board of Adjustment Commission agreed that*
119 *without the applicant being present and answers being incomplete, the Board requested*
120 *another BOA Meeting with the applicant being present.*

121
122 *Motion made by Ed Muniz and seconded by Terry Moore.*

123
124 *To request the applicant to be present at the next Board of Adjustment Meeting.*
125

126
127 **5.0 ROUTINE BUSINESS**

128
129 **5.1 Approve the minutes from the January 27, 2022 BOA meeting.**


130
131 Motion was made by Ed Muniz and seconded by Tin Ngo.

132
133 *Approve the minutes as presented.*

134
135 **MOTION CARRIES BY UNANIMOUS CONSENT.**

136
137 Meeting adjourned at 6:50 p.m.

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139 **APPROVED THIS 11TH DAY OF APRIL, 2022**

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143 _____
144 Sue Thomey, Chairman

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144 Pat Patel, Administrative Coordinator