



**CITY OF FRIENDSWOOD
ZONING BOARD OF ADJUSTMENT
TUESDAY, AUGUST 25, 2020 - 7:00 PM**

Minutes

MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
AUGUST 25, 2020

1. Call to Order

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD ZONING BOARD OF ADJUSTMENT THAT WAS HELD ON TUESDAY, AUGUST 25, 2020, AT 07:00 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

CHAIRMAN PHILIP RATISSEAU
VICE-CHAIRMAN MIKE CZAROWITZ
BOARD MEMBER RONALD DYER
BOARD MEMBER GLENN MINTZ
BOARD MEMBER GLEN GRAYBAN
CITY ATTORNEY MARY KAY FISCHER
DEPUTY DIRECTOR OF CDD/CHIEF BUILDING OFFICIAL BRIAN ROUANE
DEVELOPMENT COORDINATOR BECKY BENNETT
COUNCIL LIAISON STEVE ROCKEY

ALTERNATE MEMBERS JASON BYERS, MICHAEL FERNANDEZ, AND MEGAN MCKAY WERE PRESENT FOR THE MEETING. ALTERNATE MEMBER CLAY SMITH WAS ABSENT FROM THE MEETING.

2. Action Items

- A. Oath of Office: Aubrey Harbin, Notary Public, will administer an Oath of Office for two new Alternate Board Members, Clay Smith and Megan McKay, re-appointments for Regular

Board members, Ronald Dyer and Mike Czarowitz, re-appointment for Alternate Board member, Jason Byers, and appointment from Alternate Board Member to Regular Board Member, Glen Grayban

Harbin administered the oath to McKay, Dyer, Czarowitz, Byers, and Grayban.

3. Communications from the Public

- A. (To comply with provisions of the Open Meetings Act, the Board may not deliberate on subjects discussed under this agenda item. However, the Board may direct such subjects be placed on a later regular agenda for discussion and/or possible action.)

No public comments.

Chairman Ratisseau explained the meeting procedure, that a super majority vote is required for approval, and the appeal process. Ratisseau swore in all persons to speak to the board during the meeting.

4. Public Hearing

- A. To receive comments, both oral and written, regarding a request for a variance of 8 feet, 10 inches from the required rear yard setback of 25 feet on the property located at 311 Morningside Drive, being part of Lot 12 (12-6), Block 2, Friendswood Subdivision, Galveston County, Friendswood, Texas

- A. Staff Presentation
- B. Applicant Presentation
- C. Public Comments

Rouane stated the property owner is proposing to demolish the existing house. He said the owner has an opportunity to rebuild with the help of Fuller Center Disaster Rebuilders. Rouane explained the property is unique in that there is a right-of-way in front of the lot and behind the lot. He said the lot is very wide with little depth at only 80-feet. Rouane said the applicant is proposing to encroach the rear 25-foot build line by 10-inches with the main structure and another 8-feet for a covered patio.

Jimmy Elmore/ Operations Director of Fuller Center Disaster Rebuilders said they were contacted by a city official looking for assistance for the property owner. He said the Center found a house plan that would work for Mr. Cole and later found out the alley behind the property was not part of the lot. Elmore said with a 25-foot front build line and a 25-foot rear build line, 30-feet left for the house depth made the lot too tight for something reasonable.

No public comments for or against the variance.

5. Discussion and Possible Actions

- A. Consideration and possible action regarding a request for a variance of 8 feet, 10 inches from the required rear yard setback of 25 feet on the property located at 311 Morningside Drive, being part of Lot 12 (12-6), Block 2, Friendswood Subdivision, Galveston County, Friendswood, Texas

Dyer asked the rear setback of the current home. Elmore answered the existing home is 9-feet from the rear property line and the proposed structure would be 16-feet from the rear property line.

Grayban asked if the attached porch would be the same as the house or a metal patio. Elmore answered the porch would continue the roofline of the home. Graban asked if the alley would be inside the backyard fencing. Bennett answered the alley is a 20-foot public right-of-way that would not be part of the fenced yards.

****Board Member Ronald Dyer moved to approve Consideration and possible action regarding a request for a variance of 8 feet, 10 inches from the required rear yard setback of 25 feet on the property located at 311 Morningside Drive, being part of Lot 12 (12-6), Block 2, Friendswood Subdivision, Galveston County, Friendswood, Texas. Seconded by Board Member Glenn Mintz. The motion was approved unanimously.**

6. Public Hearing

- A. To receive comments, both oral and written, regarding a request for a variance of 5 feet from the required interior side yard setback of 10 feet on the property located at 5318 Kingsmill Road, being Lot 12, Block 11, Wedgewood Village Subdivision Section 2, Harris County, Friendswood, Texas

- A. Staff Presentation
- B. Applicant Presentation
- C. Public Comments

Rouane said the applicant was a victim of flooding during Hurricane Harvey and has since demolished the home. He said the owner is proposing to self-mitigate by rebuilding an elevated structure and using as much existing impervious cover as possible. He said the 5-foot side yard setback is less than the 10-foot required by city ordinance but is in line with the neighborhood. Rouane said the subdivision was constructed before being annexed into the city limits.

Perez stated the proposed location of the home would place them outside the regulatory floodway with only a corner clipping that high hazard area. She said the structure would be elevated with a crawlspace beneath to allow water to flow in the event of another flood.

7. Discussion and Possible Actions

- A. Consideration and possible action regarding a request for a variance of 5 feet from the required interior side yard setback of 10 feet on the property located at 5318 Kingsmill Road, being Lot 12, Block 11, Wedgewood Village Subdivision Section 2, Harris County, Friendswood, Texas

Ratisseau asked how high the home would be elevated. Rouane said the house would be raised about 4-feet.

Dyer stated the neighbor did not object to the encroachment but was not present at the meeting. Fischer stated without the person there to testify, the statement was hearsay and not admissible.

Grayban asked if the other neighbors had 5-foot setbacks. Rouane answered the 5-foot side yard

setback was pretty consistent throughout the subdivision. Dyer commented there was lots of space between the proposed building and the adjacent home.

**Board Member Ronald Dyer moved to approve Discussion and Possible Actions. Seconded by Board Member Glenn Mintz. The motion was approved unanimously.

8. Approval of Minutes

A. Minutes of the regular meeting held Tuesday, June 23, 2020

**Board Member Ronald Dyer moved to approve Minutes of the regular meeting held Tuesday, June 23, 2020. Seconded by Vice-Chairman Mike Czarowitz. The motion was approved unanimously.

9. Staff and/or Council or Board Liaison Reports

No comments.

10. Adjournment

**Board Member Ronald Dyer moved to approve Adjournment. Seconded by Board Member Mike Czarowitz. The motion was approved unanimously.

This meeting was adjourned at 07:37 PM.