

1 The Board of Adjustment of the City of Seabrook met on Monday, January 22, 2024 at 6:00 p.m.
2 in the Seabrook City Hall, Council Chambers to discuss, consider, and if appropriate, take action
3 with respect to the agenda items listed below.

4
5 THOSE PRESENT WERE:

6		
7	SUE THOMEY	CHAIRMAN
8	MICHELE GLASER (excused)	VICE-CHAIR
9	EDELMIRO MUNIZ	MEMBER
10	TIN NGO (excused)	MEMBER
11	TERRY MOORE	MEMBER
12	VACANT	ALTERNATE MEMBER 1
13	GLEN HALBISON	ALTERNATE MEMBER 2
14		
15	JOHN HIGHTOWER	CITY ATTORNEY
16	SEAN LANDIS	DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
17		ADMINISTRATIVE COORDINATOR
18	KIARRA BELLOW	
19		
20		

21
22 Sue Thomey called the meeting to order at 6:00 p.m.

23
24 Voting members for tonight's meeting are Sue Thomey, Edelmiro Muniz, Terry Moore, and
25 Glen Halbison.

26
27 **1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS**

28
29 *No public comments.*

30
31
32 **2.0 SPECIFIC PUBLIC HEARINGS**

33
34 **2.1 Conduct a specific public hearing on a request for a variance to the**
35 **Seabrook Code of Ordinances, Appendix A. "Comprehensive Zoning", Article**
36 **3 "Establishment of Zoning Districts and Associated Regulations", Section**
37 **3.07 "C-2 Medium Commercial District", Subsection 3.07.04 "Area**
38 **Regulations", F. "Lot Width": Each lot shall have a minimum width of not**
39 **less than 80 feet at the front building line.**

40
41 **Owner/Applicant:** Bharat Patel, 2943 Dominique Drive, Galveston, Texas 77551

42
43 **Legal Description:** 2710 NASA Parkway, Seabrook, Texas 77586

44
45 South 493.33 of the 2.85-acre tract of land out of the Ritson Morris Survey A-52,
46 H.C.C.F. No. 20090025004 Harris County, Texas.

47
48 **Location:** This property is located east Elam Street, north of NASA Parkway, and
49 west of Larrabee Street.

50
51 Open Public Hearing at 6:01 PM.

52

53 Sean Landis Presentation:

- 54 • Applicant's Request: Request for a variance to the Seabrook Code of Ordinances,
55 Appendix A. Comprehensive Zoning", Article 3 "Establishment of Zoning
56 Districts and Associated Regulations", Section 3.07 "C-2 Medium Commercial
57 District", Subsection 3.07.04 "Area Regulations.
- 58 • F. "Lot Width": Each lot shall have a minimum width of not less than 80 feet at
59 the front building line.
- 60 • The applicant wishes to subdivide the property into two individual parcels/lots
61 allowing for additional commercial retail development. To do so, each parcel per
62 Section 3.07 "C-2 Medium Commercial District", Subsection 3.07.04 "Area
63 Regulations shall have a minimum lot width of 80' at the front building line.
- 64 • Currently, the property in total at the front building line adjacent to NASA
65 Parkway has frontage of 101.96', to subdivide into two parcels/lots, the minimum
66 property width at the front building line would be required to be 160'.
- 67 • The applicant is requesting a variance allowing for a reduction in the required
68 front lot width for Lot A as it fronts NASA Parkway. The request is for a lot
69 width of 25'. The lot with this variance applied will have an area of 1.98 Acres
70 (86,226 Sq. Ft.). The proposed dimensions of the lot is 25' by 493.33' and 260.99'
71 by 283.06'.
- 72 • The applicant is requesting a variance allowing for a reduction in the required
73 front lot width for Lot B as it fronts NASA Parkway. The request is for a lot width
74 of 76.96'. The lot with this variance applied will have an area of .87 Acre (37,841
75 Sq. Ft.). The proposed dimensions of the lot is 76.97' by 492.28'.
- 76 • Applicant's Findings: The property owner believes that the flag shape of the lot
77 creates a unique circumstance differing from any other land within the district. A
78 flag lot, also sometimes called a "flagpole lot," is a property that is shaped like a
79 flag, that is, it has a narrow strip of land extending out from a larger piece of land.
80 The narrow strip of land serves to provide access to the main property. It is the
81 opinion of the applicant that the uniqueness of the configuration of the lot creates
82 a hardship that is peculiar to the land which merits the granting of the requested
83 variance.

84
85 *No public comments.*

86
87 Closed Public Hearing at 6:14 PM.
88

89
90 **3.0 NEW BUSINESS**

- 91
92 **3.1 Consider and take all appropriate action on a request for a variance to the**
93 **Seabrook Code of Ordinances, Appendix A. "Comprehensive Zoning", Article**
94 **3 "Establishment of Zoning Districts and Associated Regulations", Section**
95 **3.07 "C-2 Medium Commercial District", Subsection 3.07.04 "Area**
96 **Regulations", F. "Lot Width": Each lot shall have a minimum width of not**
97 **less than 80 feet at the front building line.**

98
99 **VARIANCE FINDINGS PURSUANT TO SECTION 11.04.02 – the issuance of a variance may not**
100 **be granted unless the board shall determine that all of the following criteria have been met:**
101

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

105
106 **Applicant's Answer:** The already in place shape of the lot which is narrow in the front and
107 extends as you move towards the back creates the need to share a driveway. It also creates the
108 need for the front of lot width variance in order to develop the tract. Without this variance,
109 further development is not possible.

110
111 ***We find accordingly***

112
113 Ayes: Sue Thomey, Edelmiro Muniz, Terry Moore, Glen Halbison

114 Nays: None

115 Abstain: None

116

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

120
121 **Applicant's Answer:** Without approval of this front lot width variance, development of the land
122 is not possible. The shape of the lot is already in place and requires a shared driveway for
123 common use.

124
125 ***We find accordingly.***

126
127 Ayes: Sue Thomey, Edelmiro Muniz, Terry Moore, Glen Halbison

128 Nays: None

129 Abstain: None

130

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

133

134 **Applicant's Answer:** No, it's an already in place situation. Both adjacent existing hotel
135 developments created the already in place shape of the lot.

136

137 ***We find accordingly.***

138

139 Ayes: Sue Thomey, Edelmiro Muniz, Terry Moore, Glen Halbison

140 Nays: None

141 Abstain: None

142

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

146

147 **Applicant's Answer:** The flag shape of the lot which is created by adjacent hotel developments
148 requires use of the same driveway as the hotel behind it. No other land, structures, or buildings
149 are affected by approving a variance for this tract of land. It in fact allows development of the
150 land.

151 ***We find accordingly.***

152 Ayes: Sue Thomey, Edelmiro Muniz, Terry Moore, Glen Halbison
153 Nays: None
154 Abstain: None
155

156 **E. That a literal enforcement of the provisions of this ordinance would result in**
157 **unnecessary hardship.**
158

159 **Applicant's Answer:** If a variance isn't granted, we cannot subdivide and further develop this
160 tract of land.
161

162 *We find accordingly, for the reasons expressed herein:*
163

164 Ayes: Sue Thomey, Edelmiro Muniz, Terry Moore, Glen Halbison
165 Nays: None
166 Abstain: None
167

168 **VARIANCE APPROVED**
169

170 *Motion made by Glen Halbison and seconded by Terry Moore.*
171

172 Motion to add a condition to access the driveway into lot B from the current driveway of
173 lot A.
174

175 MOTION CARRIED BY UNANIMOUS CONSENT
176

177 **Conditions:** Lot A driveway has to grant access into Lot B.
178
179

180 **4.0 ROUTINE BUSINESS**
181

182 **4.1 Approve the minutes from the July 10, 2023 BOA meeting.**
183

184 *Motion made by Terry Moore and seconded by Glen Halbison.*
185

186 Motion to approve minutes as presented.
187

188 MOTION CARRIED BY UNANIMOUS CONSENT
189

190 Upon motion duly made, the meeting was adjourned at 6:18 PM.
191

192

193
194 APPROVED ON THE 13th DAY OF May, 2024.
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196

197

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202


Kiarra Bellow,
EDC Administrative Coordinator


Sue Thomey, Chairman