



**CITY OF FRIENDSWOOD
ZONING BOARD OF ADJUSTMENT
TUESDAY, DECEMBER 21, 2021 - 7:00 PM**

NOTICE IS HEREBY GIVEN OF A FRIENDSWOOD ZONING BOARD OF ADJUSTMENT REGULAR MEETING TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL, LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, REGARDING THE ITEMS OF BUSINESS ACCORDING TO THE AGENDA LISTED BELOW:

AGENDA

1. Call to Order

2. Communications from the Public

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

3. City Attorney Communication

- A. Receive a legislative update from City Attorney.

4. Public Hearing

- A. Conduct a public hearing to receive comments, both oral and written, regarding a request for a variance of 10 feet, 11 inches from the required rear yard setback of 25 feet on the property located at 902 Pine Breeze Drive, Lot 25, Block 1 of The Forest subdivision, Section Eleven (11), Galveston County, Friendswood, Texas. The hearing will include:

- 1. Staff Presentation;
- 2. Applicant Presentation; and
- 3. Public Comments.

5. Discussion and Possible Actions

- A. Discuss and take possible action regarding a request for a variance of 10 feet, 11 inches into the required rear yard setback of 25 feet on the property located at 902 Pine Breeze Drive, Lot 25, Block 1 of The Forest subdivision, Section Eleven (11), Galveston County, Friendswood, Texas.

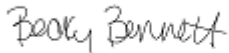
6. Approval of Minutes

- A. Consider approving the minutes for the Zoning Board of Adjustment regular meeting held Tuesday, October 26, 2021.

7. Staff, Board and/or Board Liaison Reports

- A. Receive comments from members of the staff, board and/or board liaison.

8. Adjournment



Becky Bennett
Development Coordinator

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made **two (2)** business days or more prior to this meeting. Please contact the City Secretary's Office at (281) 996-3270 for further information.

I, LETICIA BRYSCH, CITY SECRETARY OF THE CITY OF FRIENDSWOOD DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE FRIENDSWOOD ZONING BOARD OF ADJUSTMENT WAS POSTED IN A PLACE CONVENIENT TO THE GENERAL PUBLIC AND IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, ON DECEMBER 17, 2021 AT 4:00 P.M.



LETICIA BRYSCH
CITY SECRETARY

ALL MEETINGS OF THE ZONING BOARD OF ADJUSTMENT ARE OPEN TO THE PUBLIC, EXCEPT WHEN THERE IS A NECESSITY TO MEET IN AN EXECUTIVE SESSION (CLOSED TO THE PUBLIC) UNDER THE PROVISIONS OF SECTION 551, TEXAS GOVERNMENT CODE. THE ZONING BOARD OF ADJUSTMENT RESERVES THE RIGHT TO CONVENE INTO EXECUTIVE SESSION TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFIES FOR AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT.

Memo

To: Zoning Board of Adjustment Members

From: Brian Rouane, Building Official
Becky Bennett, Development Coordinator

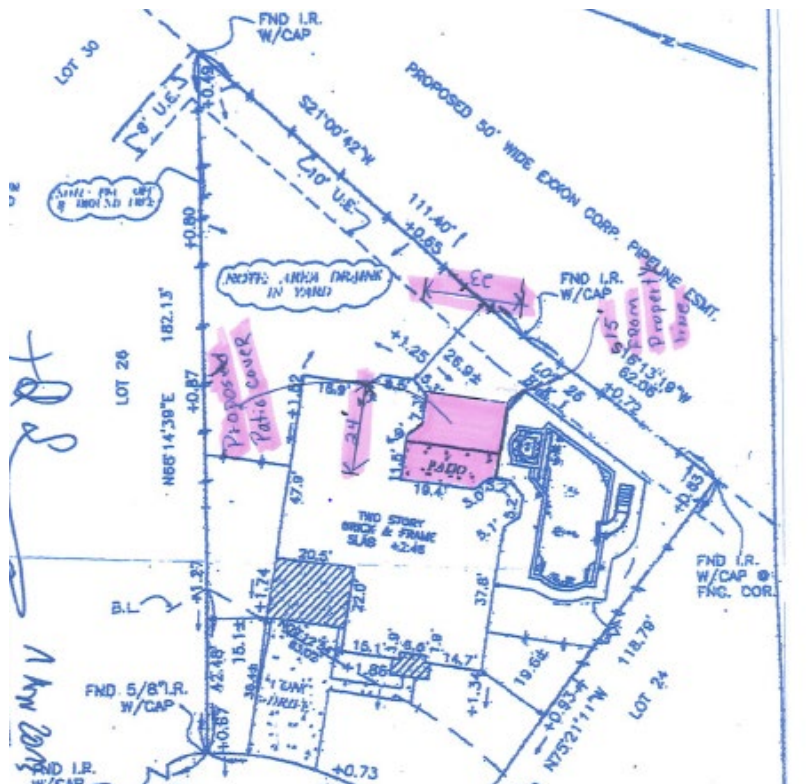
Date: December 1, 2021

Subject: 902 Pine Breeze Drive

The applicant is requesting the following:

To encroach 10-feet, 11-inches into the required rear yard setback of 25-feet, being a variance to Appendix C, Zoning Ordinance, Section 7.Q.2. Regulation Matrix – Residential Districts.

The property owner states they would like to construct a patio cover and have the roof extend to align with the edge of the house and to cover the existing concrete patio.



Proposed Site Plan

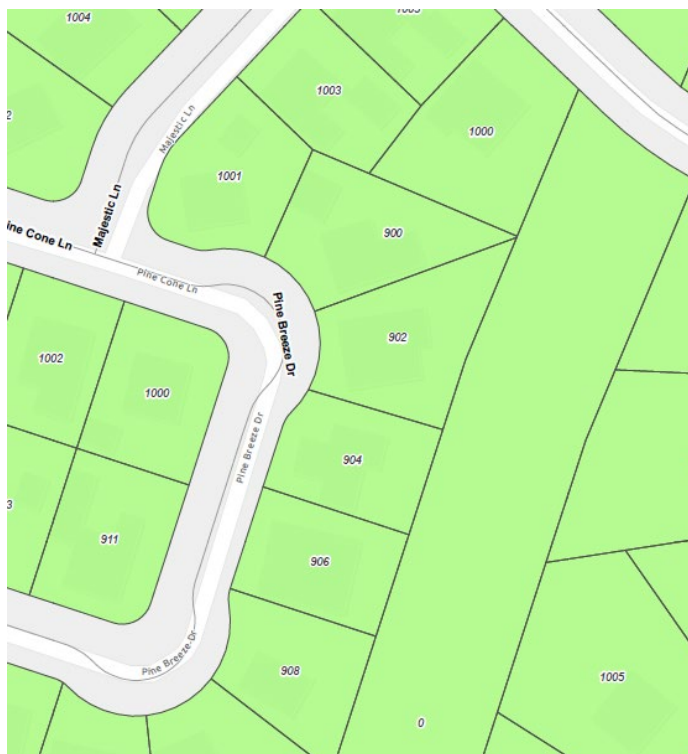


Google Aerial Photo (by applicant)

Current City of Friendswood zoning regulations require a lot that is zoned Single Family Residential (SFR) to abide by the following minimum setbacks – 25' front yard, 25' rear yard, 10' interior side yard setback when abutting a residential zoning district, and 25' exterior side yard when backing up to an abutting side yard.

The subject property is zoned Single Family Residential (SFR), as is both side neighbors, and the rear abuts land owned by The Forest of Friendswood Homeowner's Association.

The subject property is platted in Section Eleven (11) of the Forest of Friendswood Subdivision.

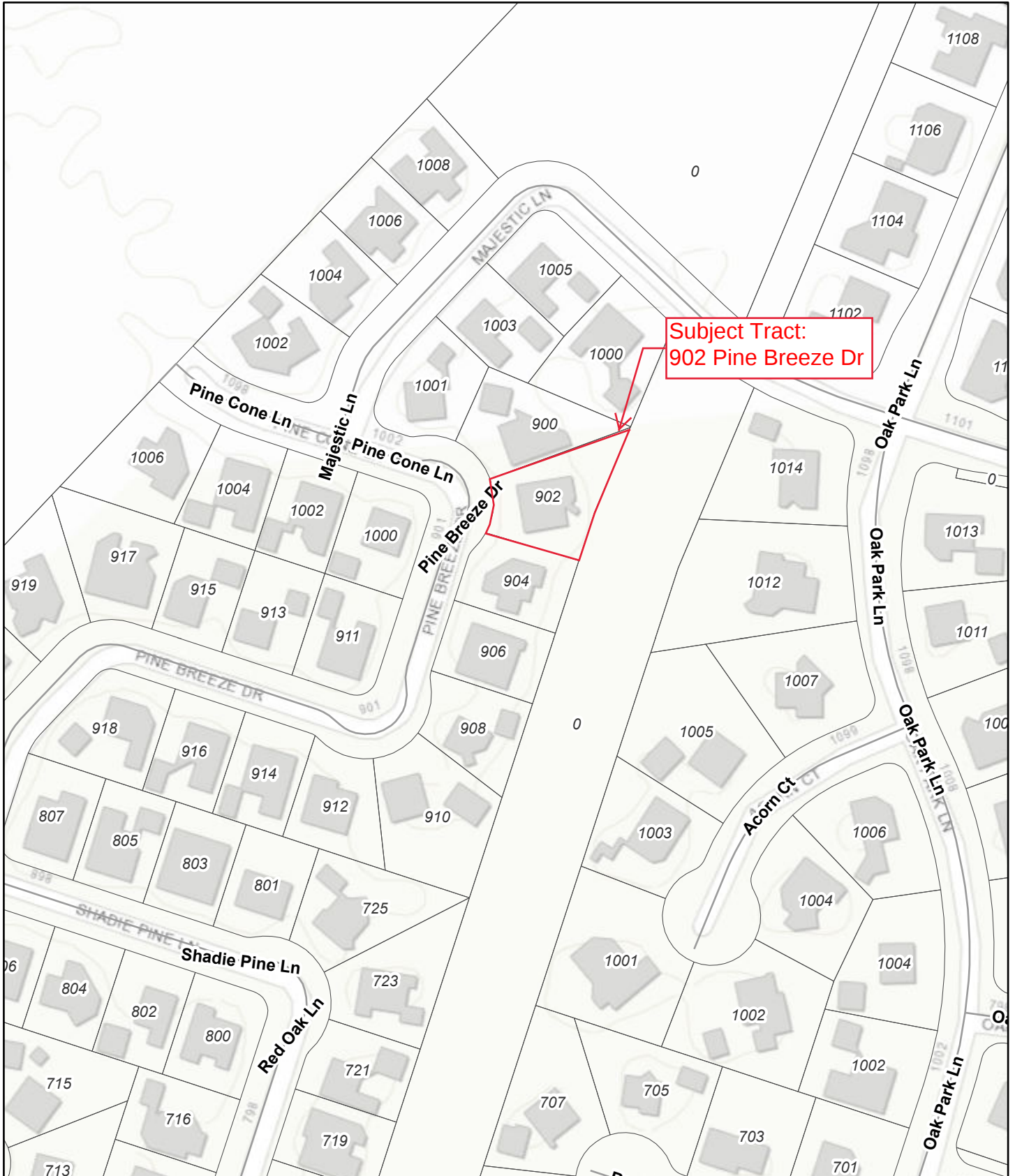


Friendswood GIS Zoning Map

Attachments:

- Maps: Location, Aerial and Zoning Map
- ZBOA Application
- Denied site plan
- Permit application and contractor correspondence to homeowner
- Residential Regulation Matrix – SFR setbacks
- Copy of the property owner notice that was mailed to owners within 200 feet of the subject property

ArcGIS Web Map

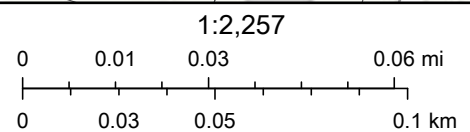


11/10/2021, 2:47:01 PM

 City Limits

 Streets

 Parcels



City of Houston, HPB, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web Map



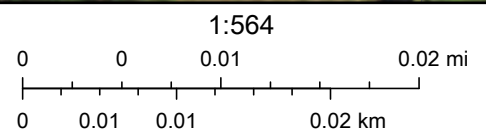
11/10/2021, 2:48:52 PM

 City Limits

 Streets

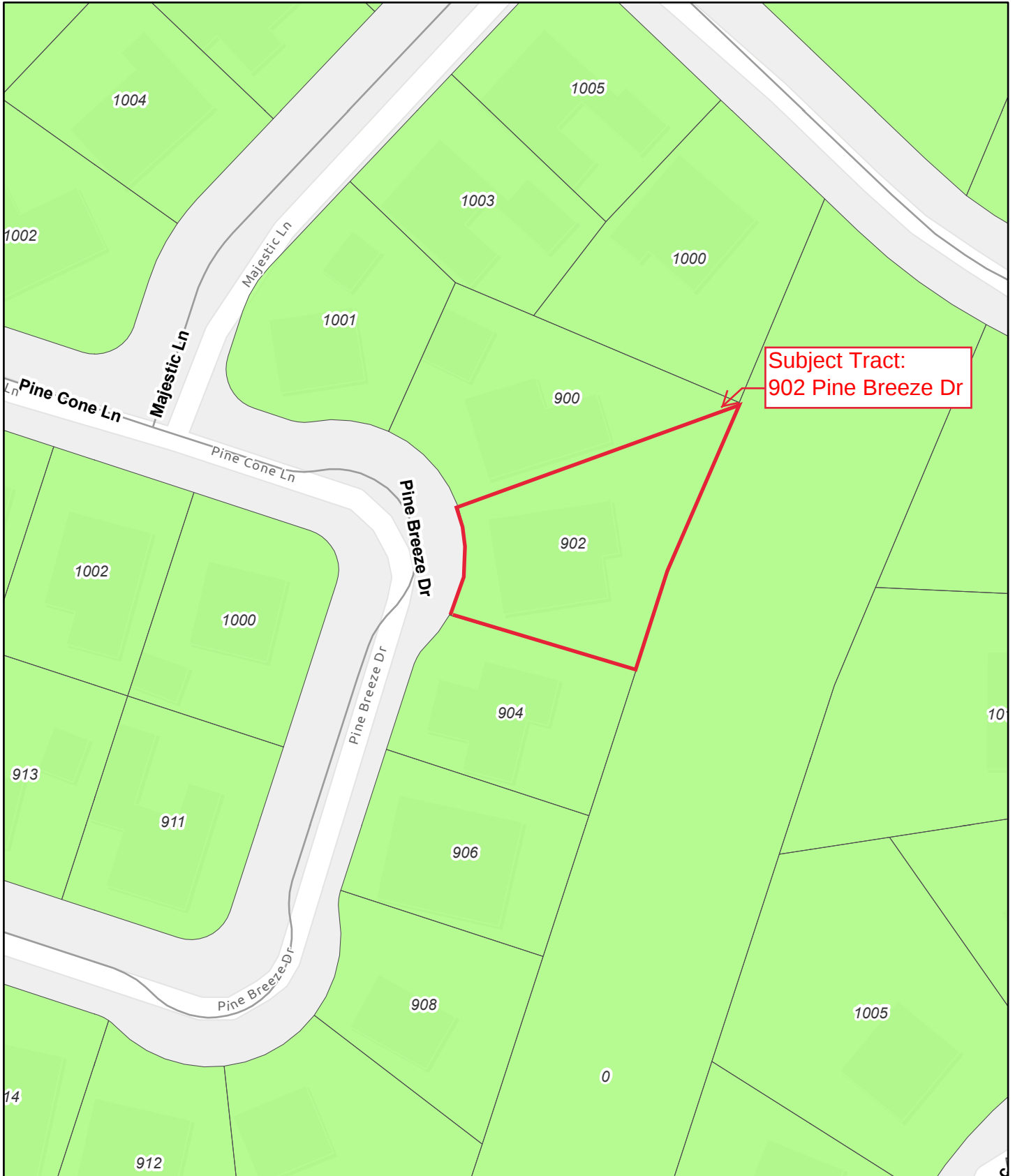
 Addresss Points

 Parcels



Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web Map

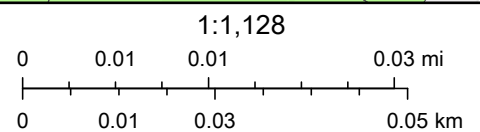


11/10/2021, 2:51:47 PM

 City Limits Zoning of Parcels

 Streets  SFR

 Parcels

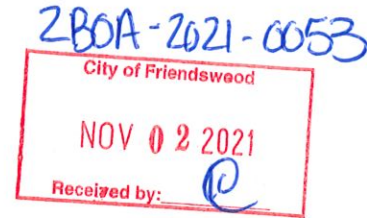


Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



FRIENDSWOOD ZONING BOARD OF ADJUSTMENT

\$100 Application Fee



☒ Request for Variance ☐ Request for Appeal ☐ Request for Special Exception

Property Address: 902 Pine Breeze Dr, Friendswood, TX 77546

Legal Description of Property (attach certified metes & bounds): Lot 25, Block 1 of Final Plat The Forest
Section Eleven (11)

County: Galveston

Property Owner Information:

Ted & Tina Conlon

Printed Name

tmconlon4@yahoo.com

Email

832-483-5670

Phone

Tina Conlon 11/2/21
 Signature Date

Agent Information: (if applicable)

Printed Name

Email

Phone

Signature Date

VARIANCE: From what ordinance (number and section) is the variance being requested?

(Variance cannot be for the purpose of rezoning – see Appendix C, Zoning, Section II B)

Appendix C, Section 7-Q.3, specifically the residential 25 ft setback in the backyard

APPEAL: From what order, requirement, decision or determination of the administrative official is the appeal being requested?

SPECIAL EXCEPTION: From what ordinance (number and section) is the special exception being requested?

Please state the grounds for the appeal/variance/special exception you are seeking:

We would like a limited variance to extend our patio roof out to the edge of our house to fully cover our back deck. The 25ft
setback cuts diagonal through one corner of our current patio. We are asking for a variance to cover only the small triangle
in attached exhibit for an additional 10-11ft in the one small area of our back patio to align with the edge of our house.

11/2/2021 2:40pm
 Date & Time Received

Debby Nelson
 City Official

40278F

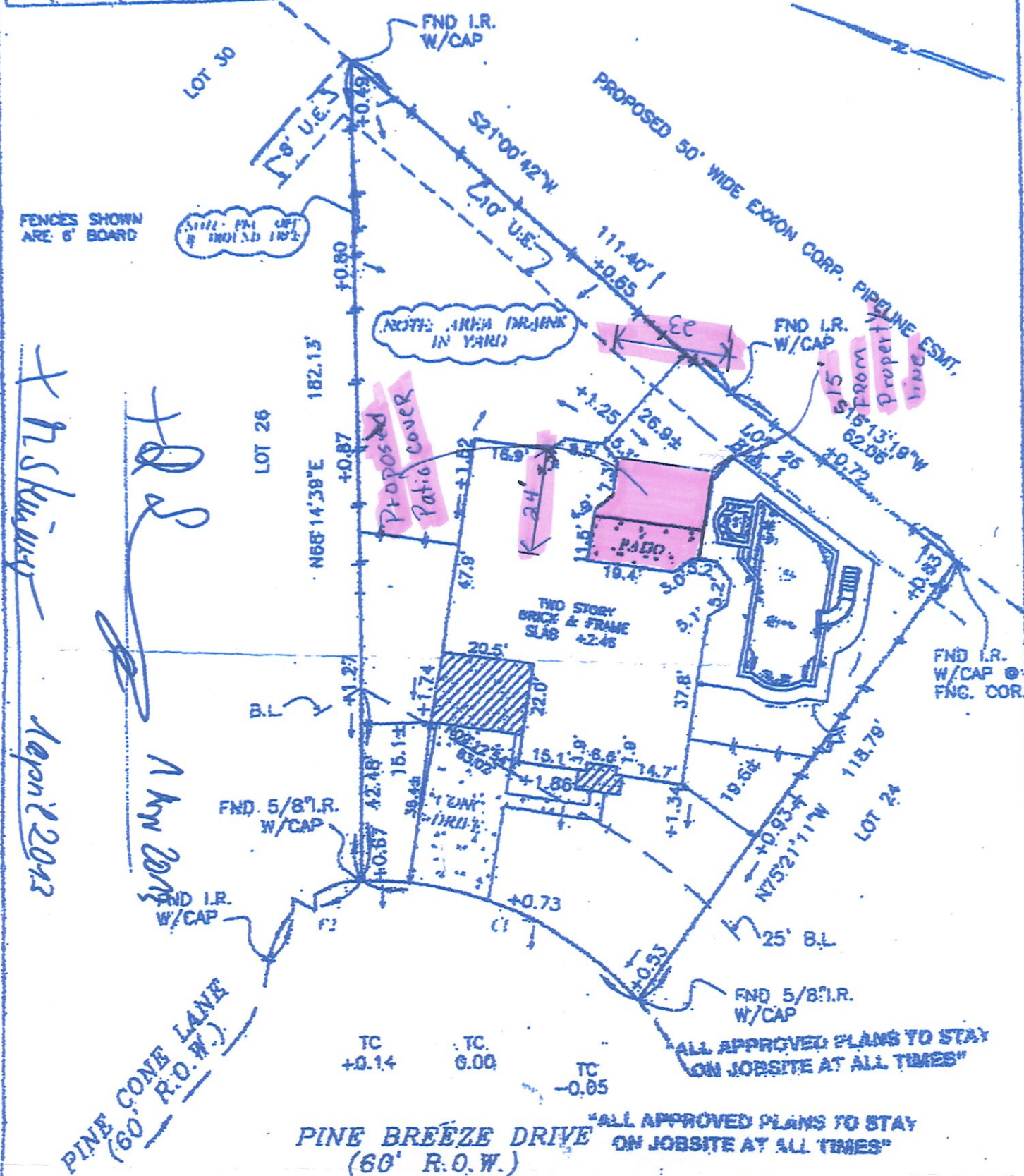
SCALE : $1'' = 30'$

G.F. # : 280008

DATE : APRIL 26, 2002

SEE ATTACHED ADDENDUM FOR ADDITIONAL STIPULATIONS.

	RAHUS	AGE	HEI TA
(1)	30.00	08.15	48.05.5
(2)	30.00	112.35	50.27.5



LOT 25, BLOCK 1, OF FINAL PLAT THE FOREST SECTION ELEVEN (11)
MAP RECORDED IN VOL. NO. 18, PG. NO. 1212 & 1213 OF THE MAP RECORDS.
GALVESTON COUNTY, TEXAS.

PURCHASER : GREGORY S. TUNSTALL

ADDRESS : 902 PINE BREEZE DRIVE, FRIENDSWOOD, TEXAS 77546

TO : CHICAGO TITLE COMPANY (EXCLUSIVELY)

I HEREBY CERTIFY THAT THIS PLAN CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND, AND IN ACCORDANCE WITH THE INFORMATION PROVIDED TO ME, AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY. THERE WERE NO ENCROACHMENTS AT THE TIME OF THIS SURVEY, EXCEPT AS SHOWN HEREON.

THIS LOT LIES OUTSIDE THE 100 YEAR FLOOD PLAIN PER FEMA FIRM COMMUNITY PANEL 48349000E DATED 1/22/94. AS SHOWN ON THE RECORDED PLAT THIS INFORMATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC HAZARD HAZARDS THAT MAY OR MAY NOT EXIST.

FRANK M. SHERIDAN
REGISTERED PROFESSIONAL LAND SURVEYOR No. 3898



CITY OF FRIENDSWOOD
COMMUNITY DEVELOPMENT DEPARTMENT
910 S. Friendswood Dr., Friendswood, TX 77546
Phone: 281-996-3201 Fax: 281-996-3260

RESIDENTIAL ADDITION / REMODEL PERMIT APPLICATION

PROPERTY INFORMATION	
Project Address: 902 Pine Breeze Dr.	
Property Owner Name: Ted Conlon	Phone: 832-264-1474

CONTRACTOR INFORMATION	
Contractor/Company Name: H&H renovations	
Company Address: 2706 West Shane St. Alvin, Tx. 77511	
Company Phone: 832-285-4519	Company Email: houser.handhrenovations@gmail.com

PROJECT INFORMATION			
TOTAL VALUE OF IMPROVEMENT: \$ 40,000.00	LOT SIZE	% LOT COVERAGE Vertical Structures	
TOTAL IMPERVIOUS COVER* Square Feet	existing	*Added impervious cover may be subject to additional fees assessed by the Galveston County Consolidated Drainage District.	

REMODEL:	1st FLOOR SQ FT Air conditioned area	GARAGE SQ FT
2nd FLOOR SQ FT Air conditioned area	OUTDOOR SQ FT Non-Air Conditioned	

ADDITION: patio cover	1st FLOOR SQ FT Air conditioned area	GARAGE SQ FT	
2nd FLOOR SQ FT Air conditioned area	OUTDOOR SQ FT Non-Air Conditioned	552	

APPLICANT AUTHORIZATION
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.

<u>Bill Houser</u> Applicant Signature Bill Houser	<u>5/27/21</u> Date 832-285-4519
Applicant Printed Name houser.handhrenovations@gmail.com	Applicant Phone
Applicant Email Address	EMAIL IS PRIMARY CONTACT FOR CORRESPONDENCE

OFFICIAL USE ONLY:		PERMIT NO: 21-1754
Received	<u>KMC</u> Date <u>5.28.21</u>	Plan Review
Planning	<u>BB</u> Date <u>5.28.21</u>	Issuance Fee \$10.00
Zone	<u>SFR</u>	Permit Fees
CFM	<u>[signature]</u> Date <u>6/1/21</u>	TOTAL FEES \$
Zone: A AE AO (SX) UNX FW		
Plans Examiner	Date	
Attachment 4	Date	

Re: City Information

From: Patrick Houser (patrick.handhrenoventions@gmail.com)

To: conlonfamily@gmail.com

Cc: houser.handhrenoventions@gmail.com

Date: Friday, July 30, 2021, 09:08 PM CDT

From: "Brian T. Rouane" <brouane@friendswood.com>

Subject: Permit Applications for 1111 Oak Park and 902 Pine Breeze

Date: June 1, 2021 at 10:30:08 AM CDT

To: "houser.handhrenoventions@gmail.com" <houser.handhrenoventions@gmail.com>, permits <permits@friendswood.com>

Cc: Aubrey Harbin <aharbin@friendswood.com>, Jil Arias <jarias@friendswood.com>

Mr. Houser

In reviewing the permit applications that were submitted, I have come across a couple of issues that will need to be resolved prior to continuing review:

1111 Oak Park: The parcel is located in the regulatory floodway. According to the City of Friendswood Flood Ordinance (attached) a Hydrologic and Hydraulic (H&H) analysis will need to be done to derive that no rise will result in the floodplain due to the proposed development. Additionally, I will need added detail of the proposed room in the addition. The enclosed space will have to be shown. Any electric, plumbing, or HVAC will have to be shown as well. A pre-construction elevation certificate will need to show the proposed finish floor.

902 Pine Breeze: The proposed patio cover is encroaching the rear build line. Any addition to the primary structure will be required to remain 25 feet from the back property line. The proposed application is showing the added patio cover to be only 15 feet from the rear property line.

These permit applications will be placed in "Out to Applicant" until the issues are resolved. If you have any questions, feel free to contact me.

Brian T. Rouane
Chief Building Official
City of Friendswood

REGULATION MATRIX - RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3

	Units per Acre	Lot Area Minimum Square Feet	Lot Width	Yards - Minimum Feet					Height Maximum Feet (b and e)	Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage
				Front	Rear (a)	Side						
						Interior (d)	Exterior (Corner Lot)					
							Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard				
SFR Single Family Residential	2.7	11,600	90 A	25 B	25	10 F	25 A	20 C	40	K	No	35%
SFR Single Family Residential	2.7	15,600	120 A	25 B	25	10	25 B	20 C	40	K	No	35%
SFR - E Single Family Residential Estate	0.5	87,120	150 A	75	25	25	35	35	40	K	No	20
MFR - L Multi Family - Low	6 G	7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	40	K	No	50

MFR - M Multi Family - Medium	9	—	—	<u>25</u> B	0	10 E, I	<u>25</u> B	<u>20</u> C	40	K	No	<u>50</u>
MFR - H Multi Family - High	12	—	—	<u>25</u> B	0	10 E, I	<u>25</u> B	<u>20</u> C	40	K	No	<u>50</u>
MHR Mobile Home	10	—	—	<u>25</u> B	<u>25</u>	10 I	<u>30</u>	<u>25</u> B	<u>20</u>	K	No	<u>50</u>
A I	—	—	—	<u>25</u> B	<u>25</u>	10 I	<u>25</u> B	<u>20</u> C	40	K	No	10%
MFR-GHD Garden Home District	6	6,000	60	<u>20</u> B, H	<u>20</u>	0 D, J	5 B, H	4 C, H	40	K	Yes D	<u>50</u>

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
- B. Thirty-five feet on thoroughfares.
- C. Twenty-five feet on thoroughfares.
- D. Zero set-back on side only, minimum five-foot separation between buildings.
- E. Ten foot minimum separation between buildings.
- F. Lots currently in existence with less than 90 feet of width may continue with the same existing set back provided they are not less than a minimum of five feet.
- G. Developer must elect either units per acre or lot area. Two family residential units on two lots are required when lot area is elected.
- H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the Drain age Utility/Access easement (if streets are private) whichever is greater.
- I. Twenty-five feet when abutting land zoned single-family residential (SFR) district.
- J. Ten feet when abutting land zoned anything other than MFR - GHD (Garden Home District).
- K. Parking is required in accordance with the Parking Group Table in the Design Criteria Manual.

3. *Area and height exceptions.*

- a. Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet.
- b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts:
 - 1. On buildings or structures located in these districts, finials, crosses, and other religious symbols shall not extend more than ten feet above the building or extend more than ten feet above the allowable building height; and
 - 2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- c. Exceptions for the downtown district (DD):
 - 1. On buildings or structures located in the downtown district (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and
 - 2. Finials, crosses, and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- d. Communications towers height criteria:
 - 1. Height limitations of communication towers. The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by city council.
 - 2. Height limitations for communication towers placed on existing buildings. Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.
 - 3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.
- e. Buildings or structures located in a planned unit development (PUD): Buildings and structures located in a planned unit development (PUD) shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a PUD application will be as established in the ordinance authorizing and approving the PUD.
- f. Accessory buildings or structures in residential districts: Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within

residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.

- g. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- h. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- i. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- j. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:
 - 1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 - 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.



City of Friendswood

Community Development Department
910 S. Friendswood Drive
Friendswood, Texas 77546-4856

December 9, 2021

TO WHOM IT MAY CONCERN:

In accordance with State and Local Zoning Law, all owners of land within two hundred feet of any property being considered for an appeal, variance, or a special exception must be afforded an opportunity to address the subject at a public meeting held for this purpose.

You are hereby notified that the **Friendswood Zoning Board of Adjustment** will hold a Public Hearing to consider a request for a variance that may be of interest to you.

PROPERTY OWNER: **Ted & Tina Conlon**

LOCATION OF PROPERTY: **902 Pine Breeze Drive**
0.348 acres of land being all of Lot 25, Block 1, The Forest
Subdivision, Section Eleven, Abstract 20, Galveston
County, Texas

REQUEST: To encroach 10-feet, 11-inches into the required rear yard setback of 25-feet, being a variance to Appendix C, Zoning Ordinance, Section 7.Q.2. Regulation Matrix – Residential Districts.

The Public Hearing will be held at
Friendswood City Hall, Council Chambers, 910 S. Friendswood Drive
Friendswood, Texas

PUBLIC HEARING DATE: December 21, 2021

PUBLIC HEARING TIME: 7:00 PM

Documentation will be available online 72 hours prior to the meeting.

www.ci.friendswood.tx.us

Government Information > Meeting Agendas & Minutes

Staff contact: Becky Bennett, Development Coordinator
281-996-3290 or Email: bbennett@friendswood.com



**CITY OF FRIENDSWOOD
ZONING BOARD OF ADJUSTMENT
TUESDAY, OCTOBER 26, 2021 - 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
OCTOBER 26, 2021

1. Call to Order

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD ZONING BOARD OF ADJUSTMENT THAT WAS HELD ON TUESDAY, OCTOBER 26, 2021, 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
BOARD MEMBER RONALD DYER
BOARD MEMBER GLEN GRAYBAN
BOARD MEMBER MICHAEL FERNANDEZ
ALTERNATE MEMBER JASON BYERS
DEPUTY DIRECTOR OF CDD/CHIEF BUILDING OFFICIAL BRIAN ROUANE
DEVELOPMENT COORDINATOR BECKY BENNETT

BOARD MEMBER GLEN MINTZ, ALTERNATE MEMBERS MEGAN MCKAY AND CLAY SMITH, AND CITY ATTORNEY MARY KAY FISCHER WERE ABSENT FROM THE MEETING.

2. Action Items

A. Administer the oath of office for new Alternate Board Member, Les French.
Aubrey Harbin swore in new Alternate Member Les French.

3. Communications from the Public

- A. In order 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 present.

4. Discussion and Possible Actions

- A. Consider the appointment of a chairman to serve a two-year term.

Ron Dyer nominated Phil Ratisseau for Chairman. The board voted unanimously to re-appoint Phil Ratisseau as ZBOA Chairman.

- B. Consider the appointment of a vice chairman to serve a two-year term.

Phil Ratisseau nominated Glen Grayban as Vice-Chairman. The board voted unanimously to appoint Glen Grayban as ZBOA Vice-Chairman.

- C. Consider approving the minutes for the Zoning Board of Adjustment Regular Meeting held Tuesday, June 22, 2021.

**Board Member Ronald Dyer moved to approve Consider approving the minutes for the Zoning Board of Adjustment Regular Meeting held Tuesday, June 22, 2021. Seconded by Member Glen Grayban. The motion was approved unanimously.

5. Staff, Board and/or Board Liaison Reports

Council Liaison Rockey did not have any report to provide.

6. Adjournment

**Board Member Ronald Dyer moved to approve Adjournment. Seconded by Vice Chairman Michael Fernandez. The motion was approved unanimously.