

**CITY OF FREEPORT
BOARD OF ADJUSTMENT AND APPEALS
Thursday, September 25, 2014 at 6:00 P.M.
Freeport Board Room- 2nd Floor, City Hall
200 West 2nd Street
Freeport, Texas, 77541**

AGENDA

Jim Pirrung
Tim Closs
Raul Ramirez
Jesse Aguilar

Michael Vandergriff
Eric Hayes
Annette Sanford

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, 2014 at 6:00 P.M.** at the Freeport Board Room at City Hall 2nd Floor, 200 W. 2nd Street, to discuss the following:

1. Open Meeting.
2. Approval of the Minutes for February 5th, 2013 Meeting.
3. Consideration of selecting a Chairperson.
4. Consider a request by Gary Woodring to grant a variance of Section 155.043 of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, allowing 8 feet set-back on the front property line of the following real property located therein:

On the Old Brazos River Retreat, a Subdivision of a 0.764 acre tract out of tract 4 of the City of Freeport as recorded in County Clerk's File No. 12-057412 of the Brazoria County Official Records in the Stephen F. Austin Survey. Abstract 32 & 33, Brazoria Locally known as 1131 W Brazos Blvd.
5. Adjourn.

I, Kola Olayiwola, Building & Code Official, 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 **Friday, September 19th, 2014 at 5:00 P.M.**

Kola Olayiwola, Building & Code Official
City of Freeport, Texas

COUNTY OF BRAZORIA)(

CITY OF FREEPORT)(

BE IT REMEMBERED that the Board of Adjustment and Appeals of the City of Freeport, Texas met in a scheduled meeting on, **Tuesday, February 5, 2013 at 6:00 P.M.** at the Freeport City Hall, 2nd Floor Board Room, 200 West 2nd Street to discuss the following:

Board of Adjustment:

**Jim Pirrung
Tim Closs
Raul Ramirez
Jesse Aguilar, Jr.
Loren Hayes**

Staff: Kola Olayiwola, Building & Code Official
Melissa Farmer, Building/Code Secretary

Open Meeting.

Mr. Jim Pirrung called the meeting to order at 6:05 P.M.

Approval of the Minutes for April 21, 2009.

Mr. Loren Hayes moved to accept the Minutes for April 21, 2009, seconded by Mr. Jesse Aguilar, Jr., unanimous vote for approval.

Consider a request by Lonnie Leowe to grant a variance of Section 155.043 of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, allowing a 10 foot set-back on the rear property line of the following real property: Lot Thirteen (13), Block Twenty-one (21), Velasco Townsite, City of Freeport, Brazoria County, according to the map or plat of said Townsite recorded in Volume 32, page 14 of the Deed of Records of said County, known locally as 415 South Avenue A, Freeport, Texas.

The Board of Adjustment members has a brief discussion about the variance request- allowing a rear-yard setback of 10-ft, that is less than, the 20-ft required for the District.

Mr. Loren Hayes moved to accept the 10-ft rear-yard setback request, seconded by Mr. Aguilar, and followed by unanimous vote for approval.

Adjourn.

The meeting was adjourned at 6:40 P.M.

These minutes read and approved this _____ day of _____, 2014.

Jim Pirrung, Chairperson

TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.

NOTICE

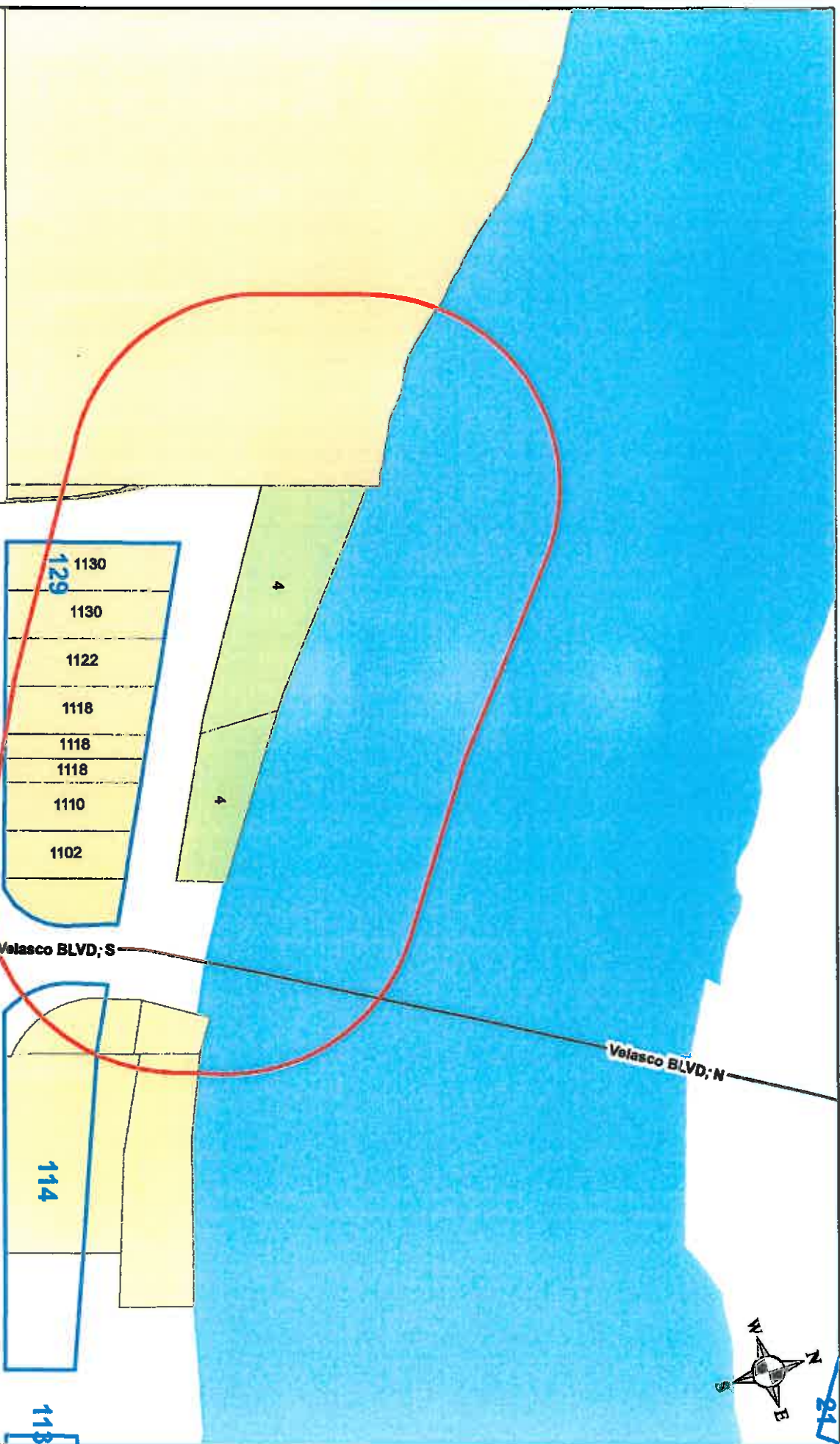
A public hearing will be held on Thursday, September 25, 2014, at 6:00 o'clock p.m., central standard time, at the Conference Room on the Second Floor of Freeport City Hall, located at 200 West 2nd Street, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the Board of Adjustment of said City will conduct a public hearing to consider a request by Gary Woodring to grant a variance of Section 155.043 of the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, to allow 8 feet set-back on the front property line of the following real property located therein:

On the Old Brazos River Retreat, a Subdivision of a 0.764 acre tract out of tract 4 of the City of Freeport as recorded in County Clerk's File No. 12-057412 of the Brazoria County Official Records in the Stephen F. Austin Survey, Abstract 32 & 33, Brazoria, locally known as 1131 W. Brazos Boulevard, Freeport, Texas.

BY ORDER OF THE BOARD OF ADJUSTMENT OF THE CITY OF FREEPORT, TEXAS ON THE 3RD DAY OF SEPTEMBER, 2014.



**Kola Olayiwola, Building Official
City of Freeport, Texas**



Legend

- 200' Buffer
- 1131 West Brazos
- Properties in Buffer

Locust ST

1130
129
1130
1122
1118
1118
1118
1110
1102

Velasco BLVD; S

Velasco BLVD; N

Second ST; W

Beech ST

128

128

115

115

114

118

Document Path: \\1131 W BRAZOS 200 T\FIGURES\090414.mxd
 Author: Laura Folger

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only
Case Number: _____
Date Filed: _____
ZBA Date: _____
Request for:
_____ Variance
_____ Nonconforming Use

Application for
Variance

1. Address or general location of site: 1131 W. Brazos Blvd
 2. Subdivision Old Brazos River Retreat Block _____ Lots 144 Acres _____
 3. Current Zoning Classification: W-2
 4. Proposed or existing use of the site (please be specific): Residential
5. Request a variance to the following sections of the Zoning Ordinance: 25'
setback from front of house to the property
line - request to change it to 0' since front
of house faces the water.

I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00, to cover the cost of this variance request application, has been paid to the City of Freeport on August, 21st 2014. I also certify that I have been informed and understand the regulations regarding variances as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at the Zoning Board of Adjustment public hearing.

Owner's signature: Gary Woodring
Owners name: Gary Woodring
Address: P.O. Box 2497
City, State, Zip: Freeport, Tx. 77542 Phone: 979-824-4570

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated below, to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person with the city (and vice versa) in processing and responding to requirements, information or issues relative to this request.

Gary Woodring Signature of Owner
Gary J. Woodring Name printed or typed

Signature of Agent _____ Name printed or typed _____

Address of Agent: _____

Agent's Phone Number: _____

PAID
PAID
BY: _____

RECEIVED
AUG 21 2014

C. Additional Notes

Note 1: Application Withdrawal – Any request for withdrawal of an application must be submitted in writing to the Zoning Administrator. Once notification of the public hearing has been mailed on a request for a variance, the withdrawal request will be presented to the Zoning Board of Adjustment to act on the request for withdrawal of the application. The Zoning Board of Adjustment is under no obligation to grant a request for withdrawal of the application, and may still act on the request for a variance as originally submitted. It should be understood that there will be no refunds.

Note 2: Denial of Request – In the event that the Zoning Board of Adjustment may deny the variance request, an applicant may appeal the decision to a court of record (District Court) by filing a petition with the court of record no later than ten (10) days after the recommendation of denial by the Zoning Board of Adjustment.

Note 3: Application Presentations – At the applicable Zoning Board of Adjustment public hearing, an applicant shall have ten (10) minutes to make a formal presentation of the project proposal. Tripod mounted opaque renderings generally prove to be an effective means of presentation. The use of slides is another means of visual aid for project presentations. Presentation of slides at the public hearing is at the discretion of the applicant. The applicant shall assume full responsibility for providing a properly prepared and compatible slide carousel to staff prior to the public hearing. The use of transparencies on an overhead projector is another effective means of material presentation. If additional equipment is needed, it shall be the applicant's responsibility to provide or make the necessary arrangements.

D. The Zoning Board of Adjustment (ZBA)

The Zoning Board of Adjustment shall review and act upon variance requests for an advertised public hearing, when called. When the Board judges that the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board may, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize variances to the ordinance.

The Zoning Board of Adjustment also hears requests to expand non-conforming uses. A nonconforming use may be expanded by the Board of Adjustment in accordance with the provisions of Section 6 of the Zoning Ordinance.

E. Fees

Initial application for a variance for a building line or setback line encroachment for residential and commercial buildings is \$150.

I acknowledge that I have read and understand the variance procedures and requirements as presented in this packet and by staff at the pre-application conference



Signature of Applicant or Agent

8/21/2014

Date

RECEIVED
AUG 21 2014

**BRAZORIA COUNTY
 TEXAS**

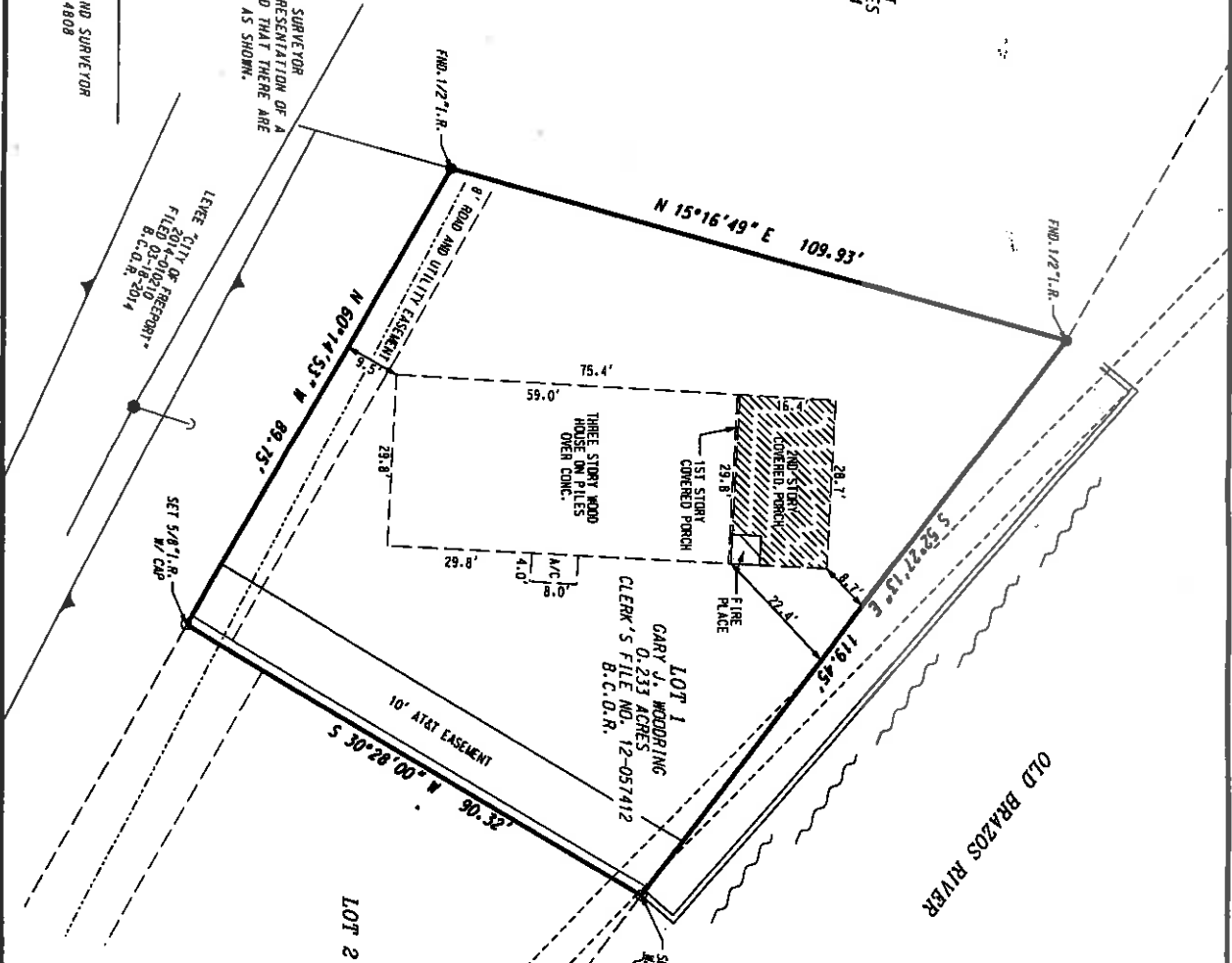
CITY OF FREEPORT
 CALLED 30.69 ACRES
 VOL. 1021, PG. 314
 B.C.D.R.

NOTES:

1. ALL COORDINATES AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 27).
 2. ALL DISTANCES ARE HORIZONTAL SURFACE LEVEL LENGTHS (S = 0.999881).
 3. THIS PROPERTY LIES WITHIN THE LIMITS OF ZONE "A" PER FLOOD INSURANCE RATE MAP 48030C07801, DATED NOVEMBER 17, 1993.
1. TERRY SINGLETARY, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSES NOR INTRUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN.
 DATE SURVEYED: JULY 11, 2014



TERRY SINGLETARY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NUMBER 4808



**STEPHEN F. AUSTIN SURVEY
 ABSTRACT 32 & 33**

LEGEND

- FOUND IRON PIPE/ROD
- SET 5/8" IRON ROD W/SURVEY CAP TMS 4808
- POWER POLE
- GUY ANCHOR
- OVERHEAD WIRE
- EASEMENT LINE
- LOT LINE
- TOP OF BANK
- PROPERTY LINE



**REPLAT NO. 1
 0.233 ACRES**

OUT OF THE
 THE OLD BRAZOS RIVER
 RETREAT SUBDIVISION
 RECORDED IN
 VOL. PG.
 OF THE
 BRAZORIA COUNTY OFFICIAL RECORDS
 IN THE
 STEPHEN F. AUSTIN LEASE
 ABSTRACT 32 & 33
 BRAZORIA COUNTY, TEXAS
 FOR
 GARY J. WOODRING

Doyle & Wachstetter, Inc.
 Surveying and Mapping GPS/GIS
 131 COMMERCE STREET, CLUTE, TEXAS 77531
 PHONE: 979.263.5940
 FAX: 979.263.5940
 E-MAIL: DW@DWI.COM
 WWW: DWI.COM