

Memo

To: Zoning Board of Adjustment Members

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

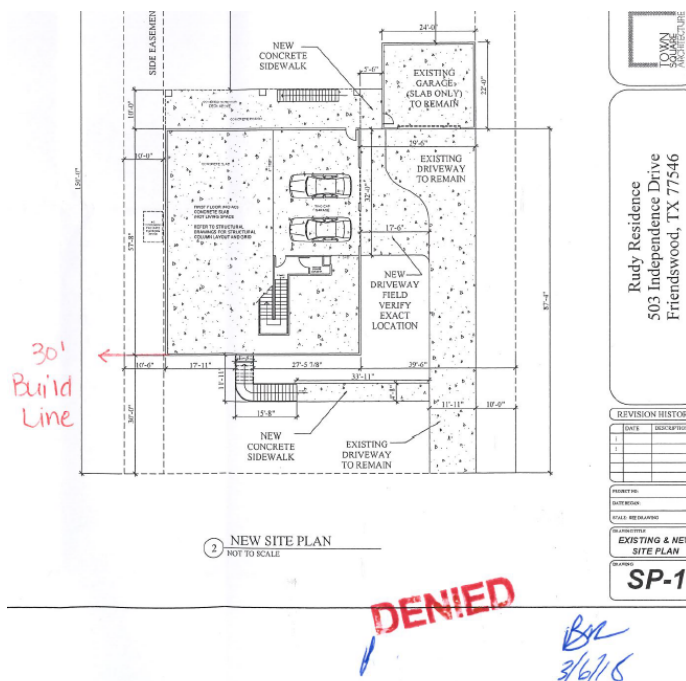
Date: March 15, 2018

Subject: 503 Independence Drive

The applicant is requesting the following:

A variance to encroach the front building line by 12-feet with entry stairs - being a variance from the recorded Heritage Estates Section 1 Final Plat, being more restrictive than the Zoning Ordinance Section 7.Q.2. Regulation Matrix – Residential Districts.

The previous elevated home was damaged during Hurricane Harvey and has since been demolished. The applicant is requesting to build a new elevated home using the existing piers. The front entryway stairs would extend forward and encroach the required front yard setback by 12-feet.



The subject property is zoned Single Family Residential (SFR) and is surrounded by Single Family Residential lots.



Friendswood GIS Zoning Map

The subject property located at 503 Independence Drive was platted as Heritage Estates Section 1 in 1973. The developer platted a front building line of 30-feet, being more restrictive than the Zoning Ordinance Section 7.Q.2. which has a minimum front building line of 25-feet.

Definitions from Zoning Ordinance:

Building line. A line parallel or approximately parallel to the street line and beyond which buildings may not be erected.

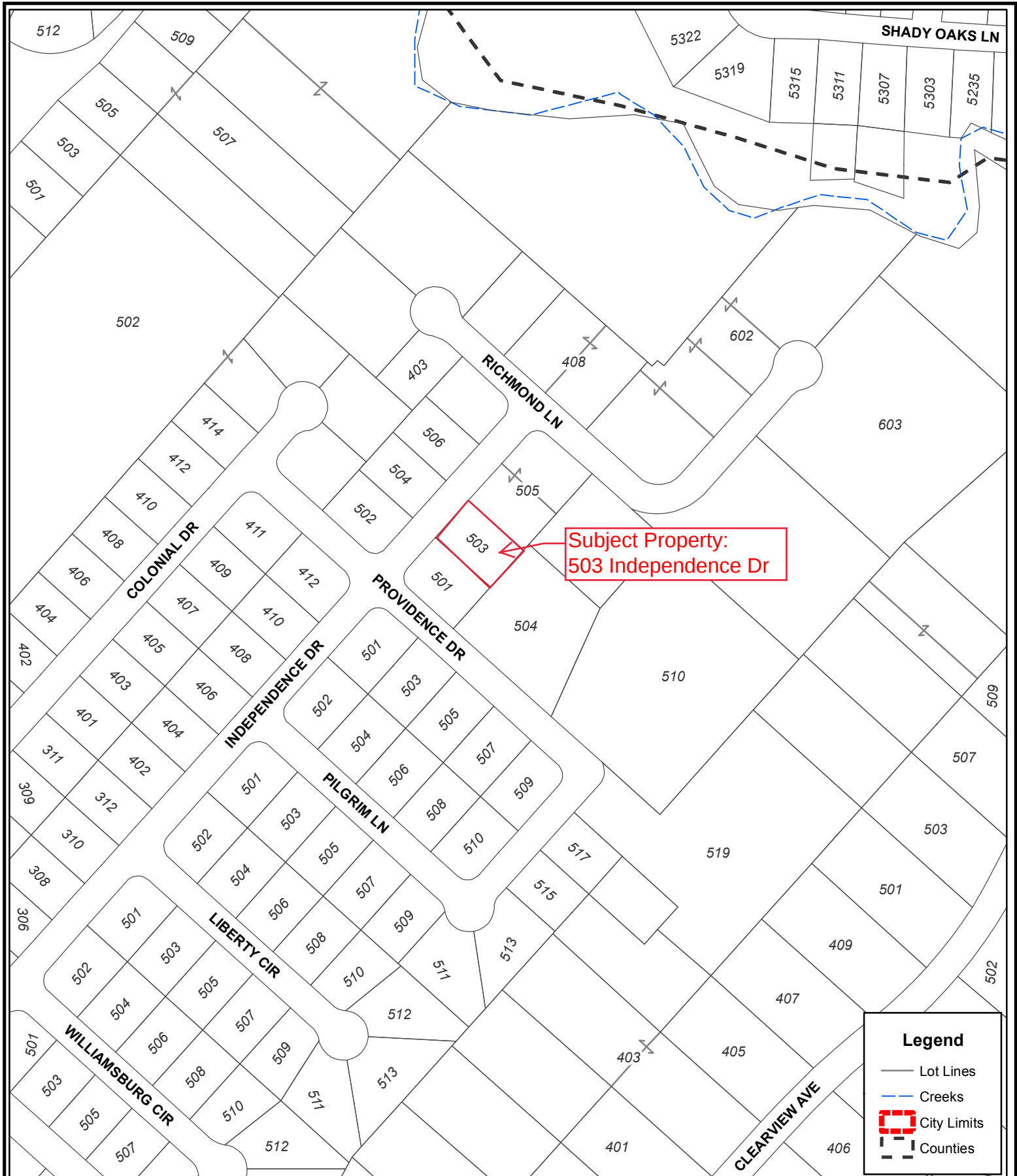
Structure. Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

Yard. An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward except for fences and walls.

Yard, front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as specified in each zoning district.

Attachments:

- Maps: Location, Aerial, Zoning and Floodplain Map
- ZBOA Application
- Denied site plan/survey
- Heritage Estates Section 1 plat
- Residential Regulation Matrix – SFR setbacks
- Copy of the property owner notice that was mailed to owners within 200 feet of the subject property



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

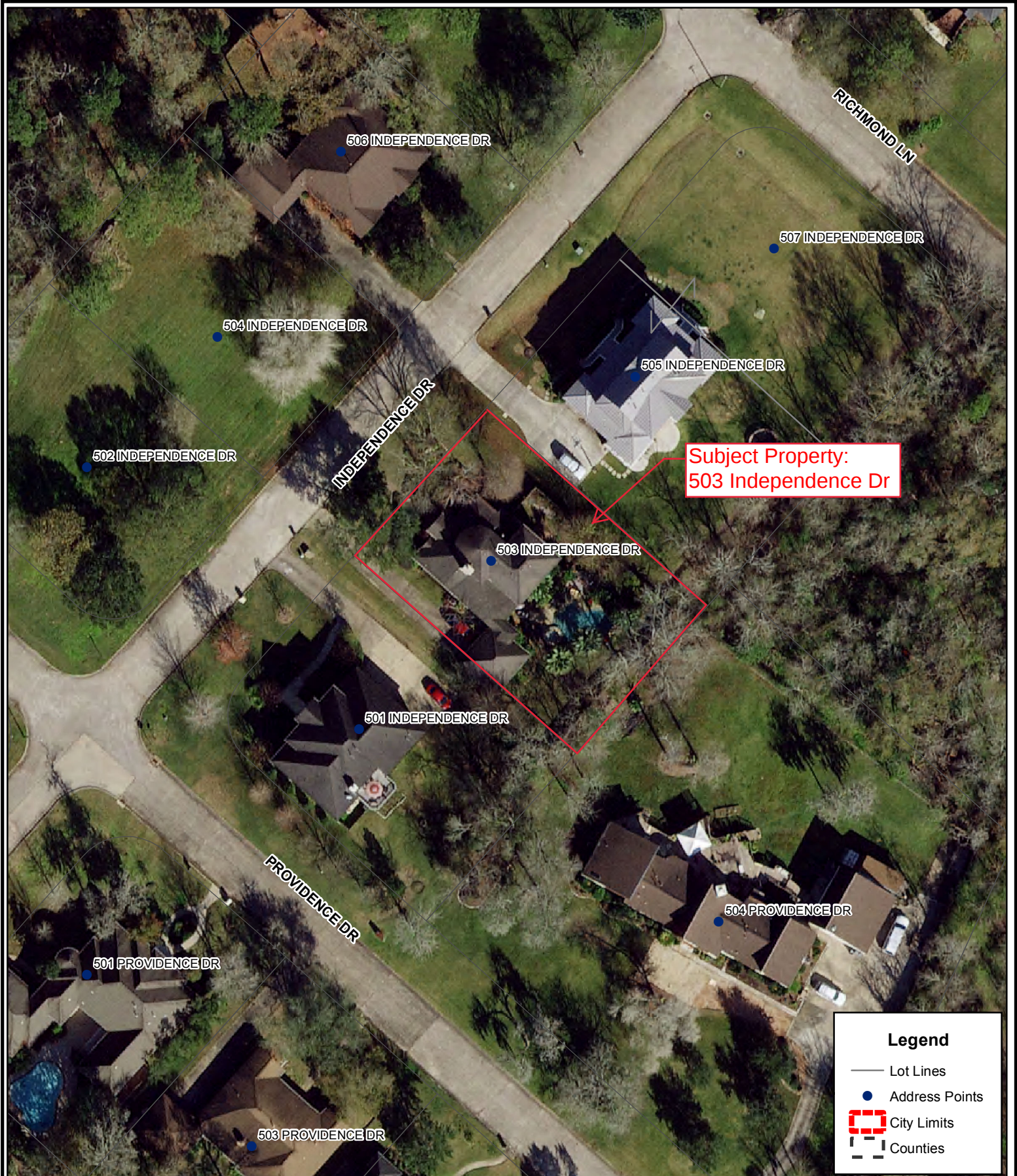


City of Friendswood
 910 South Friendswood Drive
 Friendswood, Texas 77546
 (281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 251'



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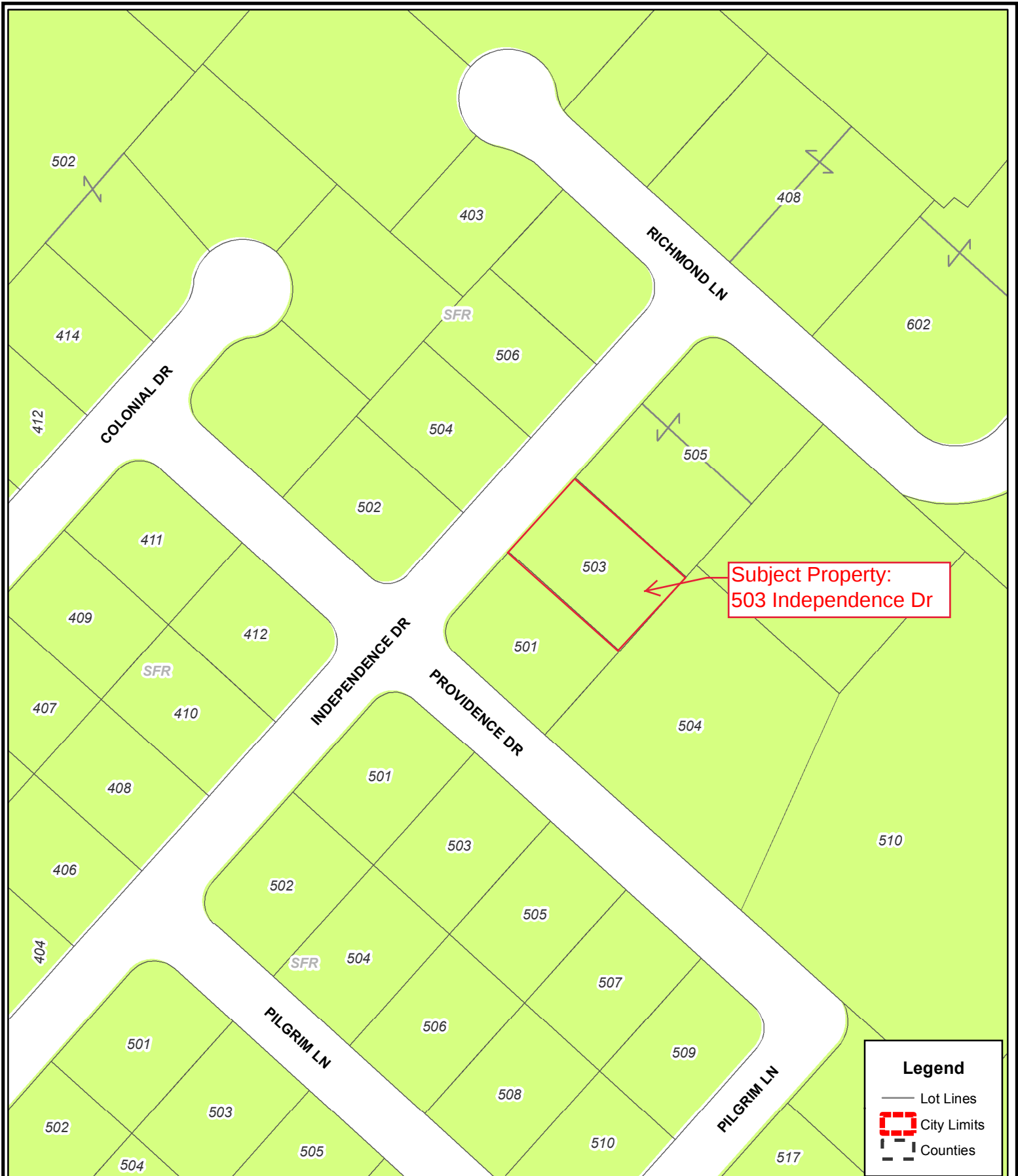


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Friendswood GIS Mapping



1" = 63'



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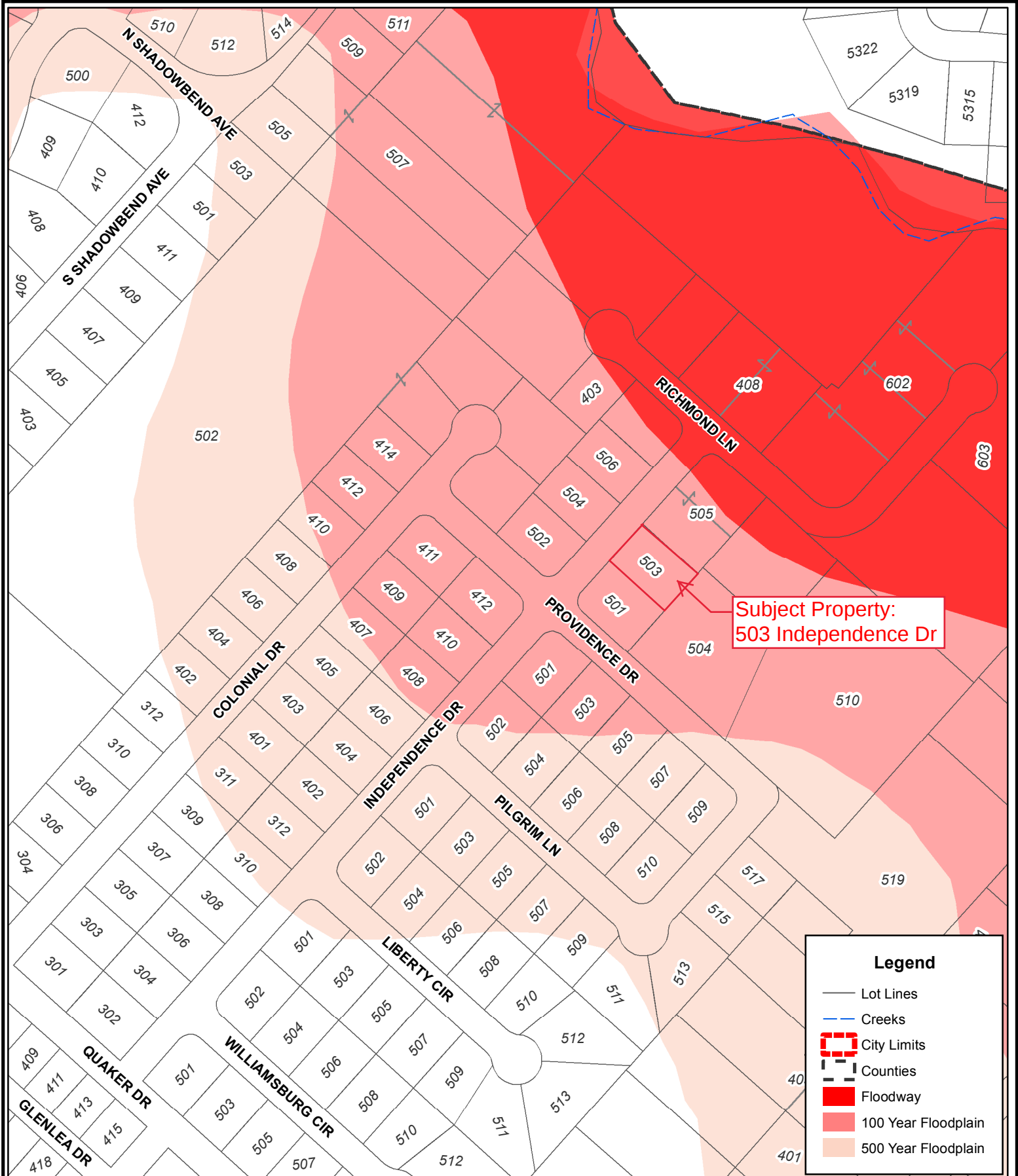


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Friendswood GIS Mapping



1" = 125'



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FRIENDSWOOD ZONING BOARD OF ADJUSTMENT

\$100 Application Fee

☒ Request for Variance☐ Request for Appeal☐ Request for Special ExceptionProperty Address: 503 Independence DrLegal Description of Property (attach certified metes & bounds): HERITAGE ESTATES, Lot 19, Block 5County: CALVESTON

Property Owner Information:

ROBERT PATRICK RUDY
Printed Namem5rudpa@comcast.net
Email281-923-0574
PhoneRobert P. Rudy 3/5/18
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)

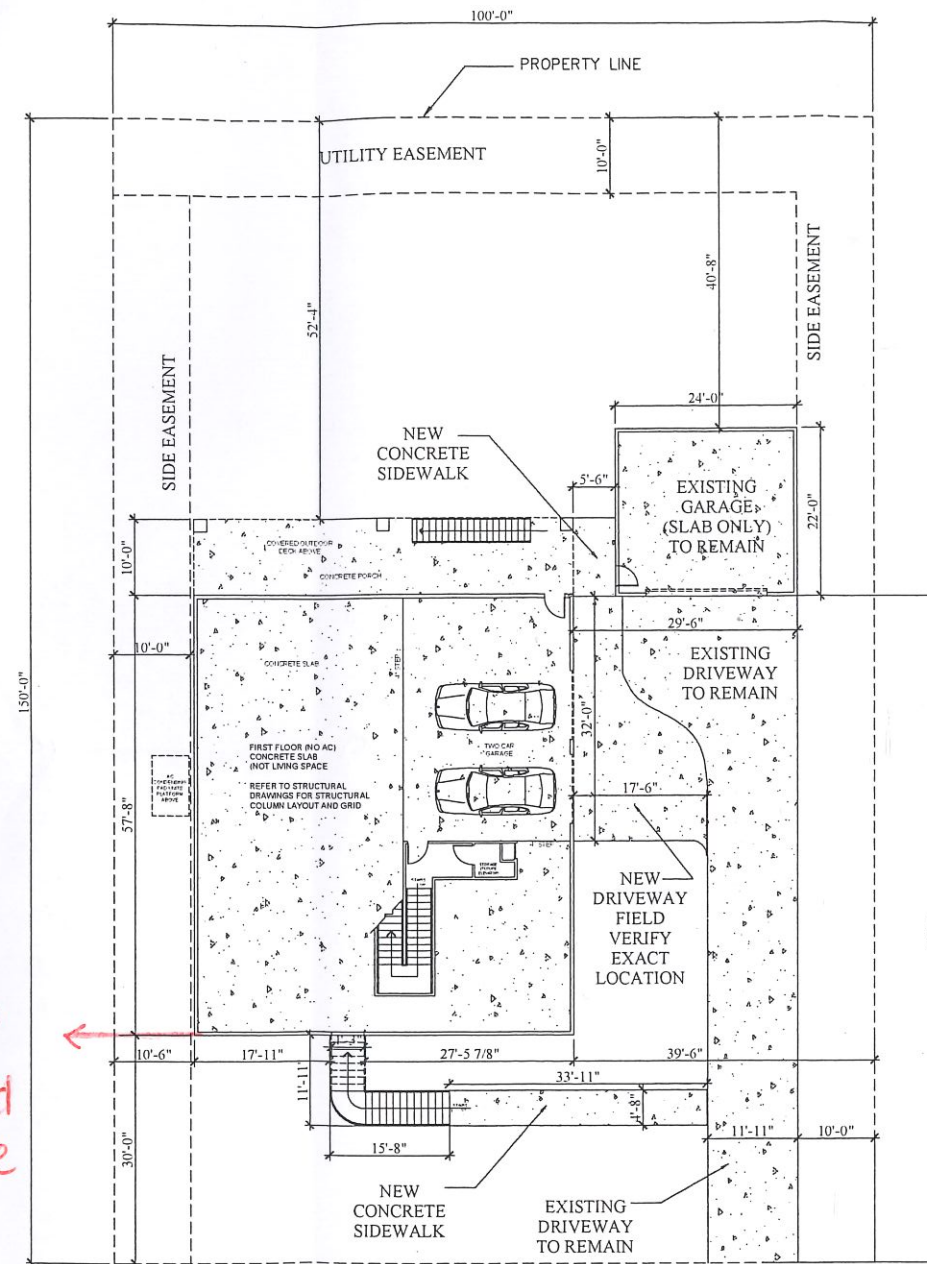
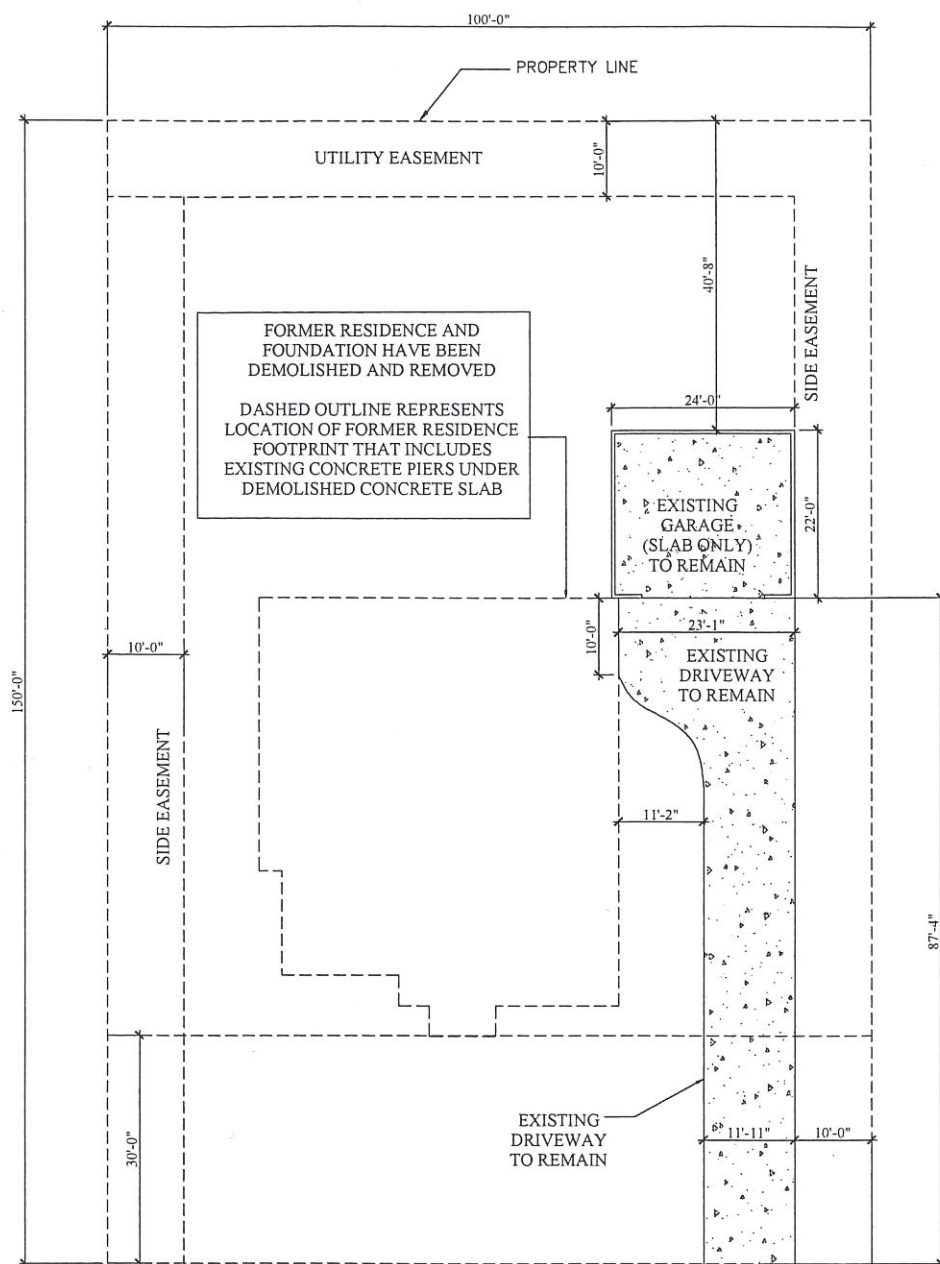
Heritage Estates Section 1 Final Plat being more restrictive than the Zoning Ordinance Section 7.Q.2.Regulation Matrix – Residential Districts.

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

n/a

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

n/a*****
Please state the grounds for the appeal/variance/special exception you are seeking:Requesting encroachment into the 30 foot builder's line
for stairs leading into the residence.
Requesting a 12 foot encroachment.3.5.18 4:10pm
Date & Time ReceivedBecky Sumner
City Official



1210 VERDUN LANE
FRIENDSWOOD, TX 77546
979-505-0393
WWW.TOWNSQUAREARCHITECTURE.COM

Rudy Residence
503 Independence Drive
Friendswood, TX 77546

REVISION HISTORY		
	DATE	DESCRIPTION
1		
2		

PROJECT NO:
DATE BEGAN:
SCALE: SEE DRAWING

DRAWING TITLE
**EXISTING & NEW
SITE PLAN**

DRAWING

SP-1

DENIED

BR
3/6/18

HERITAGE ESTATES

SECTION ONE

BLOCKS 1 AND 5, 39 LOTS, 30.7 ACRES

A SUBDIVISION OF PART OF LOTS 1 & 5, BLK 10, & PART OF LOTS 6 & 7, BLK 9, FRIENDSWOOD SUBDIVISION, SARAH MCKISSICK LEAGUE, ABSTRACT NO. 151, GALVESTON COUNTY, TEXAS

ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 254-A, PAGE 18 IN THE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF GALVESTON

We, JAMES F. FAIRLEIGH and MARGARET FAIRLEIGH, PRESIDENT and SECRETARY RESPECTIVELY OF FAIRLEIGH, INC., OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FORGOING MAP OF HERITAGE ESTATES, SECTION ONE, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FAIRLEIGH, INC. ACCORDING TO THE LINES, LOTS, BUILDING LINES, STREETS, ALLEYS, PARKS AND EASEMENTS THEREON SHOWN AND DESIGNATE SAID SUBDIVISION AS HERITAGE ESTATES, SECTION ONE, LOCATED IN THE SARAH MCKISSICK SURVEY IN GALVESTON COUNTY, TEXAS, AND ON BEHALF OF SAID FAIRLEIGH, INC., DEDICATE TO THE PUBLIC USE, AS SUCH ALL OF THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN THEREON FOREVER.

THERE IS ALSO DEDICATED FOR UTILITIES AN UNOBSTRUCTED AERIAL EASEMENT FIVE (5) FEET WIDE FROM A PLANE TWENTY (20) FEET ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO ALL UTILITY EASEMENTS AND STREETS SHOWN HEREON.

In Testimony Whereof, The Fairleigh, Inc. HAS CAUSED THESE PRESENTS TO BE SIGNED BY JAMES F. FAIRLEIGH, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS SECRETARY, MARGARET FAIRLEIGH, AND ITS COMMON SEAL HERETO AFFIXED, THIS 5TH DAY OF DECEMBER, 1973.

FAIRLEIGH, INC.

JAMES F. FAIRLEIGH
PRESIDENT, JAMES F. FAIRLEIGH

MARGARET FAIRLEIGH
SECRETARY, MARGARET FAIRLEIGH

"HERITAGE ESTATES"
"SECTION ONE"

THE STATE OF TEXAS
COUNTY OF GALVESTON

I, JAMES F. FAIRLEIGH, owner of the property subdivided in the above and foregoing map of HERITAGE ESTATES, SECTION ONE, do hereby make subdivision of said property according to the lines, lots, building lines, streets and/or easements shown thereon and do designate the said subdivision as "HERITAGE ESTATES", located in Friendswood, Sarah McKissick League in Galveston County, Texas and do hereby dedicate to the public use as such, all of the streets and easements shown thereon forever, including an aerial easement 5 feet in width adjoining all utility easements from a plane 20 feet above the natural ground.

JAMES F. FAIRLEIGH
JAMES F. FAIRLEIGH

THE STATE OF TEXAS
COUNTY OF GALVESTON

Before me, the undersigned authority, on this day personally appeared James F. Fairleigh, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 21st day of MAY 1973 A.D.

JAMES W. GARTRELL, JR.
Notary Public in and for Galveston County, Texas

THIS is to certify that I, James W. Gartrell, Jr., a Registered Professional Engineer and a Registered Public Surveyor, of the State of Texas, have platted the above subdivision from an actual survey on the ground and that all Lot and Block corners are properly marked with iron pipes and that this plat correctly represents that survey made by me.

JAMES W. GARTRELL, JR.
JAMES W. GARTRELL, JR., P. E.

Approved By The City Council of the City of Friendswood on this 21st day of MAY, 1973.

ATTEST:

RALPH D. LOWE
Mayor of the City of Friendswood

Rec. # 5869

City Secretary of the City of Friendswood

FILED FOR RECORD MAY 24 1973 at 3:15 P.M. RECORDED JAN. 24 1974 at 4:00 P.M.
Vol. 15, Page 7

GERTRUDE MCKENNA, COUNTY CLERK, BY:

DEPUTY

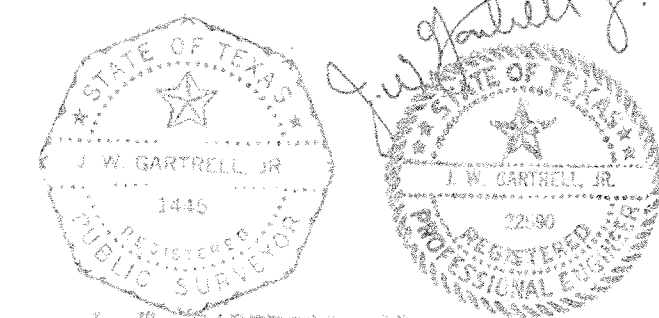
Approved By The Planning Commission Of The City of Friendswood. This 17th day of MAY, 1973.

LEAH P. NORTH
Secretary City Planning Commission

C. C. BOST, CHAIRMAN

Approved By The City Engineer Of The City of Friendswood THIS 21st Day of MAY, 1973.

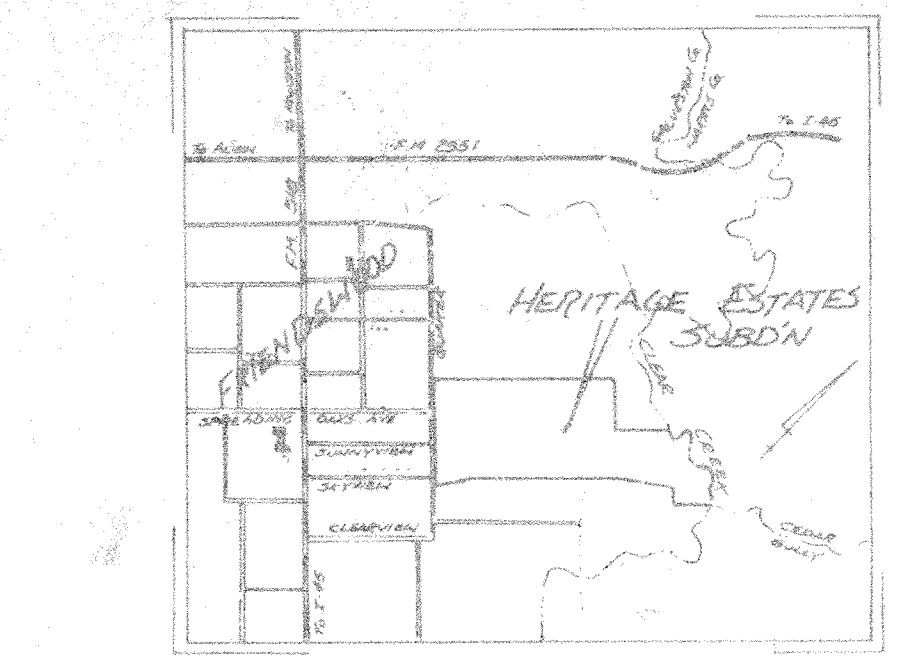
JAMES W. GARTRELL, JR.
City Engineer



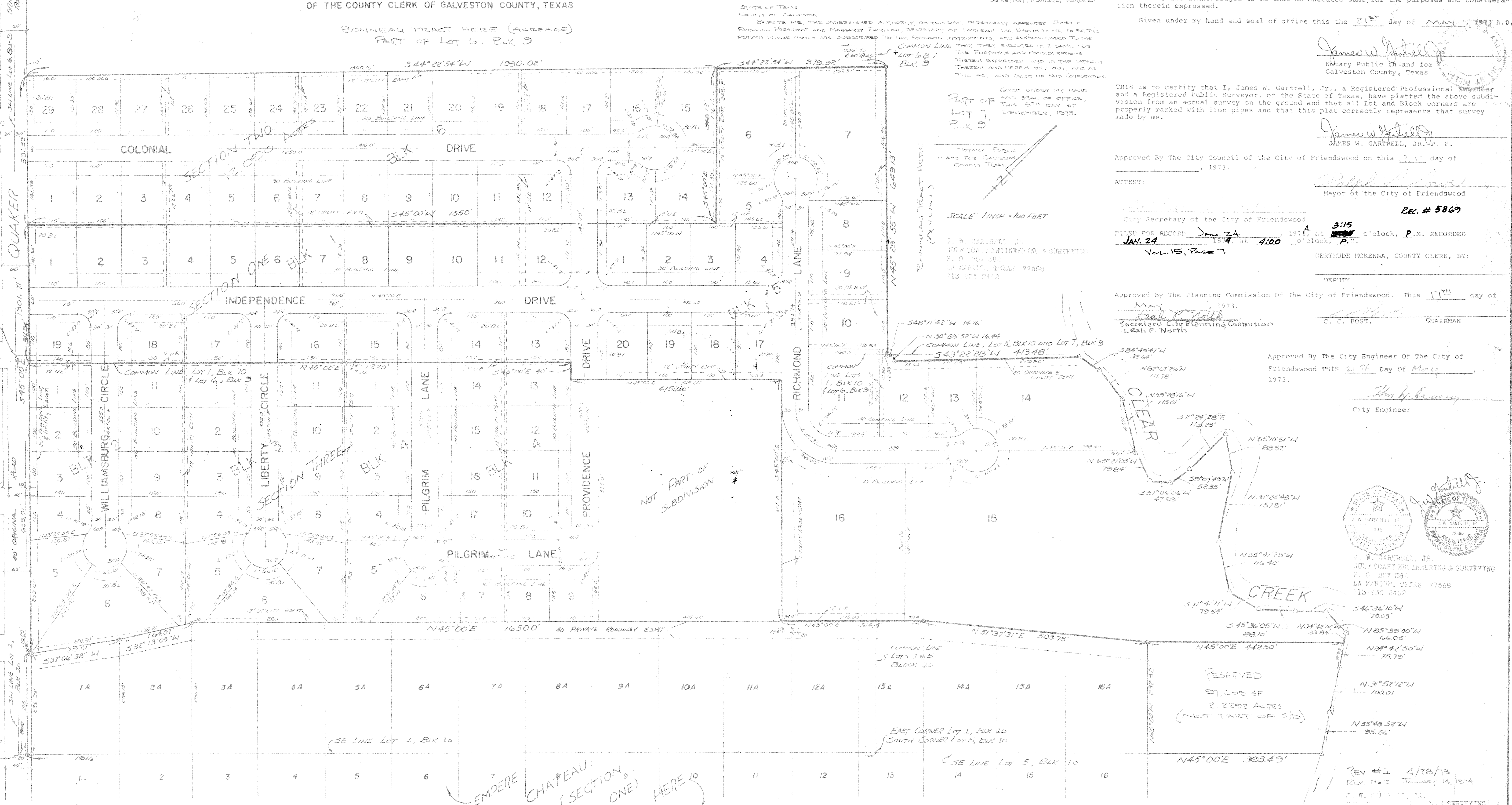
J. W. GARTRELL, JR.
JULF COAST ENGINEERING & SURVEYING
P. O. BOX 388
LA MARQUE, TEXAS 77568
713-935-2462

REV #1 4/28/73
REV. No. 2 January 14, 1974

J. F. FAIRLEIGH
REGISTERED PROFESSIONAL SURVEYOR



LOCATION MAP
SCALE 1/4" = 100' FEET



NOT PART OF
SUBDIVISION

EMPERE CHATEAU
(SECTION ONE)
HERE

RESERVED
2.2202 ACRES
(NOT PART OF S/D)

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 that have structures already built upon them may continue with the same existing set back for additions 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 Drainage 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.

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.

b.

A building structure may not exceed 40 feet in height measured from the minimum habitable floor elevation; provided, however, that:

1.

Buildings or structures in Community Shopping Center (CSC), Neighborhood Commercial (NC), Office Park (OPD), Light Industrial (LI), Industrial (I), Business Park (BP) districts may exceed 40 feet in height when:

a.

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 unless a specific use permit shall have been granted therefore in accordance with subsection 9.G. of this appendix.

b.

Buildings or structures of 40 feet or less in height shall meet the setback requirements as defined in this appendix.

2.

Exceptions: Structures located within a General PUD or PUD-Mixed Use shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a General PUD or PUD-Mixed Use application will be as established in the Ordinance authorizing and approving the Planned Unit Development.

3.

The maximum height allowed for structures within the Downtown District (DD) is 70 feet as measured in accordance with the method prescribed in [Section 20](#), Definitions, subsection OO, Height.

c.

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.

d.

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.

e.

The height regulations of this section shall not apply to belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, storage towers, flagpoles, monuments, ornamental towers or spires, cranes, construction equipment, smokestacks, stage towers and scenery lofts, tanks, water towers, ham radio and television antennas, microwave relay, radio and television transmission towers and items similar to those listed herein. The total combined maximum height for these items and the structure is 50 feet overall height, measured from the first finished floor to the highest point, unless otherwise approved by the planning and zoning commission.

f.

Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.



City of Friendswood

Community Development Department

910 S. Friendswood Drive

Friendswood, Texas 77546-4856

March 14, 2018

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: **Robert Patrick Rudy**

LOCATION OF PROPERTY: **503 Independence Drive**
Block 5, Lot 19, Heritage Estates Section 1, Friendswood,
Texas, Galveston County

REQUEST: To encroach 12-feet into the required 30 foot front yard - being a
variance from the recorded Heritage Estates Section 1 Final Plat
being more restrictive than the 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: March 27, 2018

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

Documents are currently available for viewing at City Hall in the
Community Development Department - 2nd Floor, 910 S. Friendswood Dr., Friendswood, Texas

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