

CITY OF FREEPORT
BOARD OF ADJUSTMENTS AND APPEALS
Thursday, September 25, 2008 at 6:00 p.m.
Freeport Board Room – 2nd Floor, City Hall
200 West 2nd Street
Freeport, Texas, 77541

AGENDA

Jim Pirrung
James F. Lindsey

Hallard Fields
Jim Closs

NOTICE is hereby given that the Board of Adjustments and Appeals of The City of Freeport, Texas will meet in a scheduled meeting on **Thursday, September 25, 2008 at 6:00 P.M.** at the Freeport City Hall, 2nd Floor Board Room, 200 West 2nd Street, to discuss the following:

1. Open Meeting.
2. Approval of minutes for July 14, 2008.
3. Consider a request by St. Mary, Star of the Sea Catholic Church to grant a variance of Section 155.023(A)(5)(a) of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, allowing a clearance on each side of less than Ten (10') feet between a detached accessory structure and the main building located on the following premises:

Block One-Hundred Nineteen (119), Lots One (1) through Sixteen (16), Freeport Townsite, of the City of Freeport, Brazoria County, Texas known locally as 1019 West 6th Street, Freeport, TX.
4. Adjourn.

I, Melissa Farmer, Building/Permit Department Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building with 24-hour access, at 200 West 2nd Street, Freeport, Texas, on or before Monday, September 22, 2008, at 5:00 P.M.

Melissa Farmer

Melissa Farmer
Building/Permit Department
City of Freeport

STATE OF TEXAS)(
COUNTY OF BRAZORIA)(
CITY OF FREEPORT)(

BE IT REMEMBERED that the Board of Adjustments and Appeals of the City of Freeport, Texas met in a scheduled meeting on **Monday, July 14, 2008 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Board of Adjustments:

Hallard Fields
Terry Starnes - Absent
James F. Lindsey
Raul Ramirez
Jim Pirrung
Tim Closs

Staff: Melissa Farmer
 Larry Ellis

Visitors: Rene Damian

Open Meeting.

Mr. Jim Pirrung called meeting to order at 6:00 p.m.

Approval of Minutes.

Mr. Raul Ramirez moved to accept the minutes for October 15, 2007, seconded by Mr. Hallard Fields, unanimous vote for approval.

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1. Open Meeting.
2. Approval of minutes for July 14, 2008.
3. Consider a request by St. Mary, Star of the Sea Catholic Church to grant a variance of Section 155.023(A)(5)(a) of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, allowing a clearance on each side of less than Ten (10') feet between a detached accessory structure and the main building located on the following premises:

Block One-Hundred Nineteen (119), Lots One (1) through Sixteen (16), Freeport Townsite, of the City of Freeport, Brazoria County, Texas known locally as 1019 West 6th Street, Freeport, TX.

4. Adjourn.

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Board of Adjustments:

Hallard Fields
Terry Starnes - Absent
James F. Lindsey
Raul Ramirez
Jim Pirrung
Jim Closs

Staff: Melissa Farmer
 Larry Ellis

Visitors: Rene Damian

Open Meeting.

Mr. Jim Pirrung called meeting to order at 6:00 p.m.

Approval of Minutes.

Mr. Raul Ramirez moved to accept the minutes for October 15, 2007, seconded by Mr. Hallard Fields, unanimous vote for approval.

Consider a request by Antonio Leija to grant a variance of Section 155.038 of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, to allow front setback of 5.0 feet and a rear setback of 0.0 feet, with respect to the following real property located therein: Lot 1 of the Antonio Leija Subdivision, also known as Lots 11 & 12, Block 506, Velasco Townsite.

Mr. Rene Damian of Damian & Associates discussed with the Board of Adjustments the setbacks that Mr. Leija was requesting and that he wanted to make full use of the lot to build a metal building for a business for him and his wife. Mr. Damian stated that the building would be in line with the old Aeriform building and that it would not look out of place.

Mr. Tim Closs made a motion to accept the setback request, seconded by Mr. Raul Ramirez, unanimous vote for approval.

Adjourn.

Mr. Hallard Fields made a motion to adjourn, seconded by Mr. James Lindsey. Meeting was adjourned at 6:20 P.M.

These minutes read and approved this _____ day of _____, 2008.

Section	District	
155.039	W-1 District	Waterfront - Resort
155.040	W-1R District	Waterfront - Single Family Residential
155.041	W-2 District	Waterfront - Light
155.042	W-3 District	Waterfront - Heavy
155.043	M-1 District	Light Manufacturing
155.044	M-2 District	Heavy Manufacturing
155.045	PUD District	Planned Unit Development District
155.046	Historic District	Historic Landmark District

(Ord. 1100 § 7, passed 4-3-64; Am. Ord. 1100-CC, passed 10-16-78; Am. Ord. 1100-ZZ, passed 7-20-81; Am. Ord. 1100-HHH, passed 10-11-82; Am. Ord. 1100-LLL, passed 3-21-83; Am. Ord. 1100-MMM, passed 3-21-83; Am. Ord. 1100-OOO, passed 6-13-83; Am. Ord. 1100-91-2, passed 4-1-91; Am. Ord. 1100-92-1, passed 6-4-92; Am. Ord. 1100-94-1, passed 4-4-93; Am. Ord. 1845, passed 11-16-98; Am. Ord. 2006-2145, passed 11-20-06)

§ 155.023 SUPPLEMENTARY DISTRICT REGULATIONS AND EXCEPTIONS.

(A) *Accessory buildings and wings.*

(1) Accessory buildings detached from or attached to the main building by an enclosed or unenclosed structure may be permitted within the allowable building area of any lot defined by the required front, side and rear building lines.

(2) No accessory building shall be permitted in the required front yard or in the required side yard.

(3) Where the accessory building or wing is adjacent to a side street, the minimum side yard setback from said street shall be 10 feet.

(4) *Attached to main building.* Accessory buildings, portions thereof or wings attached to the main building may not extend into the required rear yard. Said attached structure shall have a rear setback of not less than 5 feet and a side setback equal to the required minimum side setback of the main building.

(5) *Detached from main building.*

Accessory buildings or portions thereof detached from the main building may be permitted provided:

(a) That they are detached from the main building or structure and separated therefrom by a distance of not less than 10 feet; and

(b) Said accessory buildings have a rear and side yard setback of not less than 5 feet.

(B) *Servants quarters.* Only one single-family dwelling shall be constructed on each lot within the Residential Districts. Bona fide servants quarters, however, may be provided in an accessory building at the rear of the property in accordance with the requirements set forth for accessory buildings.

(C) *C-1A Business Area.* The C-1A Business area is designated on the official zoning map filed with the ordinance by a heavy solid black line.

(D) *Distance between buildings on same lot.*

(1) Outer courts and open spaces between