



**CITY OF FRIENDSWOOD
ZONING BOARD OF ADJUSTMENT
TUESDAY, DECEMBER 17, 2024 - 6:00 PM**

Minutes

MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S. FRIENDSWOOD DR, FRIENDSWOOD, TEXAS 77546, COUNCIL CHAMBERS, CITY HALL

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
DECEMBER 17, 2024

1. CALL TO ORDER

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD ZONING BOARD OF ADJUSTMENT THAT WAS HELD ON TUESDAY, DECEMBER 17, 2024, AT 06:00 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 GLEN GRAYBAN
BOARD MEMBER GLENN MINTZ
BOARD MEMBER MICHAEL FERNANDEZ
BOARD MEMBER JASON BYERS
CHIEF BUILDING OFFICIAL BRIAN ROUANE
ASSISTANT PLANNER BECKY BENNETT
CITY ATTORNEY KAREN HORNER

BOARD MEMBER JIM GIBSON WAS ABSENT FROM THE MEETING.

2. PUBLIC COMMENT

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 to be placed on a later regular agenda for discussion and/or possible action.

None.

3. APPROVAL OF MINUTES

- A. Consider approval of the minutes for the Zoning Board of Adjustment Regular Meeting held April 23, 2024.

**Board Member Glenn Mintz moved to approve the minutes for the Zoning Board of Adjustment Regular Meeting held April 23, 2024. Seconded by Vice Chairman Glen Grayban. The motion was approved unanimously.

4. VARIANCES

- A. Conduct a public hearing concerning a request for a variance to Appendix C "Zoning Ordinance," Section 7.Q.3.f "Schedule of district regulations, area and height exceptions" of the Friendswood City Code for the property located at 5423 Appleblossom Lane, Friendswood, Harris County, Texas, to allow a detached accessory structure to encroach the 10-foot rear setback by 2 feet and the 5-foot interior side setback by 0.8 feet.

Chairman Ratisseau swore in speakers that would provide testimony. Building Official Rouane explained the variance request being to allow a detached structure to encroach the rear and side setbacks.

The property owner, Elias Wallace, read his request into the record. He explained the detached garage was destroyed due to a structure fire, and he is seeking to rebuild the garage in the exact same spot. He said he was unable to shift the structure to comply with the setbacks based on the location of the house and swimming pool.

No public comments.

- B. Consider granting a variance to Appendix C "Zoning Ordinance," Section 7.Q.3.f "Schedule of district regulations, area and height exceptions" for the property located at 5423 Appleblossom Lane, Friendswood, Harris County, Texas, to allow a detached accessory structure to encroach the 10-foot rear setback by 2 feet and the 5-foot interior side setback by 0.8 feet.

The Chairman read through the necessary findings to grant a variance. Board Member Grayban asked if the garage footprint could be decreased. Rouane answered that the proposed structure is standard size, and on the smaller end, for a two-car garage. Grayban questioned if the garage could be shifted closer to the house to comply with the rear setback. Rouane explained that in addition to building setbacks, the city has a requirement for structures to be separated by 5-feet. He said moving the garage would conflict with the minimum separation requirement.

**Board Member Jason Byers moved to grant a variance to Appendix C "Zoning Ordinance," Section 7.Q.3.f "Schedule of district regulations, area and height exceptions" for the property located at 5423 Appleblossom Lane, Friendswood, Harris County, Texas, to allow a detached accessory structure to encroach the 10-foot rear setback by 2 feet and the 5-foot interior side setback by 0.8 feet. Seconded by Board Member Glenn Mintz. The motion was approved unanimously.

- C. Conduct a public hearing concerning a request for a variance to Appendix C "Zoning Ordinance," Section 8 "Supplementary district regulations" of the Friendswood City Code for the property located at 904 Longleaf Court, Friendswood, Galveston County, Texas, to allow an accessory structure to be erected closer than 5 feet next to the main structure.

The Chairman swore in speakers for the request. Building Official Rouane explained that the patio cover was found to be too close to the main structure during a plan review. He said the contractor revised his plans and resubmitted showing compliance and the city issued a building permit. Rouane said once the patio cover was under construction, a building inspector found the structure columns to be too close to the main structure and issued a red tag during an inspection. The contractor continued to build and was issued a stop work order. Rouane said from there, the contractor was in communication with the city and the city was under the impression construction had stopped while working through the issue. Rouane stated the city eventually found out the contractor finished the work and misled the homeowners on resolution. The contractor was issued a citation to which he pleaded "no contest" and paid the fine. Rouane said that although the contractor paid the fine, that does not provide relief for the property owners who were unaware of the violation.

Board Member Byers asked the reason for the 5-foot separation between buildings. Rouane said the ordinance had been adopted prior to his employment, but internal speculation included it may have stemmed from fire separation requirements.

Mr. Parker said that he and his wife were unaware of the contractor's violations. He said some of the patio is compliant and the area in question is mainly where a bay window sticks out further than the brick.

No public comments.

- D. Consider granting a variance to Appendix C "Zoning Ordinance," Section 8 "Supplementary district regulations" of the Friendswood City Code for the property located at 904 Longleaf Court, Friendswood, Galveston County, Texas, to allow an accessory structure to be erected closer than 5 feet next to the main structure.

The Chairman read through the required findings to grant a variance request. The board found the request to meet the necessary requirements.

**Board Member Jason Byers moved to grant a variance to Appendix C "Zoning Ordinance," Section 8 "Supplementary district regulations" of the Friendswood City Code for the property located at 904 Longleaf Court, Friendswood, Galveston County, Texas, to allow an accessory structure to be erected closer than 5 feet next to the main structure. Seconded by Board Member Michael Fernandez. The motion was approved unanimously.

5. COMMUNICATIONS

- A. Receive Staff updates or reports, Council Liaison updates concerning action taken by the City Council on Zoning Board of Adjustment related items, and Board Member comments concerning items of community interest and/or requesting future agenda items.

Chairman Ratisseau asked if there was a way for the city to regulate violating contractors. Rouane explained each project is treated individually, and that the city must issue building permits when compliant paperwork is submitted. He said the plan reviews/building inspectors try to be overly

cautious when dealing with contractors known to have had issues in the past. Ratisseau asked if the city could include property owners in all communications with contractors. Rouane responded that that is not necessary in 99.9% of cases. Communications are sent through the permit applicant and the city may or may not have contact information for the property owner.

6. ADJOURNMENT

This meeting was adjourned at 06:42 PM.