

CITY OF SANTA FE
ZONING BOARD OF ADJUSTMENTS
AND BUILDING STANDARDS COMMISSION
JUNE 6, 2022, 7:00 p.m.
SANTA FE CITY HALL COUNCIL CHAMBERS
12002 HWY 6, SANTA FE, TEXAS

MINUTES

1. Call to Order
The meeting was called to order at 7:00 p.m. by Craig Thornton-Wright.
2. Roll Call: Present: Dawn Sharp, Samuel Helton, Tommy Gass, and Craig Thornton-Wright
Absent: Alec Dobson, David Unger, and Wayne Bacot
3. Invocation and Pledge of Allegiance
The Invocation was given by and the Pledge of Allegiance to the U.S Flag and to the Texas Flag was led by Samuel Helton.
4. Review and approve the minutes from April 4, 2022, meeting
The minutes of the 4/4/2022 regular meeting were approved as presented.
5. Public Hearing, discussion, and possible action:
FILE: BOA 22-07 - Location/Legal Description: Property ID 387871: 12333 9TH ST. ABST 149 LOT 7 BLK 1 RIDGEWOOD PHASE 1 being 0.3518 acres, located on 9th St. and near 646 N, Santa Fe Texas.
Variance Request 1: City of Santa Fe Zoning Code, Article 4, Zoning Districts, Section 4.02, R-1, Single Family Residential District, Section 4.02.04, Area Regulations, Article H, Lot Coverage, Structures in an R-1 Single Family Residential District shall not cover more than forty percent of the lot – Owner requesting additional surface coverage to install a Standby Generator on the lot.

Public Hearing Opened at 7:05 p.m. Mr. Benny Davis of 12835 24th Street said a generator should not be considered a structure when determining surface coverage on a lot as it is not built on site. Building Official Marty Haley said the city's attorney advised that a generator is considered a structure according to our zoning regulations which is the reason this issue has been brought before this board for consideration. Mr. Haley said staff has no objection to this request for a variance as the additional impervious surface coverage will not have an affect on the drainage. The adjoining neighbor said he is the one most affected and he has no objection to the request. The neighbor (Gerald Hadley) across the street also said he has no objection. Craig Thornton-Wright said he thinks the city should not be charging a fee or regulating the placement of generators in light of what happened during last year's freeze event. Motion by Craig Thornton-Wright, seconded by Dawn Sharp to grant the lot coverage variance requested allowing additional surface coverage to install a standby generator on the lot. The motion passed unanimously.

6. Public hearing, discussion, and possible action:

FILE: BOA 22-09 - Location/Legal Description: Property ID 129726: 3903 AVENUE J: ABST 1 PAGE 11 PT OF LOT 45 (45-11) MCGREGORS SUB 1 being 0.59 acres, located off of Avenue J, Santa Fe, Galveston County Texas Variance Request 1: Chapter 8, Subdivisions, Code of Ordinances, Section 3.7.1 - The owner of an unplatted tract of land located within the city limits who makes application for a building permit on such unplatted tract shall cause the tract to be platted in conformance with this chapter before the permit can be issued.

Variance Request 2: Chapter 8, Subdivisions, Code of Ordinances, Section 6.3, Streets, Subsection 6.3.1, General Requirements, Subsubsection A(2) - Street or highway must be suitably improved as required by regulations - Requesting a variance to build on an unimproved street. Variance Request 3: Chapter 8, Subdivisions, Code of Ordinances, Section 6.2, Lot Improvements, Subsection 6.2.5, Soil Preservation, Grading, and Seeding, Subsubsection B, Lot Drainage - Lots laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid drainage onto adjacent lots - Requesting variance to drain to unimproved easement to Avenue J.

The public hearing opened at 7:12 p.m. Building Official Marty Haley said this property was subdivided long ago without be platted and it does not meet the rules of the zoning code. He said these variances are necessary to provide relief to the property owner so they can move forward with obtaining a building permit to develop the property. Mr. Haley said staff has no objection. Mr. Gregory Verm, Jr. said he and his wife are the owners of the property and he had no idea until he became the owner of the lot and began the development process that he would be unable to build a home on the existing easement currently used for ingress and egress. He said his parents and grandparents have used the easement for years to access their property with no issues or concerns. Mr. Verm said these special conditions are not self-imposed and not contrary to the public interest so he is requesting approval of the variances needed in order to move forward with building a residence. Mr. John Dickerson of 3911 Avenue J said he is the adjoining neighbor and the water on this property drains to the Ave J ditch before reaching the diversionary canal. Mr. Dickerson said Mr. Verm is a 5th generation owner of this property and just wants to continue to live on the family property. The public hearing closed at 7:17 p.m. Motion by Craig Thornton-Wright, seconded by Tommy Gass to grant a variance from the subdivision platting process for this particular lot to allow a building permit to be issued. The motion passed unanimously. Motion by Craig Thornton-Wright, seconded by Tommy Gass to grant a variance from the subdivision regulations to allow building on an unimproved street. The motion passed unanimously. Motion by Craig Thornton-Wright, seconded by Tommy Gass to grant a variance from the subdivision regulations to allow drainage to the unimproved easement to Avenue J. The motion passed unanimously.

7. Public hearing, discussion, and possible action:

FILE: BOA 22-10 - Location/Legal Description: Property ID 603556: 12803 4 ½ Street: MCKINLEY PLACE (2014) ABST 1, Lot 4, ACRES 3.007, Santa Fe Texas.

Variance Request 1: City of Santa Fe Zoning Code, Article 4, Zoning Districts, Section 4.01.04(H), Lot Coverage - Structures in an AR - Agricultural Residential District shall not cover more than twenty (20) percent of the lot - Owner is requesting additional surface coverage up to 25 percent of the lot for future single family and storage building.

The public hearing opened at 7:20 p.m. Building Official Marty Haley said this property is 3 acres and anything over ½ acre restricts lot coverage to no more than 20 percent. He said staff sees no issues with the request and has no objections. The property owner said he is just requesting permission to build personal residential storage which would then equate to about 22 percent of lot coverage. He said they are requesting a variance up to 25 percent in the event they decide to build a pool or install a generator. A neighbor said she has no objection as long as it is not for commercial storage. Another neighbor expressed concerns about drainage in the area but was not opposed to this request for additional surface coverage. Motion by Craig Thornton-Wright, seconded by Samuel Helton to grant the variance to increase the surface coverage to 25 percent of the lot. The motion passed unanimously.

8. Public hearing, discussion, and possible action:

FILE: BOA 22-11 - Location/Legal Description: Property ID 190912: 11847 14th Street: ABST 149 E MITCHELL SUR LOTS 11 BLK 9 ALTA LOMA TOWNSITE 1 being 0.12 acres, Santa Fe Texas.

Variance Request 1: Chapter 8, Subdivisions, Section 6.2 Lot Improvements, Subsection 6.2.5, Soil Preservation, Grading, and Seeding, Subsubsection B, Lot Drainage - Lots laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid drainage onto adjacent lots - Requesting variance to comply with Type AB drainage and use easement in back for flow.

Building Official Marty Haley said this residence was acquired through the Texas General Land Office and our regulations require drainage to flow to the front of the lot. He said this lot drains from the front to the back into the alleyway and it would be difficult to reverse the flow. Mr. Haley said he sees no harm to neighboring properties and a variance is necessary to be in compliance with our regulations. The public hearing opened at 7:26 p.m. Mr. Brandon Noto of 11849 14th Street said all the property in the area drains to the back alleyway then to the Avenue H right of way. He said it will be much easier to change words on paper than to change the natural slope of the land. The public hearing closed at 7:27 p.m. Motion by Craig Thornton-Wright, seconded by Dawn Sharp to grant the variance request allowing compliance with Type AB drainage and using the easement in the back for flow. The motion passed unanimously.

9. Adjournment

Motion to adjourn by Craig Thornton-Wright. The motion passed and the meeting adjourned at 7:30 p.m.

BOA minutes (cont.)

6/6/2022

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~~Chairperson~~ Vice Chair

ATTEST:

Monique Steady