

The Board of Adjustment of the City of Seabrook met on Thursday, September 27, 2018 at City Hall, 1700 First Street, Seabrook, Texas in regular session to consider the following agenda items.

THOSE PRESENT WERE:

SUE LANGGARD THOMEY	CHAIRMAN
EDELMIRO MUNIZ	MEMBER
MICHELE GLASER	MEMBER
MARGARET HUNT	MEMBER
ROB HEFNER	MEMBER
RICHARD NGUYEN	ALTERNATE MEMBER
JARED KELLY (exc. Absence)	ALTERNATE MEMBER
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
PAT PATEL	ADMINISTRATIVE ASSISTANT

Sue Langgard called the meeting to order at 7:00 p.m.

1.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

There were none.

2.0 SPECIFIC PUBLIC HEARING

2.1 Request for variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 5, "Off-Street Parking, Loading, Ingress and Egress; and Landscaping and Safety Requirements", Section 5.03 "Ingress and Egress Requirements for Parking Lots", "Subsection 5.03.01 Entrance and Exit Widths".

Chairman Langgard opened the Specific Public Hearing at 7:01 p.m.

Community Development Director, Sean Landis, explained to the Board that the applicant is requesting a variance to allow for a two-way entrance and exit with a minimum width at the property line of 12 feet. He stated that the existing use of the property is undeveloped at this time and it is zoned commercial-medium (C-2). Mr. Landis also stated that the Board has the option to make a condition to extend it to a 15ft feet limit which would then allow the applicant more room. He stated that there is a fire hydrant that is in the right-of-way so it's outside of that 15ft distance and as part of their development if that fire hydrant does become an obstacle then it would need to be removed either by the City or the Developer. He stated that the City will make sure that any type of development that goes on that site, that fire hydrant is in a location that complies with the City's codes and ordinances.

Frank Coppola, the applicant and owner of 2000 Larrabee, after being sworn in, stated that he and his family have lived in Seabrook for over 27 years. He stated that the property in question is about 1 acre long and currently there is no business prospect for it.

Chairman Langgard closed the Specific Public Hearing at 7:15 p.m.

3.0 NEW BUSINESS

3.1 Consider and take all appropriate action on request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 5, "Off-Street Parking, Loading, Ingress and Egress; and Landscaping and Safety Requirements", Section 5.03 "Ingress and Egress Requirements for Parking Lots", "Subsection 5.03.01 Entrance and Exit Widths".

Chairman Langgard stated that they would vote on the questions.

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

Applicant's Answer: The ingress/egress width is 15ft. It is blocked by an apartment building to the East of the property line. This apartment was constructed up to the property line without consideration of the easement. The ingress/egress is also blocked to the West by the TX Marine property. A fence has been installed to the property line thereby forcing a 15ft. ingress/egress area to the land located at 2000 Larrabee Lane.

We find accordingly

Ayes: Langgard, Glaser, Muniz, Hunt, Hefner

Nays:

Abstain:

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

Applicant's Answer: The zoning variance requirement is 25ft for C-2 two-way ingress/egress. Without a variance being granted, this property cannot be used for its intended purpose as a C-2 commercial property.

We find accordingly.

Ayes: Langgard, Glaser, Muniz, Hunt, Hefner

Nays:

Abstain:

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

95
96 **Applicant's Answer:** The property remains vacant due to the landlocked position from
97 both East and West adjacent properties. There was nothing done to 2000 Larrabee to alter
98 the right of way or easement that I am aware of.
99

100 ***We find accordingly.***

101
102 Ayes: Langgard, Glaser, Muniz, Hunt, Hefner

103 Nays:

104 Abstain:
105

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

109
110 **Applicant's Answer:** This property is unique as there is an undisputable hardship to the
111 ingress/egress requirements given the above mentioned constraints.
112

113 ***We find accordingly.***

114
115 Ayes: Langgard, Glaser, Muniz, Hunt, Hefner

116 Nays:

117 Abstain:
118

119 **E. That a literal enforcement of the provisions of this ordinance would result in**
120 **unnecessary hardship.**

121
122 **Applicant's Answer:** The property is zoned and has remained zoned C-2 Commercial. It
123 the two way ingress/egress provision is enforced, this property could not be used for its
124 intended purposes. I have offered the landlord/property owner of TX Marine's property a
125 monetary solution to purchase a portion of their 15ft easement. They emphatically
126 declined stating that it would cause them a hardship for their tenants at TX Marine.
127

128 ***We find accordingly, for the reasons expressed herein:***

129
130 Ayes: Langgard, Glaser, Muniz, Hunt, Hefner

131 Nays:

132 Abstain:
133

134 Motion was made by Michele Glaser and seconded by Margaret Hunt.

135
136 To maintain the minimum ingress/egress entrance at a minimum of 15ft into the property.
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138 **VARIANCE GRANTED**

139 **4.0 ROUTINE BUSINESS**

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141 **4.1 Approve the minutes from the August 03, 2017 meeting.**

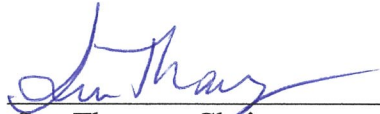
142
143 **Motion was made by Rob Hefner and seconded by Michele Glaser**

144
145 *Approve the minutes as presented.*

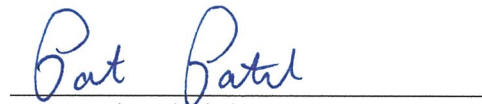
146
147 **MOTION CARRIES BY UNANIMOUS CONSENT.**

148
149 Meeting adjourned at 7:21 p.m.

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151 **APPROVED THIS 18TH DAY OF NOVEMBER, 2019.**

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153
154 

155 Sue Thomey, Chairman

156

Pat Patel, Administrative Assistant