

**NOTICE OF BOARD OF ADJUSTMENTS AND APPEALS SPECIAL MEETING  
CITY OF SOUTH PADRE ISLAND**

**TUESDAY, NOVEMBER 9, 2021**

9:00 AM AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2ND FLOOR

4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to Order

2. Pledge of Allegiance

3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to the Board relating to agenda or non-agenda items. Speakers are required to address the Board at the podium and give their name before addressing their concerns. [Note: State law will not permit the Board of Adjustments & Appeals (Zoning) to discuss, debate or consider items that are not on the agenda. Citizen comments may be referred to City Staff or may be placed on the agenda of a future Board of Adjustments & Appeals (Zoning) meeting]*

4. Regular Agenda

4.1. Discussion and action to approve the Minutes of the October 12, 2021 Special Meeting.

4.2. PUBLIC HEARING regarding a request by Andres Hernandez for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Entertainment District Core Character Zone" Zoning District to allow a Single - Family Home AND is also requesting a variance from Sec. 1.5 Public Art Standards which requires a 1% minimum of project value dedicated to Public Art located at 112 W. Sunny Isle. (Lot 29 Block 7, Sunny Isle Subdivision)

4.3. DISCUSSION AND ACTION regarding a request by Andres Hernandez for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Entertainment District Core Character Zone" Zoning District to allow a Single - Family Home AND is also requesting a variance from Sec. 1.5 Public Art Standards which requires a 1% minimum of project value dedicated to Public Art located at 112 W. Sunny Isle. (Lot 29 Block 7, Sunny Isle Subdivision)

5. Adjourn

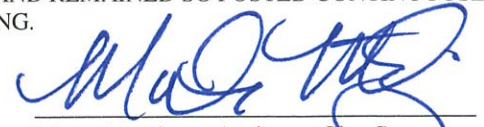
One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

DATED THIS THE 5TH DAY OF NOVEMBER 2021

  
Marta Martinez, Assistant City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE BOARD OF ADJUSTMENTS AND APPEALS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **NOVEMBER 5, 2021**, AT/OR BEFORE 4:00 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



  
Marta Martinez, Assistant City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, GEORGE MARTINEZ AT (956)761-8103.

**CITY OF SOUTH PADRE ISLAND  
BOARD OF ADJUSTMENTS AND APPEALS  
AGENDA REQUEST FORM**

**MEETING DATE:** November 9, 2021

**NAME & TITLE:** Marta Martinez

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Discussion and action to approve the Minutes of the October 12, 2021 Special Meeting.

**ITEM BACKGROUND**

Approve Special Meeting Minutes of October 12, 2021.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**SPECIAL MEETING MINUTES  
CITY OF SOUTH PADRE ISLAND  
BOARD OF ADJUSTMENTS & APPEALS (ZONING)**

**TUESDAY, OCTOBER 12, 2021**

**1. CALL TO ORDER**

The Board of Adjustments & Appeals (Zoning) of the City of South Padre Island, Texas held a Special Meeting on Tuesday, October 12, 2021 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Paul Fedigan called the meeting to order at 9:00 a.m. A quorum was present: Board Members Joseph Praster, Chris Huffman, Cain Mahan, and Gordon Garlock.

City staff Members present were Public Works Director C. Alejandro Sanchez, and Planning Coordinator Marta Martinez. Also present was Council Member Ken Medders.

**2. PLEDGE OF ALLEGIANCE**

Chairman Paul Fedigan led those present in the Pledge of Allegiance.

**3. PUBLIC COMMENTS AND ANNOUNCEMENTS.**

None.

**4. REGULAR AGENDA**

**4.1 DISCUSSION AND ACTION TO APPROVE THE MINUTES OF THE SEPTEMBER 7, 2021 REGULAR MEETING.**

Board Member Praster made a motion, seconded by Board Member Garlock to approve the September 7, 2021 regular meeting as submitted. The motion carried unanimously.

**4.2 PUBLIC HEARING REGARDING A REQUEST BY CLAUDIO H. FASCI FOR A SPECIAL EXCEPTION IN ACCORDANCE WITH TABLE 5.1 (PERMITTED USES) OF PBED FORM BASED CODE. APPLICANT IS REQUESTING A SPECIAL EXCEPTION TO SEC. 20-8.1 APPENDIX “Z” PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE – “NEIGHBORHOOD TRANSITION CHARACTER ZONE” ZONING DISTRICT TO ALLOW A SINGLE – FAMILY HOME AND TO ALLOW TWO (2) SEPARATE DRIVEWAYS ON THE LOT LOCATED AT 105A & 105B E CONSTELLATION DRIVE. (LOTS 4A & 4B, BLOCK 143, PADRE BEACH SUBDIVISION, SECTION X)**

Chairman Fedigan announced the item from the agenda and asked for a staff report. Public Works Director C. Alejandro Sanchez gave a brief presentation. Chairman Fedigan then opened the public hearing at 9:02 a.m. and asked if anyone wish to speak in favor or against this agenda item. Claudio Fasci spoke in favor of the agenda item. Chairman Fedigan then closed the public hearing at 9:04 a.m.

**4.3 DISCUSSION AND ACTION REGARDING A REQUEST BY CLAUDIO H. FASCI FOR A SPECIAL EXCEPTION IN ACCORDANCE WITH TABLE 5.1 (PERMITTED USES) OF PBED FORM BASED CODE. APPLICANT IS REQUESTING A SPECIAL EXCEPTION TO SEC. 20-8.1 APPENDIX “Z” PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE – “NEIGHBORHOOD TRANSITION CHARACTER ZONE” ZONING DISTRICT TO ALLOW:**

- A. SINGLE – FAMILY HOME**
- B. TWO (2) SEPARATE DRIVEWAYS ON THE LOT LOCATED AT 105A & 105B E CONSTELLATION DRIVE. (LOTS 4A & 4B, BLOCK 143, PADRE BEACH SUBDIVISION, SECTION X)**

Chairman announced the item from the agenda and asked if anyone wish to speak regarding this agenda item. Donald Wolfe, neighbor stated he had no issues with the construction. Chairman Fedigan then opened it up for discussion by the Board. Board Member Huffman made a motion, seconded by Board Member Garlock to approve the special exception to allow the construction of two (2) single family homes with two (2) separate driveways in the Neighborhood Transition Character Zone. The motion carried unanimously.

**5. ADJOURN**

There being no further business, Chairman Fedigan adjourned the meeting at 9:05 a.m.

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Marta Martinez, Planning Coordinator

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Paul Fedigan, Chairman

**CITY OF SOUTH PADRE ISLAND  
BOARD OF ADJUSTMENTS AND APPEALS  
AGENDA REQUEST FORM**

**MEETING DATE:** November 9, 2021

**NAME & TITLE:** Alex Sanchez, Public Works Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

PUBLIC HEARING regarding a request by Andres Hernandez for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Entertainment District Core Character Zone" Zoning District to allow a Single - Family Home AND is also requesting a variance from Sec. 1.5 Public Art Standards which requires a 1% minimum of project value dedicated to Public Art located at 112 W. Sunny Isle. (Lot 29 Block 7, Sunny Isle Subdivision)

**ITEM BACKGROUND**

1. The Chairman opens the Public Hearing by reading the caption from the Board's agenda.
2. The Chairman asks if anyone is present to speak in favor of agenda item.
3. Once everyone in favor has spoken, the Chairman then asks if anyone is present to speak in opposition of agenda item.
4. Once everyone in opposition has had an opportunity to speak, the Chairman will then close the Public Hearing.

Please keep in mind that the Board will normally have discussion and action during the next item on the agenda. The Public Hearing is for the purpose of receiving comments from the public. It is not necessary for the Board Members to respond to the public at this time. If a member of the public raises a question, the members of the Board should make note of it to address during the next discussion and action item aft the Public Hearing has been closed.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**CITY OF SOUTH PADRE ISLAND  
BOARD OF ADJUSTMENTS AND APPEALS  
AGENDA REQUEST FORM**

**MEETING DATE:** November 9, 2021

**NAME & TITLE:** Alex Sanchez, Public Works Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

DISCUSSION AND ACTION regarding a request by Andres Hernandez for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Entertainment District Core Character Zone" Zoning District to allow a Single - Family Home AND is also requesting a variance from Sec. 1.5 Public Art Standards which requires a 1% minimum of project value dedicated to Public Art located at 112 W. Sunny Isle. (Lot 29 Block 7, Sunny Isle Subdivision)

**ITEM BACKGROUND**

The applicant seeks a Special Exception to the Padre Blvd Entertainment District Core Character Zone to allow the construction of a single family home AND is also requesting a variance from Public Art Standards which requires a 1% minimum of project value dedicated to Public Art located at 105A & 105B E. Constellation, Drive Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X. The subject properties are located 112 W. Sunny Isle and is zoned Entertainment District Core Character Zone.

The Board will need to determine if the application has adequately demonstrated the suitability a hard ship, of the proposed use in order to justify the exception. Notice of this request and the hearing were given to the public in accordance with Section 20-16.1 and staff has received no feedback from the public. Please remember to stated for the record your reason(s) for approval and/or denial.

Sec. 20-16.3. Special Exceptions.

- (A) Purpose and Intent. A special exception is a permitted land use that is allowed in a zoning district if listed as a special exception use, subject to specific conditions that may be imposed by the Board of Adjustment.
- (B) Procedure.
  - (1) The application shall first be reviewed by City staff for compliance with City codes, regulations, and policies.
  - (2) After reviewing any foreseeable impacts and/or concerns raised at the hearing on the application, the Board of Adjustment may:
    - (a) Grant the application without conditions. In this case, the Board of Adjustment shall determine and state that there is no negative impact on public health, safety and general welfare on the applicable zoning district;

(b) Accept the application with conditions; or

(c) Deny the application. In this case, the Board of Adjustment shall determine and state that there are negative impacts on public health, safety and general welfare on the applicable zoning district, and those negative impacts cannot be resolved by any conditions.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

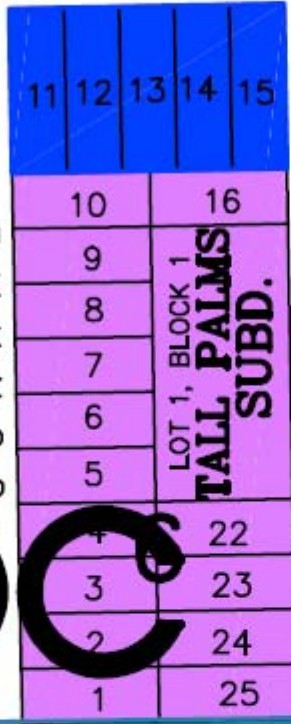


PADRE BOULEVARD

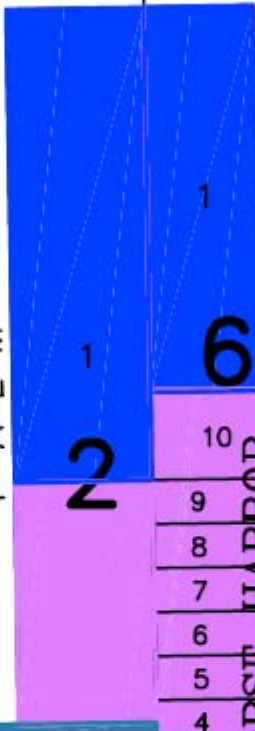
SHEEPSHEAD



CORRAL



PALM



MARISOL

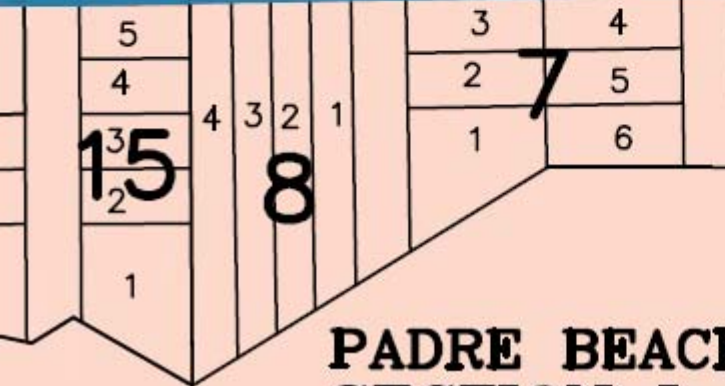


ISLE

SUNNY



UNA BOULEVARD



SEAHORSE HARBOR SUBDIVISION

SUBDIVISION

SUNNY ISLE SUBDIVISION

PADRE BEACH, SECTION I

Building Form and Development Standards in Section 6.2 of this PBED Code.

**4.2.2 Entertainment District Core** – The Entertainment District Core Zone is intended to encourage the development of the area consistent with the vision for the Entertainment District that connects to the Bayfront to Padre Boulevard. The Entertainment District is intended to have the highest intensity of retail, restaurant, residential, and destination entertainment uses. Development standards will emphasize a pedestrian orientation along Laguna Blvd and key east-west streets such as Amberjacks, Ling and Marlin Streets. Development within the Entertainment District Core Zone shall meet the Building Form and Development Standards in Section 6.3 of this PBED Code.

**4.2.3 Neighborhood Crossing** – The Neighborhood Crossing Zone is intended to encourage the development of activity nodes with a range of commercial and residential uses at key locations along Padre Boulevard that provide bay to beach connectivity. The Neighborhood Crossing Zone shall meet the Building Form and Development Standards in Section 6.4 of this PBED Code.

**4.2.4 Town Center Crossing** – The Town Center Crossing Zone is intended to create a development node centered on major civic and public uses. Development standards will emphasize the creation and preservation of a strong public/civic identity at this crossing. Development within the Town Center Crossing Zone shall meet the Building Form and Development Standards in Section 6.4 of this PBED Code.

**4.2.5 Padre Boulevard North** – The Padre Boulevard North Zone is intended to provide for more flexible, market based development vision that balances pedestrian orientation with auto-oriented development. Development standards will focus on establishing specific criteria under which developers could propose alternative/unique standards to implement a more market responsive project. Development within the Padre Boulevard North Zone shall meet the Building Form and Development Standards in Section 6.5 of this PBED Code.

**4.2.6 Padre Boulevard Central** – The Padre Boulevard Central Zone is intended to establish consistent site development standards along Padre Boulevard that creates a more continuous pedestrian realm. Development within the Padre Boulevard Central Zone shall meet the Building Form and Development Standards in Section 6.6 of this PBED Code.

**4.2.7 Padre Blvd South** – The Padre Blvd South Zone is intended to encourage the redevelopment of the southern portion of Padre Boulevard as a true gateway to the Island. It is also intended to ensure that development along the Boulevard connects the Entertainment District to the beach. Development within the Padre Boulevard South Zone shall meet the Building Form and Development Standards in Section 6.6 of this PBED Code.

**4.2.8 Neighborhood Transition** – The Neighborhood Transition Zone is intended to provide for a range of smaller scale commercial (retail, office, and live-work) and residential transitions between Padre Boulevard and the neighborhoods to the east and west of the boulevard. Development standards will emphasize keeping a smaller building scale to be compatible with

**V. Schedule of Permitted Uses**

- 5.1 Permitted Uses.** Due to the emphasis on urban form over land uses in the District, general use categories have been identified by Character Zone. Uses not listed in the following schedule (Table 5.1), but are substantially similar, may be permitted upon approval of the City Manager or designee, subject to City Council appeal.

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Schools, libraries, and community halls	P	P	P	P	P	P	NP	P
Universities and Colleges	P	P	P	P	P	P	NP	P
Technical, trade, and specialty schools	P	P	P	P	P	P	NP	P
Hospitals (General and Special), primary care office, urgent care centers, and dental clinics	NP	NP	P	P	P	P	NP	P
Nursing, supervision, and other rehabilitation services (Including Substance Abuse Clinics)	NP	NP	P/SUP	P/SUP	P/SUP	P/SUP	NP	P/SUP
Civic uses	P	P	P	P	P	P	NP	P
Social and fraternal organizations	P	P	P	P	P	P	NP	P
Social services and philanthropic organizations	P	P	P	P	P	P	NP	P
Public administration uses (including government uses, public safety, health and human services)	P	P	P	P	P	P	NP	P
Religious Institutions	P	P	P	P	P	P	P	P
Funeral homes	P	P	P	P	P	P	NP	P
<b>Residential Uses</b>								
Home Occupations such as a dressmaker, physician/surgeon/dentist offices, a musician/artist studio etc.	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Single family	SE	SE	SE	SE	SE	SE	SE	P
Multi-family residential (including apartment and condominiums)								
Ground floor	P/C	P/C	P/C	P/C	P/C	P/C	P	P
Upper floors	P	P	P	P	P	P	P	P
Residential Lofts	P	P	P	P	P	P	P	P
Weekend cottages	NP	NP	NP	NP	NP	NP	NP	P
Single-family residential attached dwelling unit (Townhomes)	SE	SE	P	P	P	P	P	P
Accessory residential unit (accessory building not exceed 50% of the floor area of the principal structure)	SE	SE	P/A	P/A	P/A	P/A	P/A	P/A
Residential accessory uses in a vacant lot that is contiguous with a residential single family lot having a principal building under common ownership	NA	NA	NA	NA	NA	NA	NA	NA
Short-term (less than 30 days) rentals	P	P	P	P	P	P	P	P
Mixed use structure (with uses allowed in the district)	P	P	P	P	P	P	P	P
Trailer parks (travel trailers)	NP	NP	NP	NP	NP	NP	NP	NP
Live-work unit	P	P	P	P	P	P	P	P
<b>Other Uses</b>								
Accessory uses (the sum of all accessory uses shall not constitute a total area larger than twenty (20) percent of the total building area of the principal use	NP	NP	NP	NP	NP	NP	NP	P
Publishing (news/paper, books, periodicals, software)	P/C	P/C	P	P	P	P	NP	P
Motion picture and sound recording	P/C	P/C	P	P	P	P	NP	P
Telecommunications and broadcasting	P/C	P/C	P	P	P	P	NP	P
Information services and data processing	P/C	P/C	P	P	P	P	NP	P
Model homes or field offices for sales and promotion (until all the homes are sold; building permit is required and shall be valid for a one (1) year period; renewable if sales are still active)	P	P	P	P	P	P	P	P
Bed and Breakfast Establishments	NP	NP	NP	NP	P	P	P	P
Hotels and motels	P	P	P	P	P	P	NP	P
Hotels, motels and condominiums with more than twelve (12) units may include within the premises such businesses as bars, food establishments, barber shops, beauty parlors and other similar businesses	P	P	P	P	P	P	NP	P
Commercial parking	P/C	P/C	P/C	P/C	P/C	P/C	NP	P/C
Temporary commercial parking*	P	P	P	P	P	P	NP	P

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Parking, surface (primary use of property)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Parking, surface (accessory use of property)	P	P	P	P	P	P	P	P
Parking, structured	P	P	P	P	P	P	P	P
Private attached garage	P/A	P/A	NP	NP	NP	NP	P/A	P/A
Private detached garage	P/A	P/A	NP	NP	NP	NP	P/A	P/A
Impound lot	NP	NP	NP	NP	NP	NP	NP	NP
Outdoor storage	NP	NP	NP	NP	NP	NP	NP	NP
Helipad landing/take-off pads	NP	NP	NP	NP	NP	NP	NP	NP
Community garden	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Antennas including cell, accessory, and mounted on top of buildings.	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Utility equipment (includes electrical transformers, gas meters, etc)	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Wind energy equipment	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Rain harvesting equipment	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Solar energy equipment	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Special Event	P/SUP	P/SUP	P/SUP	P/SUP	P/SUP	P/SUP	NP	P/SUP
Temporary buildings for construction (shall be removed upon completion or abandonment of construction work)	P	P	P	P	P	P	P	P

- P: Permitted by right
- P/C: Permitted with design criteria per Table 5.2
- P/A: Permitted accessory use
- P/A/C: Permitted as an accessory use with design criteria per Table 5.2
- P/SUP: Permitted with a Specific Use Permit
- A: SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances
- SE: Accessory use to not exceed 25% of the primary use building square footage
- NA: Special Exception
- NP: Not applicable
- NP: Not permitted

\*All parking and maneuvering areas on a non-residential lot shall have dustproof paving or vegetative coverage. (Usage of Caliche or similar materials that may cause clogs in drainage system or create dust in the area are not allowed.)

**PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE  
6.3 ENTERTAINMENT DISTRICT CORE CHARACTER ZONE**

<p><b>6.3.1 Building Placement</b></p>	<p>(i) Build-to-Zone (From property line)</p> <table border="0"> <tr> <td>Laguna Blvd.</td> <td>0'</td> <td>A</td> </tr> <tr> <td>Local Street</td> <td>None</td> <td>B</td> </tr> <tr> <td>Pedestrian Priority St.</td> <td>0' (recommended)</td> <td>B</td> </tr> </table> <p>* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.</p> <p>(ii) Setback</p> <table border="0"> <tr> <td>Side</td> <td>0' min.</td> <td>C</td> </tr> <tr> <td>Rear</td> <td>0' min.</td> <td>D</td> </tr> </table> <p>(iii) Building Frontage</p> <table border="0"> <tr> <td>Laguna Blvd.</td> <td>70% min.</td> <td>E</td> </tr> <tr> <td>Local Street</td> <td>None</td> <td>F</td> </tr> <tr> <td>Pedestrian Priority St.</td> <td>50% min. (recommended)</td> <td>F</td> </tr> </table>	Laguna Blvd.	0'	A	Local Street	None	B	Pedestrian Priority St.	0' (recommended)	B	Side	0' min.	C	Rear	0' min.	D	Laguna Blvd.	70% min.	E	Local Street	None	F	Pedestrian Priority St.	50% min. (recommended)	F	<p><b>6.3.3 Parking</b></p> <p>(i) Location Priority</p> <ol style="list-style-type: none"> <li>Shared parking lot or parking building             <ul style="list-style-type: none"> <li>- Within 1,200 feet from the lot with the principal building.</li> <li>- The approval by the City Manager or designee required;</li> <li>- Shared parking agreement is required;</li> </ul> </li> <li>Behind a building;</li> <li>Next to a building;</li> <li>Ground (1st) floor parking; and</li> <li>Front parking - approval by the City Manager or designee required.</li> </ol> <p>(ii) Design Criteria</p> <ol style="list-style-type: none"> <li>Min. 3 feet behind the property line.</li> <li>No side/rear setback for parking;</li> <li>Non-residential uses             <ul style="list-style-type: none"> <li>Min. 1 space/300 SF (gross)</li> </ul> </li> <li>Residential uses             <ul style="list-style-type: none"> <li>Min. 1.5 space/unit</li> </ul> </li> <li>Lodging uses             <ul style="list-style-type: none"> <li>0.75 spaces/lodging room</li> </ul> </li> <li>Floor to floor heights shall not apply to parking floors.</li> <li>All parking/service areas shall be defined from the street by a 4' high screen (either the same building material with the principal structure or masonry or a vegetation) within the property line.</li> </ol> <p>(iii) Alternative Parking Measures</p> <p>All development shall either meet the requirement for the number of parking or shall pay an equivalent fee-in-lieu as established by the City Council.</p> <p>(iv) Service Access</p> <ol style="list-style-type: none"> <li>Service Access should not be located on a Pedestrian Priority Street or on Laguna Blvd.</li> <li>Porte cocheres may be permitted.</li> <li>Shared driveway and cross access easements may be required between lots to minimize curb cuts.</li> </ol>
Laguna Blvd.	0'	A																								
Local Street	None	B																								
Pedestrian Priority St.	0' (recommended)	B																								
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Local Street	None	F																								
Pedestrian Priority St.	50% min. (recommended)	F																								
<p><b>6.3.2 Building Height</b></p>	<p>(i) Max. Building Height</p> <table border="0"> <tr> <td>None</td> <td>G</td> </tr> </table> <p>(ii) 1st Floor Ceiling Height</p> <table border="0"> <tr> <td>12' min.</td> <td>G</td> </tr> </table> <p>(iii) Upper Floor(s) Ceiling Height</p> <table border="0"> <tr> <td>8' min.</td> <td>H</td> </tr> </table> <p>(iv) Step Back Distance (between 4th and 6th stories)</p> <table border="0"> <tr> <td>10' min.</td> <td>I</td> </tr> </table> <p>(v) Sidewalk canopy and the second-floor balcony may be allowed if the vertical clearance meets a min. of 8 feet.</p> <p>(vi) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.</p> <p>(vii) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.</p> <p>(viii) Ground floors of all building fronting on Pedestrian Priority Street and Laguna Blvd. shall be built to Commercial Ready standards.</p>	None	G	12' min.	G	8' min.	H	10' min.	I	<p><b>6.3.3 Parking</b></p> <p>(i) Location Priority</p> <ol style="list-style-type: none"> <li>Shared parking lot or parking building             <ul style="list-style-type: none"> <li>- Within 1,200 feet from the lot with the principal building.</li> <li>- The approval by the City Manager or designee required;</li> <li>- Shared parking agreement is required;</li> </ul> </li> <li>Behind a building;</li> <li>Next to a building;</li> <li>Ground (1st) floor parking; and</li> <li>Front parking - approval by the City Manager or designee required.</li> </ol> <p>(ii) Design Criteria</p> <ol style="list-style-type: none"> <li>Min. 3 feet behind the property line.</li> <li>No side/rear setback for parking;</li> <li>Non-residential uses             <ul style="list-style-type: none"> <li>Min. 1 space/300 SF (gross)</li> </ul> </li> <li>Residential uses             <ul style="list-style-type: none"> <li>Min. 1.5 space/unit</li> </ul> </li> <li>Lodging uses             <ul style="list-style-type: none"> <li>0.75 spaces/lodging room</li> </ul> </li> <li>Floor to floor heights shall not apply to parking floors.</li> <li>All parking/service areas shall be defined from the street by a 4' high screen (either the same building material with the principal structure or masonry or a vegetation) within the property line.</li> </ol> <p>(iii) Alternative Parking Measures</p> <p>All development shall either meet the requirement for the number of parking or shall pay an equivalent fee-in-lieu as established by the City Council.</p> <p>(iv) Service Access</p> <ol style="list-style-type: none"> <li>Service Access should not be located on a Pedestrian Priority Street or on Laguna Blvd.</li> <li>Porte cocheres may be permitted.</li> <li>Shared driveway and cross access easements may be required between lots to minimize curb cuts.</li> </ol>																
None	G																									
12' min.	G																									
8' min.	H																									
10' min.	I																									

the lot's linear feet of frontage along Padre Boulevard for a 10' wide sidewalk. The rate per linear foot shall be set annually by City Council.

**1.5 Public Art Standards**

Public Art standards shall apply to all new development in the Bayfront and Entertainment District Core character zones.

**1.5.1** A requirement for a public art component to new development shall apply to all commercial, mixed use, and residential projects over \$250,000 in building permit value.

**1.5.2** A minimum of 1% of the project's value shall be dedicated to installation of public art that is visible from the public right-of-way or located within a civic space. Public Art installed per this section of the code shall not be obscene nor be used for commercial purposes.

**1.5.3** In lieu of the above requirement, an applicant may elect to contribute equivalent funds to the city's Public Art Fund to be used for public art projects within the Bayfront and Entertainment District Core character zones

**II. Building Design Standards**

The Building Design Standards and Guidelines shall establish a coherent urban character and encourage enduring and attractive development. Development plans shall be reviewed by the City Manager or designee for compliance with the standards below.

The key design principles establish essential goals for Padre Boulevard and the Entertainment District to ensure the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces. The key design principles are:

- a. New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm within the Bayfront and Entertainment District Core Zones, within Neighborhood Crossings and Town Center Crossing, and at intersections of Padre Boulevard.
- b. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- c. Building facades shall include appropriate architectural details and ornament to create variety and interest. Style oriented elements can be identified in Chapter III: Architectural Style Standards.
- d. Civic/Open space(s) shall be incorporated to provide usable public areas integral to the urban environment.

**2.1 General to all Character Zones**

**2.1.1 Building Orientation**

- (i) Buildings shall be oriented towards Pedestrian Priority Streets, where the lot has frontage along Pedestrian Priority Streets. All other buildings shall be oriented towards the Boulevard or Civic Spaces. If the lot does not front either street then it may front a General Street.
- (ii) Primary entrances to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
- (iii) All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.



# CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

- \$250 variance     Special Exception Use (Sec. 20-16.1)
- Administrative Appeal

### APPLICANT INFORMATION

Name Andres Hernandez  
 Mailing Address 204 W. Carolyn  
 City, State, Zip SPI TX 78597  
 Phone number 956-455-9040  
 Fax number N/A  
 E-mail Address southmexique@llc@hotmail.com

### OWNER INFORMATION

Name timothy peace  
 Mailing address 3116 Basque Dr.  
 City, State, Zip Brownsville TX 78200  
 Phone number 956-455-0069  
 Fax number N/A  
 E-mail Address ptimothyscott@yahoo.com

### SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 112 W. Sunny Isle  
 Legal Description (Lot / Block / Subdivision): lot 29 Block 7 sunny isle subdivision

I hereby request the following from the Board of Adjustment and Appeals:

permission to build single family home  
and omit 1% art requirement

In addition, the application requires the submission of the following:

- ◇ \$250 application fee per variance, special exception, and appeal request.
- ◇ Stamped/Sealed & dated survey of Improvements of the Subject Property.
- ◇ Copy of Floor Plan of structure proposed to be constructed or expanded.
- ◇ Current/recent photographs of the site.
- ◇ And any additional information to more clearly understand the request.

For Internal use only:  
 Amount Paid: \_\_\_\_\_  
 Paid Cash or Check No. \_\_\_\_\_  
 Date Received: \_\_\_\_\_

**Received**

OCT 04 2021

Note: Applicants are required to fully disclose in the application all information that is necessary for the various bodies to make their determination prior to issuance of any permit. At a minimum, an application for a Variance or Special Exception shall contain ten (10) copies of the information outlined above. All information must be submitted no later than twenty (20) days prior to the meeting date. All fees must be paid prior to the Board reviewing the application.

If Staff determines that the application is incorrect, incomplete, illegible, or in any way inadequate to insure the complete understanding of the variance or special exception, staff shall return the application to the applicant.

Applicant's Name (Please Print) Andres Hernandez Owner's Name (Please Print): Timothy Peace

Applicant's Signature: [Signature] Owner's Signature: [Signature]

Date: 10/4/21 Date: 10-04-21

CITY OF SOUTH PADRE ISLAND  
PLANNING DEPARTMENT