

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

TUESDAY, DECEMBER 6, 2022

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 and 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 and Appeals Zoning meeting]*
4. Regular Agenda
 - 4.1. Discussion and Action to approve the minutes of the July 5, 2022 regular meeting.
 - 4.2. PUBLIC HEARING: to discuss a request by LTD SPI, Enrique Garza property owners for a variance from Chapter 20 Zoning, Section 20-7 District "B" - Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district, (D) Area regulations, (1) Front yards, (2) Side yards, (b) Additional Floors Authorized-Additional floors above four standard stories may be permitted if additional setbacks are provided as established in this section of the City's Code of Ordinances. The applicant is requesting to encroach into the front yard and side yard setback for the proposed construction of a new 9-story boutique hotel located at 5102 Gulf Blvd. (Lot 1A, Block 156, Padre Beach Subdivision, Sec. X)
 - 4.3. DISCUSSION AND ACTION: to discuss a request by LTD SPI, Enrique Garza property owners for a variance from Chapter 20 Zoning, Section 20-7 District "B" - Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district, (D) Area regulations, (1) Front yards, (2) Side yards, (b) Additional Floors Authorized-Additional floors above four standard stories may be permitted if additional setbacks are provided as established in this section of the City's Code of Ordinances. The applicant is requesting to encroach into the front yard and side yard setback for the proposed construction of a new 9-story boutique hotel located at 5102 Gulf Blvd. (Lot 1A, Block 156, Padre Beach Subdivision, Sec. X)
 - 4.4. PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Carolyn Drive. (Lot 34A, Block 171, Padre Beach Subdivision, Sec. XI)



- 4.5. DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Carolyn Drive. (Lot 34A, Block 171, Padre Beach Subdivision, Sec. XI)
- 4.6. PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Carolyn Drive. (Lot 34B, Block 171, Padre Beach Subdivision, Sec. XI)
- 4.7. DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Carolyn Drive. (Lot 34B, Block 171, Padre Beach Subdivision, Sec. XI)
- 4.8. PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Verna Jean Drive. (Lot 3A, Block 162, Padre Beach Subdivision, Sec. XI)
- 4.9. DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Verna Jean Drive. (Lot 3A, Block 162, Padre Beach



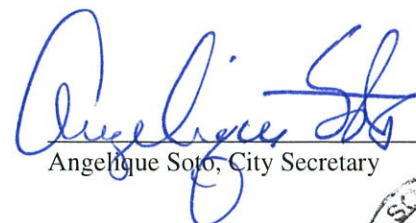
Subdivision, Sec. XI)

- 4.10. PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Verna Jean Drive. (Lot 3B, Block 162, Padre Beach Subdivision, Sec. XI)
- 4.11. DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Verna Jean Drive. (Lot 3B, Block 162, Padre Beach Subdivision, Sec. XI)
- 4.12. PUBLIC HEARING: to discuss a request by Gracie Gumbel property owner for a variance from Chapter 20 Zoning, Section 20-6 District "A" - Single family dwelling district, (C) Area regulations, (3) Rear yards, (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line, and Section 20-13 Setback area - Special regulations and uses as established in the City's Code of Ordinances. The applicant is requesting to keep a structure (fireplace) on the rear yard setback within the eight (8) feet utility easement located at 218 W. Sunset Drive. (Lot 17, Block 201, Fiesta Isle Subdivision (Padre Beach, Sec. XII)
- 4.13. DISCUSSION AND ACTION: to discuss a request by Gracie Gumbel property owner for a variance from Chapter 20 Zoning, Section 20-6 District "A" - Single family dwelling district, (C) Area regulations, (3) Rear yards, (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line, and Section 20-13 Setback area - Special regulations and uses as established in the City's Code of Ordinances. The applicant is requesting to keep a structure (fireplace) on the rear yard setback within the eight (8) feet utility easement located at 218 W. Sunset Drive. (Lot 17, Block 201, Fiesta Isle Subdivision (Padre Beach, Sec. XII)

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 2ND DAY OF DECEMBER 2022


Angelique Soto, 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 **DECEMBER 2, 2022**, AT/OR BEFORE 5:00 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.


Angelique Soto, 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: December 6, 2022

NAME & TITLE: Marta Martinez

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

Discussion and Action to approve the minutes of the July 5, 2022 regular meeting.

ITEM BACKGROUND

Approve July 5, 2022 Meeting Minutes

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

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

TUESDAY, JULY 5, 2022

1. CALL TO ORDER

The Board of Adjustments & Appeals (Zoning) of the City of South Padre Island, Texas held a Regular Meeting on Tuesday, July 5, 2022 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Gordon Garlock called the meeting to order at 9:00 a.m. A quorum was present: Board Members, Cain Mahan, Joseph Praster, Chris Huffman, and Lindy Milner.

City staff members present were Public Works Director/City Engineer C. Alejandro Sanchez, and Planning Coordinator Marta Martinez.

2. PLEDGE OF ALLEGIANCE

Chairman Gordon Garlock 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 JUNE 7, 2022 REGULAR MEETING.

Chairman Garlock announced the item from the agenda and asked the Board Members for a motion. Vice-Chairman Praster made a motion, seconded by Board Member Huffman to approve the June 7, 2022 regular meeting minutes with corrections. The motion carried unanimously.

4.2 PUBLIC HEARING TO DISCUSS A REQUEST BY MATT WISENBAKER, PROPERTY OWNER FOR A VARIANCE FROM CHAPTER 20 ZONING, SECTION 20-13 SETBACK AREA-SPECIAL REGULATIONS AND USES, (A) SETBACKS-AREA NOT TO BE USED OF THE CITY'S CODE OF ORDINANCES. THE APPLICANT IS REQUESTING TO INSTALL A SWIMMING POOL ON THE EAST SIDE OF

EXISTING HOME THAT WILL BE ENCROACHING INTO THE FRONT AND SIDE YARD SETBACK LOCATED AT 217 W SUNSET DRIVE. (LOT 1 BLOCK 198, FIESTA ISLE SUBDIVISION, (PADRE BEACH, SECTION XII))

Chairman Garlock announced the item from the agenda and asked for a staff report. Public Works Director/City Engineer C. Alejandro Sanchez gave a presentation regarding the swimming pool encroaching into the front and side yard setback. Chairman Garlock then opened the public hearing at 9:05 a.m., and asked if anyone wish to speak in favor of this agenda item. William Hoenes and Matt Wisenbaker spoke in favor of the agenda item. Chairman Garlock then asked if anyone wish speak against this agenda item, Hearing none, Chainman Garlock closed the public hearing at 9:09 a.m.

4.3 DISCUSSION AND ACTION TO DISCUSS A REQUEST BY MATT WISENBAKER, PROPERTY OWNER FOR A VARIANCE FROM CHAPTER 20 ZONING, SECTION 20-13 SETBACK AREA-SPECIAL REGULATIONS AND USES, (A) SETBACKS-AREA NOT TO BE USED OF THE CITY’S CODE OF ORDINANCES. THE APPLICANT IS REQUESTING TO INSTALL A SWIMMING POOL ON THE EAST SIDE OF EXISTING HOME THAT WILL BE ENCROACHING INTO THE FRONT AND SIDE YARD SETBACK LOCATED AT 217 W SUNSET DRIVE. (LOT 1 BLOCK 198, FIESTA ISLE SUBDIVISION, (PADRE BEACH, SECTION XII))

Chairman Garlock announced the item from the agenda and opened it up for discussion by the Board. The Board expressed their comments/concerns regarding this matter. After some discussion Vice-Chairman Praster made a motion, seconded by Board Member Huffman to deny the swimming pool to encroach into the front and side yard setback. The motion carried unanimously.

5. ADJOURN

There being no further business, Chairman Garlock adjourned the meeting at 9:14 a.m.

Marta Martinez, Planning Coordinator

Gordon Garlock, Chairman

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by LTD SPI, Enrique Garza property owners for a variance from Chapter 20 Zoning, Section 20-7 District "B" - Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district, (D) Area regulations, (1) Front yards, (2) Side yards, (b) Additional Floors Authorized-Additional floors above four standard stories may be permitted if additional setbacks are provided as established in this section of the City's Code of Ordinances. The applicant is requesting to encroach into the front yard and side yard setback for the proposed construction of a new 9-story boutique hotel located at 5102 Gulf Blvd. (Lot 1A, Block 156, Padre Beach Subdivision, Sec. X)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff has received one (1) email against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

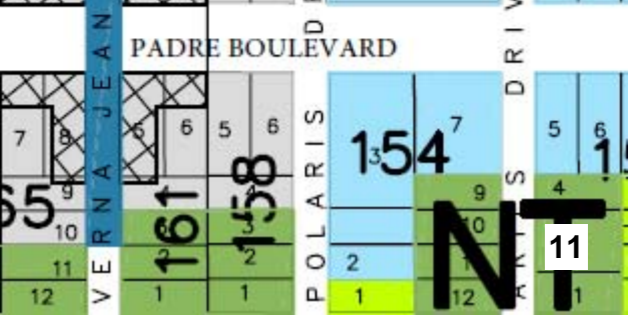
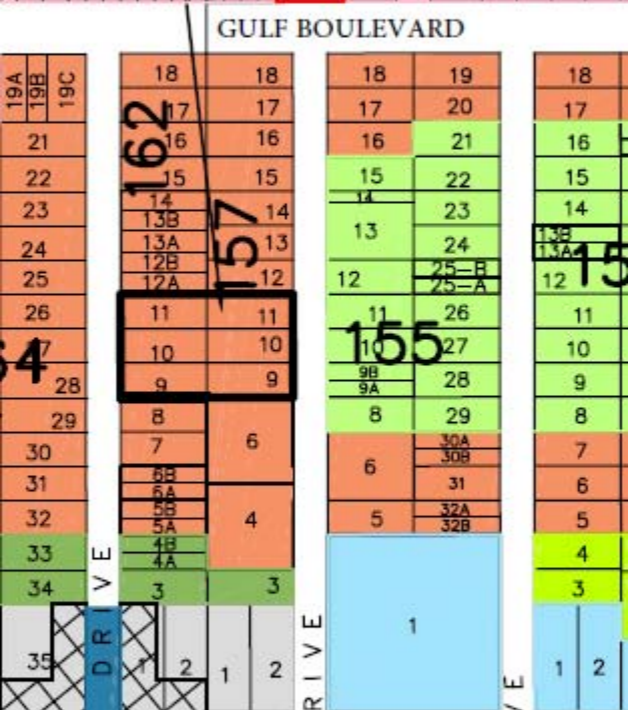
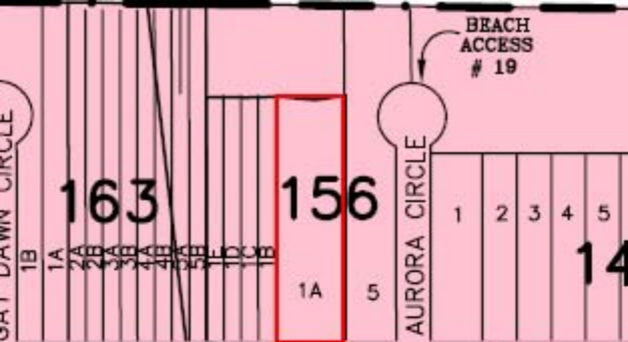
N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

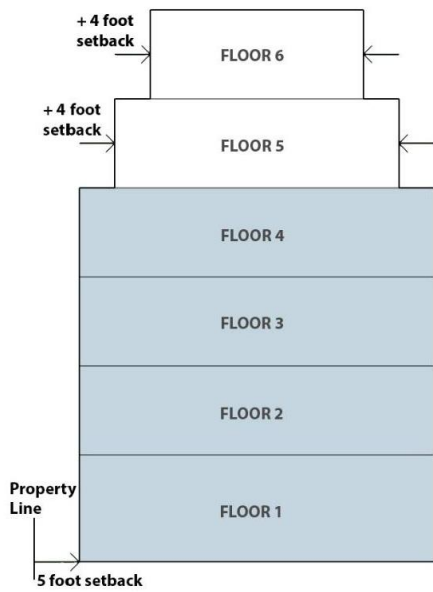


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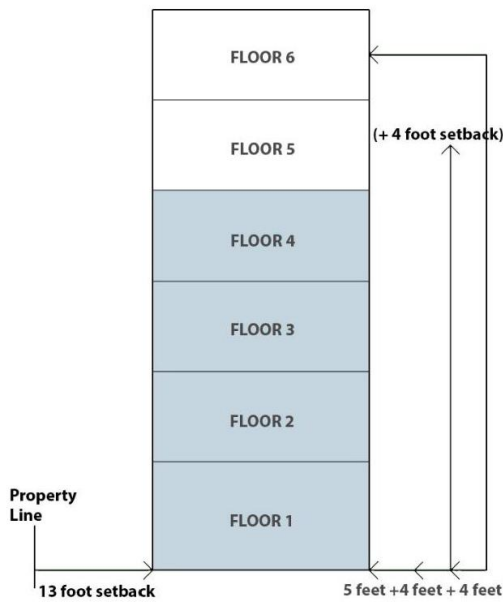
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Sec. 20-7. District "B"—Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district.

- (A) Area, width, and depth of lots, sanitation and temporary building provisions are the same as District "A", except Townhouse lots must have a minimum frontage of twenty five (25) feet; a minimum width of twenty-five (25) feet; a minimum depth of one-hundred (100) feet; and a minimum area of two thousand five hundred square feet (2,500 sq. ft.).
- (B) Use Regulations. In District "B", no land shall be used and no buildings shall be erected for or converted to any use other than:
- (1) Single family dwellings, multi-family dwellings; apartment buildings, children's nurseries, hotels, motels, condominiums and Townhouses. Only condominiums, hotels and motels with more than twelve (12) units may have included within the premises such businesses as bars, food establishments, barber shops, beauty parlors and other similar businesses if such business is for the convenience of the occupants of the building and is definitely an integral part of the services of such hotel, condominium or motel.
 - (2) Private clubs, fraternities, sororities and lodges, that operate solely for the benefit of their members; a church; public school; a private or parochial school having a curriculum equivalent to a public elementary or high school.
 - (3) Townhouses.
 - (4) Incidental uses to any of the above specified uses include, but are not limited to, customary home occupations when engaged in by the private dwelling occupant Examples are : a dressmaker, the office of a physician, surgeon or dentist, a musician or artist studio. Said incidental use, however, shall never be permitted as a principal use, but only as a secondary use when indispensably necessary to the enjoyment of the premises by the private dwelling occupant.
 - (5) Special Exceptions: Public Service Facility.
 - (6) Specific Use Permits: Substance Abuse Treatment Facilities, General Hospitals, Special Hospitals, Primary Care Physicians Office, Urgent Care Centers, Dental Clinics may be granted Specific Use Permits in accordance with Section 20-24 Specific Use Permits.
- (C) Height regulations: Up to four (4) standard stories. [see Section 20-7(D)(2) for additional floors authorized]
- (D) Area regulations:**
- (1) Front yards:** Same as District "A" (minimum of 25 feet) except all lots facing the Gulf of Mexico on the east side and lots fronting the west side right-of-way line of Gulf Boulevard from Section I through Section XII, Padre Beach Subdivision, and all lots in Sunny Isle and Haas Subdivision, may have a front yard depth of not less than ten (10) feet from lot line on the west Gulf Boulevard right-of-way line. The minimum front yard shall be increased one (1) foot for each two (2) feet in height if a building exceeds six (6) standard stories.
 - (2) Side Yards:**
 - (a) Same as District "A", excluding lots adjacent to beach access cul-de-sac.
 - (b) Additional Floors Authorized—Additional floors above four standard stories may be permitted if additional setbacks are provided as follows:**



5 foot setback from property line for four standard stories. Add four feet to the setback requirement for each additional floor above four standard stories



5 foot setback from property line for four standard stories. Add four feet to the setback on all floors for each floor.

(3) Rear yards:

- (a) Same as District "A" (minimum of 20 feet), except that the structure may have decks and/or balconies extending within 10 feet of the rear property line, as long as said decks or balconies are not enclosed and shall only have such enclosures thereabouts as may be required as a good

building practice. Any open deck or patio that undertakes to extend beyond the 20 feet rear yard setback within 10 feet of the rear property line as provided for above, shall only be erected or placed in such a manner after a permit specifically therefor is issued by the Building Inspector. The open deck allowed within said area may not in any manner be enclosed, and by way of illustration and not by limitation, such as awnings, shutters, walls or having fixtures or any other type of device other than that which is required as a safety measure under the Building Codes. Any subsequent enclosure on a lawfully extended deck hereunder shall be deemed a violation of this Ordinance.

- (b) Minimum rear yard depth shall be increased one (1) foot for each two (2) feet in height if the building exceeds six (6) standard stories.
- (4) Size of structure: The minimum size of structure is six hundred (600) square feet, except within Padre Beach Section XII, which shall be twelve hundred (1,200) square feet except Blocks 178, 191, and 192 which shall be 2,000 square feet.

(Ord. No. 77E; Ord. No. 96-05, 10-2-1996; Ord. No. 98-04; Ord No. 16-24, 12-7-2016)



Marta Martinez <mmartinez@myspi.org>

ATTN: Marta Martinez

1 message

Rob Dickehuth <rob@mypadrecondo.com>

Mon, Nov 21, 2022 at 6:00 PM

Reply-To: rob@mypadrecondo.com

To: MMartinez@myspi.org

Marta,

Re: Notice of Variance for [5102 Gulf Blvd.](#)

The last time a similar request for variance was requested for a comparable proposed complex, the encroachment on the front and sides was excessive. I am therefore in favor of enforcing the existing area regulations.

Rob Dickehuth, Owner
211 La Internacional
5008 Gulf Blvd
South Padre Island, Texas 78597
(877) 297-4979

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by LTD SPI, Enrique Garza property owners for a variance from Chapter 20 Zoning, Section 20-7 District "B" - Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district, (D) Area regulations, (1) Front yards, (2) Side yards, (b) Additional Floors Authorized-Additional floors above four standard stories may be permitted if additional setbacks are provided as established in this section of the City's Code of Ordinances. The applicant is requesting to encroach into the front yard and side yard setback for the proposed construction of a new 9-story boutique hotel located at 5102 Gulf Blvd. (Lot 1A, Block 156, Padre Beach Subdivision, Sec. X)

ITEM BACKGROUND

The applicant submitted a request for front and side yard setbacks. Staff reviewed request and replied with comments requesting further information. The applicant is requesting to encroach into the front and side yard setback for the proposed new construction on Lot 1A Block 156, Padre Beach Subdivision, Section X. The application request to encroach on front setback on floors 8 & 9 and side setbacks on floors 5, 8, & 9. Per the drawing provided floor 8 will encroach 5' on front setback and floor 9 10' on front setback. Floor 5 will encroach 4' into side setback, Floor 8 will encroach 1' into side setback and Floor 9 will encroach 5' into right side setback. The subject property is located on the east side of Gulf Blvd and is zoned District "B" Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff received one (1) email against proposed request.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

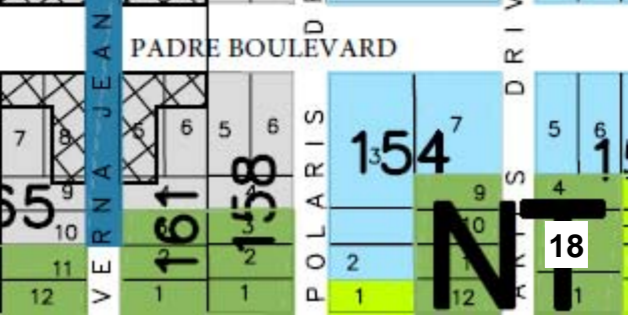
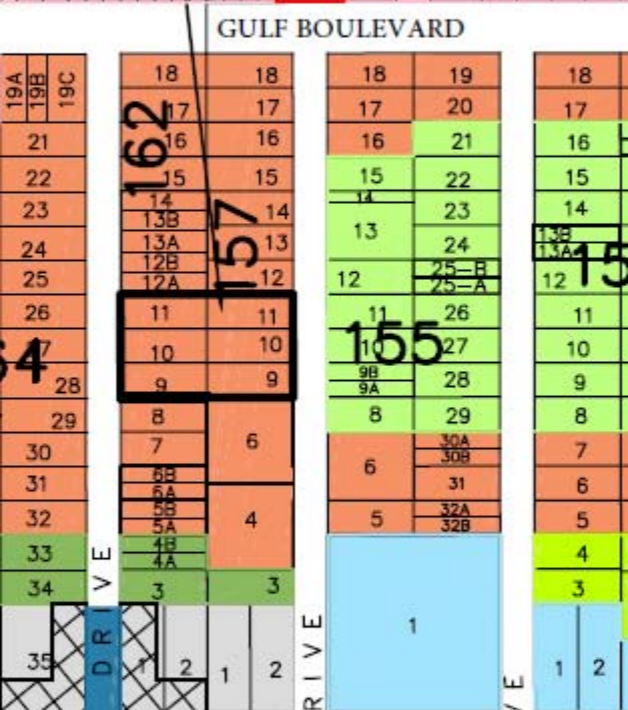
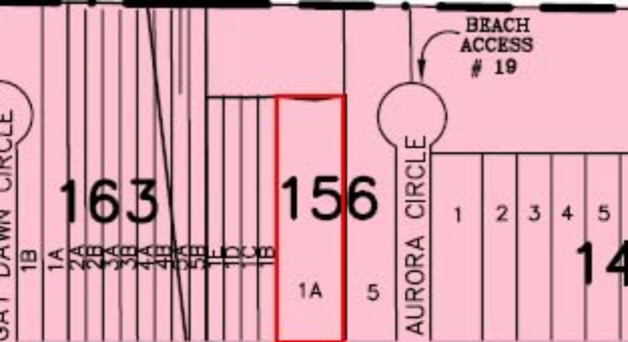
LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant. Staff recommends denial.

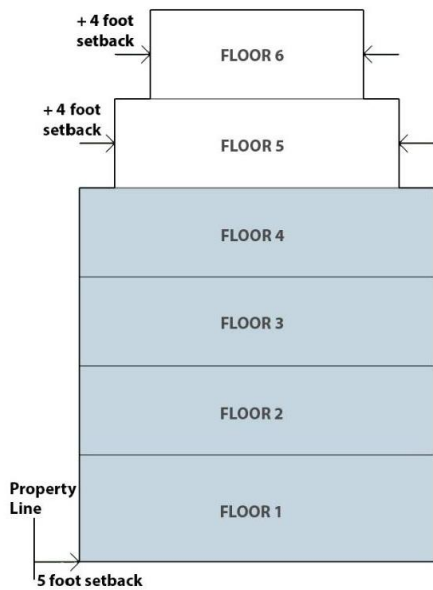


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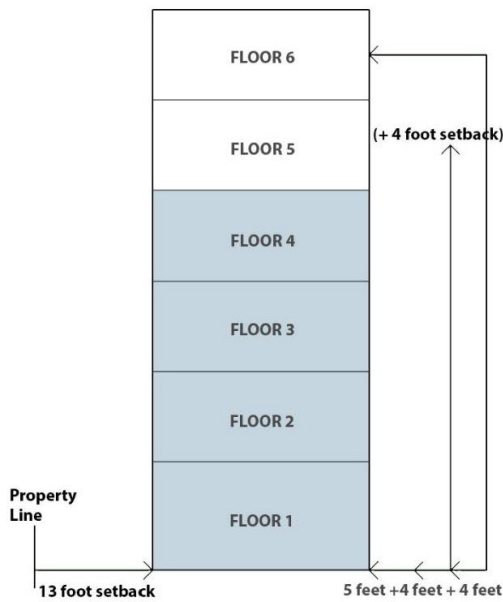
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Sec. 20-7. District "B"—Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district.

- (A) Area, width, and depth of lots, sanitation and temporary building provisions are the same as District "A", except Townhouse lots must have a minimum frontage of twenty five (25) feet; a minimum width of twenty-five (25) feet; a minimum depth of one-hundred (100) feet; and a minimum area of two thousand five hundred square feet (2,500 sq. ft.).
- (B) Use Regulations. In District "B", no land shall be used and no buildings shall be erected for or converted to any use other than:
- (1) Single family dwellings, multi-family dwellings; apartment buildings, children's nurseries, hotels, motels, condominiums and Townhouses. Only condominiums, hotels and motels with more than twelve (12) units may have included within the premises such businesses as bars, food establishments, barber shops, beauty parlors and other similar businesses if such business is for the convenience of the occupants of the building and is definitely an integral part of the services of such hotel, condominium or motel.
 - (2) Private clubs, fraternities, sororities and lodges, that operate solely for the benefit of their members; a church; public school; a private or parochial school having a curriculum equivalent to a public elementary or high school.
 - (3) Townhouses.
 - (4) Incidental uses to any of the above specified uses include, but are not limited to, customary home occupations when engaged in by the private dwelling occupant Examples are : a dressmaker, the office of a physician, surgeon or dentist, a musician or artist studio. Said incidental use, however, shall never be permitted as a principal use, but only as a secondary use when indispensably necessary to the enjoyment of the premises by the private dwelling occupant.
 - (5) Special Exceptions: Public Service Facility.
 - (6) Specific Use Permits: Substance Abuse Treatment Facilities, General Hospitals, Special Hospitals, Primary Care Physicians Office, Urgent Care Centers, Dental Clinics may be granted Specific Use Permits in accordance with Section 20-24 Specific Use Permits.
- (C) Height regulations: Up to four (4) standard stories. [see Section 20-7(D)(2) for additional floors authorized]
- (D) Area regulations:**
- (1) Front yards:** Same as District "A" (minimum of 25 feet) except all lots facing the Gulf of Mexico on the east side and lots fronting the west side right-of-way line of Gulf Boulevard from Section I through Section XII, Padre Beach Subdivision, and all lots in Sunny Isle and Haas Subdivision, may have a front yard depth of not less than ten (10) feet from lot line on the west Gulf Boulevard right-of-way line. The minimum front yard shall be increased one (1) foot for each two (2) feet in height if a building exceeds six (6) standard stories.
 - (2) Side Yards:**
 - (a) Same as District "A", excluding lots adjacent to beach access cul-de-sac.
 - (b) Additional Floors Authorized—Additional floors above four standard stories may be permitted if additional setbacks are provided as follows:**



5 foot setback from property line for four standard stories. Add four feet to the setback requirement for each additional floor above four standard stories



5 foot setback from property line for four standard stories. Add four feet to the setback on all floors for each floor.

- (3) Rear yards:
 - (a) Same as District "A" (minimum of 20 feet), except that the structure may have decks and/or balconies extending within 10 feet of the rear property line, as long as said decks or balconies are not enclosed and shall only have such enclosures thereabouts as may be required as a good

building practice. Any open deck or patio that undertakes to extend beyond the 20 feet rear yard setback within 10 feet of the rear property line as provided for above, shall only be erected or placed in such a manner after a permit specifically therefor is issued by the Building Inspector. The open deck allowed within said area may not in any manner be enclosed, and by way of illustration and not by limitation, such as awnings, shutters, walls or having fixtures or any other type of device other than that which is required as a safety measure under the Building Codes. Any subsequent enclosure on a lawfully extended deck hereunder shall be deemed a violation of this Ordinance.

- (b) Minimum rear yard depth shall be increased one (1) foot for each two (2) feet in height if the building exceeds six (6) standard stories.
- (4) Size of structure: The minimum size of structure is six hundred (600) square feet, except within Padre Beach Section XII, which shall be twelve hundred (1,200) square feet except Blocks 178, 191, and 192 which shall be 2,000 square feet.

(Ord. No. 77E; Ord. No. 96-05, 10-2-1996; Ord. No. 98-04; Ord No. 16-24, 12-7-2016)



October 14, 2022
5102 Gulf Blvd
Variance Request Verification

Setback (Zone B)

A variance request letter was submitted to our office for a variance in the allowable of encroach into the required front setback on the 9th floor and the required side setbacks on the 5th, 8th and 9th floors.

Please be aware that a variance request is for a hardship per the required regulation. You will need to show why an unnecessary hardship exists, and provide why any alternative is unreasonable. The Board will need to be ascertained whether or not the need for the variance is the result of a self-created difficulty.

Please submit this evidence so we may proceed with your variance request. Should you need additional information or clarification, please feel free to contact me.

Regards

C. Alejandro Sanchez, P.E., CFM
Public Works Director



Marta Martinez <mmartinez@myspi.org>

LTDSPI

2 messages

Enrique Garza <egarza@ebmerit.com>

Tue, Nov 1, 2022 at 11:34 AM

To: Marta Martinez <mmartinez@myspi.org>, Carlos Sanchez <csanchez@myspi.org>

Cc: Brandon Fairlie <bfairlie@ebmerit.com>

Good Morning and thank you for taking my call Marta.

I am sincerely upset because of the lack of communication between you and Alex on our project and variance meeting. Marta you specifically told Jose Munoz, whom is willing to go speak in person, that the payment was due Oct 27th! Alex, Jose, Jack and myself were in the room when you told me, over the phone, that we had the right and would be able to go in front of the variance board to plead our case! WE HAVE THE RIGHT! This is costing us money in interest and an extra month of being closed because we cannot start our plans until we know if this variance will be accepted! It is costing South Padre Island one month of tax revenue!

Cmon guys! This is a large project!

My business partner flew down to speak at the variance board meeting!



Enrique Garza

956.551.7664

505 E Interstate-2

Pharr, TX 78577

Carlos Sanchez <csanchez@myspi.org>

Wed, Nov 2, 2022 at 10:32 AM

To: Enrique Garza <egarza@ebmerit.com>

Cc: Marta Martinez <mmartinez@myspi.org>, Brandon Fairlie <bfairlie@ebmerit.com>

Mr. Garza,

I believe there is a misunderstanding. You have the right to be heard by the Board of Adjustment. An incomplete application was submitted on 10/10/2022, and a letter was subsequently sent to us on 10/13/2022. On 10/14/2022 a letter was sent to you stating our interpretation of the variance request and requesting additional information to justify the request. On 10/19/2022, I received a call regarding the letter. I stated that, at a minimum, we need a sketch similar to my attached sketch on the letter dated 10/14/2022 showing the distance of the encroachment into the required setback(s). I was also under the impression we would receive a letter stating that the variance was in regard to the structural hardship of the building. On 10/27/2022, payment was received with no additional backup.

Please keep in mind hardships cannot be on a financial basis, all information must be submitted no later than twenty (20) days before the meeting date (10/13/2022 for 11/2/2022 meeting), and that a Notice of Public Hearing procedure must be followed. The publishing shall be a minimum of 10 days before the meeting date. This date would have been 10/20/2022, and the publication should have been sent to the newspaper no later than 10/18/2022 before noon.

As of today, we have not received any updated information. The next regular meeting is on December 6, 2022, with the publication date of 11/24/2022 and 11/22/2022 deadline for the newspaper.

Regards,

C. Alejandro Sanchez, P.E., CFM

[Quoted text hidden]

--

C. Alejandro Sanchez, P.E., CFM | Public Works Director

City of South Padre Island |Public Works

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8158 |

E-mail: csanchez@MySPI.org

How did I do? Please take our Customer Service Survey by [clicking here](#).

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November 18, 2022
5102 Gulf Blvd
Variance Request Verification

Setback (Zone B)

A variance request application was submitted to our office for a variance in the allowable of encroach into the required front setback on the 9th floor and the required side setbacks on the 5th, 8th and 9th floors.

The concept design submitted on 11/18/2022 is not consistent with the application request. Please clarify the following:

1. Label floors for better identify the required setbacks.
2. Show and label front and side property line on each view.
3. Label required setback.
4. Based on the drawing, no variance is required on the front setback.
5. Clearly show area that is requiring a variance.

Regards

C. Alejandro Sanchez, P.E., CFM
Public Works Director



**December 1, 2022
5102 Gulf Blvd
Variance Request Verification Letter No. 3**

Setback (Zone B)

A variance request application was submitted to our office to allow an encroach into the required front setback on the 8th and 9th floor and the required side setbacks on the 5th, 8th and 9th floors.

We are in the process of preparing the agenda package, but have not received a revised plan showing exactly what the variance being requested. Please clarify the following:

1. Label floors for better identify the required setbacks.
2. Show and label front and side property line on each view.
3. Label required setback.
4. Clearly show area that is requiring a variance.

Regards

C. Alejandro Sanchez, P.E., CFM
Public Works Director

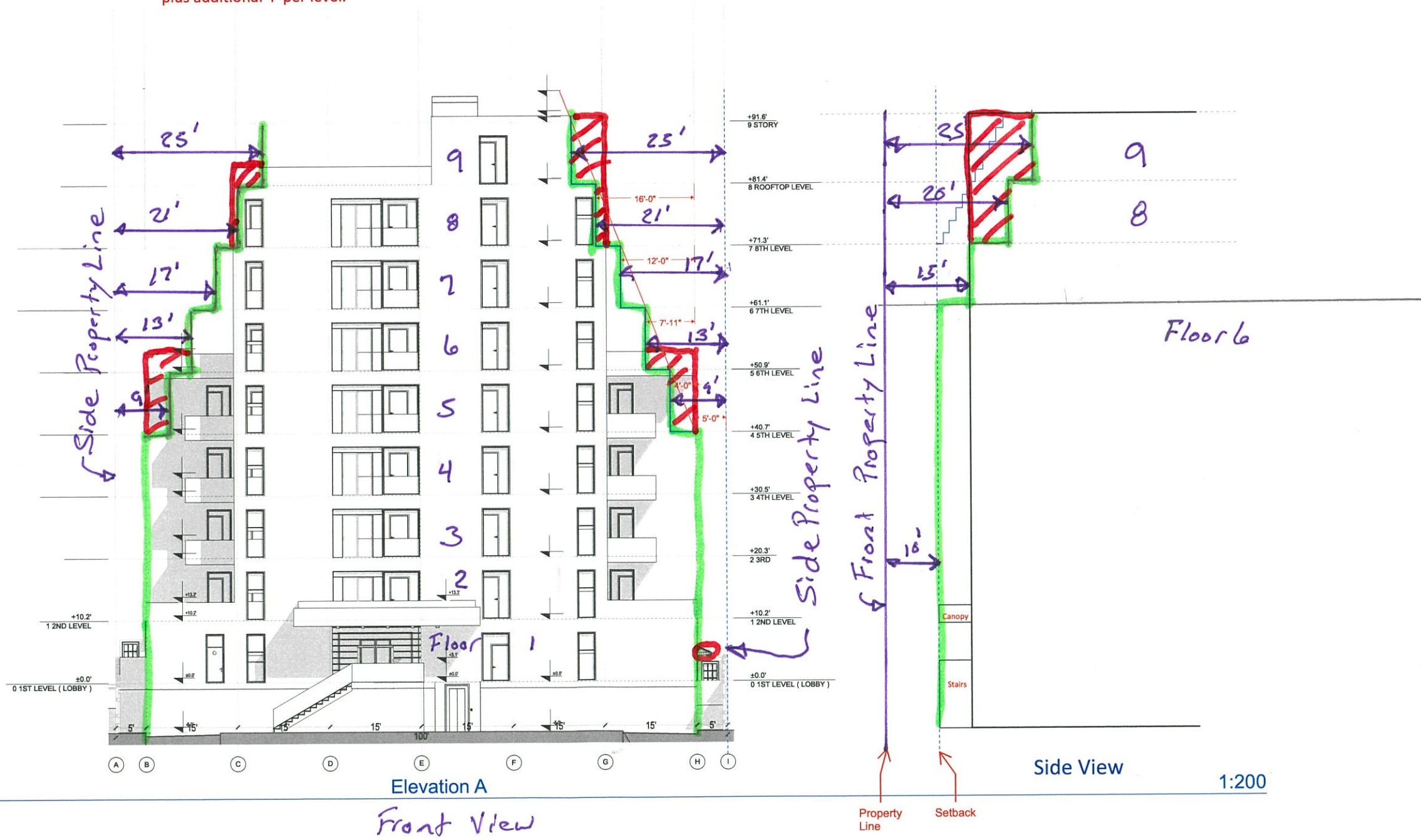
HOTEL CONCEPT DESIGN SOUTH PADRE ISLAND

36 Rooms

Variance
 Front Setback Levels 8 Partial and 8 Rooftop Structure
 10' Front Setback and additional 1' horizontal for every
 2' vertical after 6th Level. Building Face set at 6' behind front setback.

Side Setback Levels 5, Level 8, Rooftop Level.
 Side Setback of 5' of property line for 1st 4 Standard Levels
 plus additional 4' per level.

█ Required Setback
█ Variance Request



CAS 12-01-2022



Marta Martinez <mmartinez@myspi.org>

ATTN: Marta Martinez

1 message

Rob Dickehuth <rob@mypadrecondo.com>

Mon, Nov 21, 2022 at 6:00 PM

Reply-To: rob@mypadrecondo.com

To: MMartinez@myspi.org

Marta,

Re: Notice of Variance for [5102 Gulf Blvd.](#)

The last time a similar request for variance was requested for a comparable proposed complex, the encroachment on the front and sides was excessive. I am therefore in favor of enforcing the existing area regulations.

Rob Dickehuth, Owner
211 La Internacional
5008 Gulf Blvd
South Padre Island, Texas 78597
(877) 297-4979



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

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

APPLICANT INFORMATION

Name LTD SPI

Mailing Address 505 E Interstate 2

City, State, Zip Pharr, Texas 78577

Phone number 956-551-7664

Fax number _____

E-mail Address egarza@ebmerit.com

OWNER INFORMATION

Name Enrique Garza

Mailing address 505 E Interstate 2

City, State, Zip Pharr, Texas 78577

Phone number 956-551-7664

Fax number _____

Email Address egarza@ebmerit.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 5102 Gulf Blvd South Padre Island
 Lot 1 A Blk 156 Sec. X/Lots 16,17,18 Block 162, Lots 17 18 Block 157 Padre
 Legal Description (Lot / Block / Subdivision): Beach Subdivision Section XI

I hereby request the following from the Board of Adjustment and Appeals: Variance for Sec. 20-7 (D)(1) Front Yard Set Back required for Floors 8 and 9. Variance for Sec. 20-7 (D)(2) Side Yard Set Back required for Floors 5, 8, and 9.

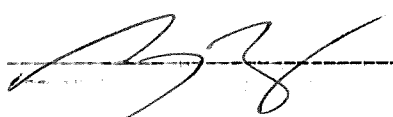
- In addition, the application requires the submission of the following:**
- ◆ \$250 application fee per variance, special exception, and appeal request.
 - ◆ Stamped/Sealed & dated survey of Improvements of the Subject Property.
 - ◆ Copy of Floor Plan of structure proposed to be constructed or expanded.
 - ◆ 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: _____

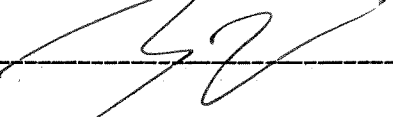
Note: Applicants are required to fully disclose in the application all information that is necessary for the various bodies to make their determination prior to issuance of any permit. At a minimum, an application for a variance or Special Exception shall contain ten (10) copies of the information outlined 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) Enrique Garza

Owner's Name (Please Print): Enrique Garza

Applicant's Signature: 

Date: 10/13/22

Owner's Signature: 

Date: 10/13/22



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

APPLICANT INFORMATION

OWNER INFORMATION

Name LTD SPI
Mailing Address 505 E Interstate 2
City, State, Zip Pharr, Texas 78577
Phone number 956-551-7664
Fax number
E-mail Address egarza@ebmerit.com

Name Enrique Garza
Mailing address 505 E Interstate 2
City, State, Zip Pharr, Texas 78577
Phone number 956-551-7664
Fax number
Email Address egarza@ebmerit.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 5102 Gulf Blvd South Padre Island
Legal Description (Lot / Block / Subdivision): Lot 1 A Blk 156 Sec. X/Lots 16,17,18 Block 162, Lots 17 18 Block 157 Padre Beach Subdivision Section XI

I hereby request the following from the Board of Adjustment and Appeals: Variance for Sec. 20-7 (D)(2) Side Yard Set Back required for Floors 5 and 6. Request allowance to allow for 6 standard floors to be built in the same vertical plane.

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

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

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) Enrique Garza Owner's Name (Please Print): Enrique Garza

Applicant's Signature: [Signature] Owner's Signature: [Signature]
Date: 10/10/22 Date: 10/10/22

LTDSPI, Inc.
505 E Interstate-2
Pharr TX 78577

10.13.2022

Variance Board
City of South Padre Island
South Padre Island, Texas

RE: Ocean Boutique Hotel
5102 Gulf Blvd
South Padre Island, TX

Dear Variance Board:

LTDSPI, Inc. is the owner of the property referenced above and depicted on the site plan attached to this letter (the "Property"). Please allow this letter to serve as LTDSPI, Inc.'s formal request that you, the Board of Adjustments of the City of South Padre Island, approve a variance for our proposed development of the Property.

As you can see from the site plan, we are proposing to construct a 9-story boutique hotel on Lot 1A BLK 156 of the Property.

We understand the City Ordinances require a front building setback of ten feet along Gulf Blvd, Front Setback applies to the first six levels then increases one foot for every two feet of rise Sec. 20-7(D)(1). Side yard setback of five feet for the first four levels of the structure with the side setback increasing by four feet per additional level 20-7(D)(2). Our current building design would encroach into the front yard setback at the 8th Level and the side yard setback at the 5th and 7th Level. The variance requested would allow for full use of the property with minimum intrusion into the required setbacks.

We request that you consider the following factors in your analysis of our request:

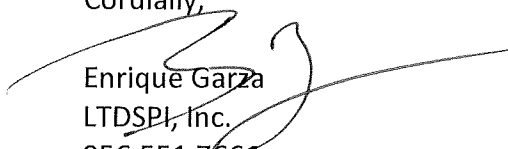
1. Setback limitation would reduce proposed structure from 36 to 24 units a significant reduction in size that could severely impact viability of the project.
2. Multi-step pyramid design required to maintain maximum space utilization would significantly increase structural construction costs.

3. We believe the hotel would be more aesthetically appealing from Gulf Blvd. and less intrusive towards the ocean front if it were constructed at the proposed location with the front setback staying at 10'. Additional front setback would require building to shift 12' towards rear of property.

4. Single step design allows for more open view around the structure as opposed to a multi-step pyramid design.

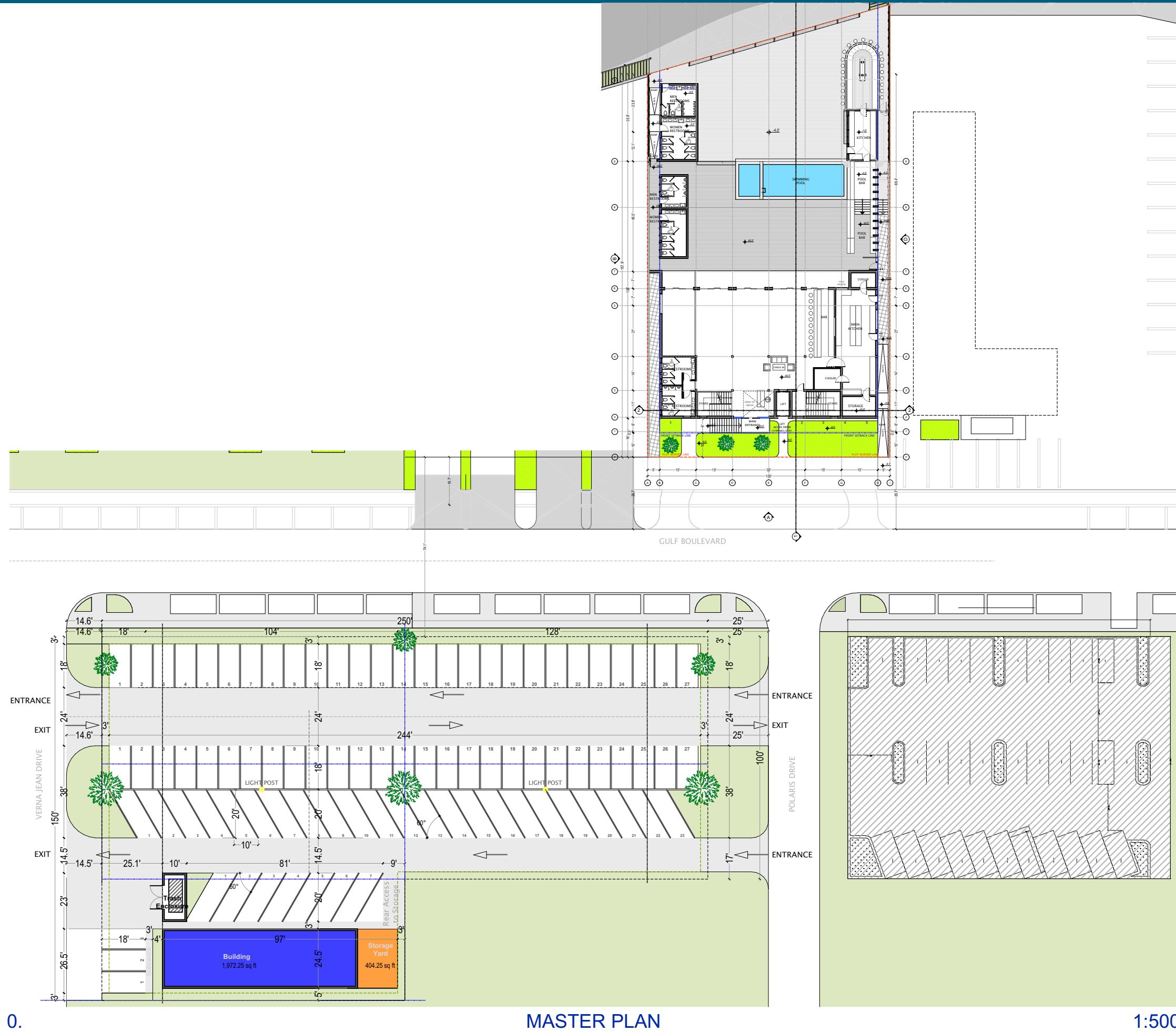
For the reasons stated above, we hereby request that you favorably consider our requested variance. If you grant the variance, we assure you this would be of the greatest benefit to all interested parties. Our goal to create a safer, more accessible, and more beautiful luxury beachfront boutique hotel, that will fill a much-needed niche on our Island.

Cordially,



Enrique Garza
LTDSPI, Inc.
956.551.7664

HOTEL CONCEPT DESIGN SOUTH PADRE ISLAND

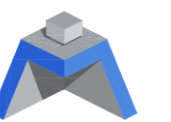


0.

MASTER PLAN

1:500

A.1



MAYAN
Design & Build

E:mayandbt@gmail.com

HOTEL CONCEPT DESIGN SOUTH PADRE ISLAND



36 Rooms

Variance Required

Front Setback Levels 8 Partial and 8 Rooftop Structure
10' Front Setback and additional 1' horizontal for every
2' vertical after 6th Level. Building Face set at 6' behind front setback.

Side Setback Levels 5, Level 8, Rooftop Level.
Side Setback of 5' of property line for 1st 4 Standard Levels
plus additional 4' per level.

A

Elevation A

1:200

C.1

HOTEL CONCEPT DESIGN SOUTH PADRE ISLAND

36 Rooms Variance
 Front Setback Levels 8 Partial and 8 Rooftop Structure
 10' Front Setback and additional 1' horizontal for every
 2' vertical after 6th Level. Building Face set at 6' behind front setback.

 Side Setback Levels 5, Level 8, Rooftop Level.
 Side Setback of 5' of property line for 1st 4 Standard Levels
 plus additional 4' per level.



A

C.1

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Carolyn Drive. (Lot 34A, Block 171, Padre Beach Subdivision, Sec. XI)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

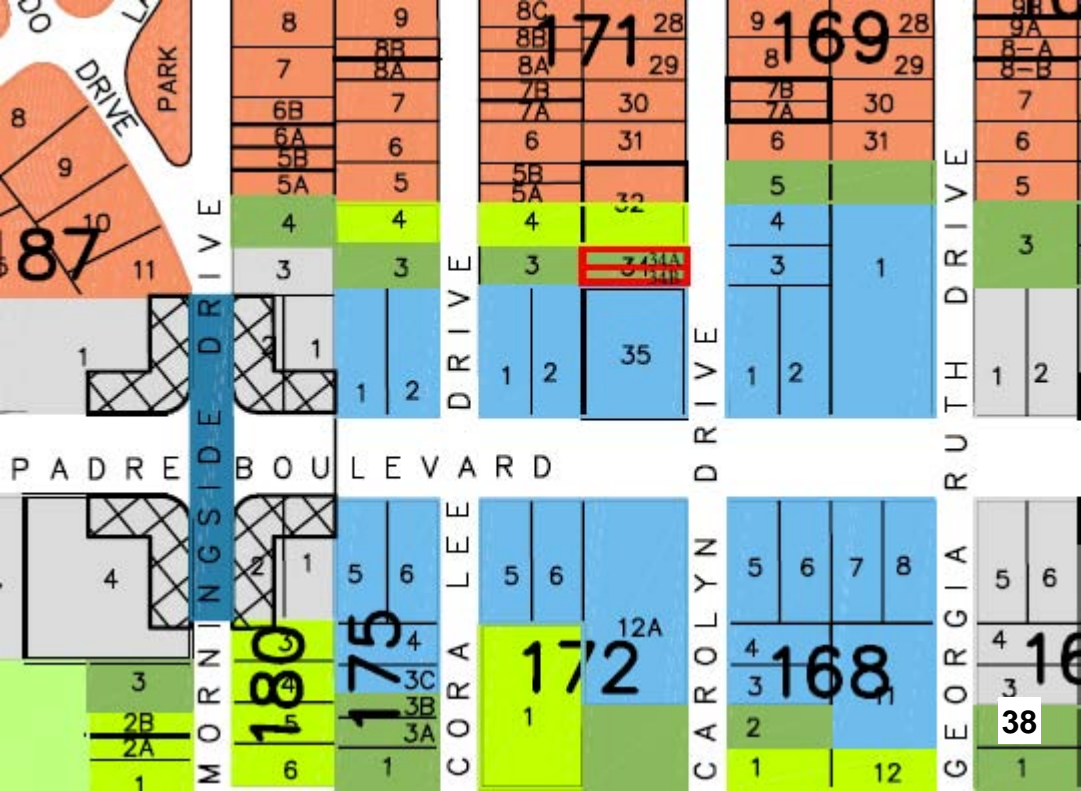
N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land with the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Helicopter 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

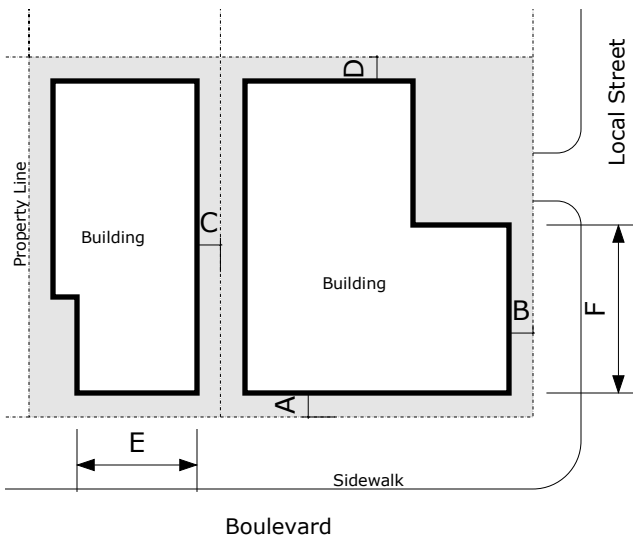
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



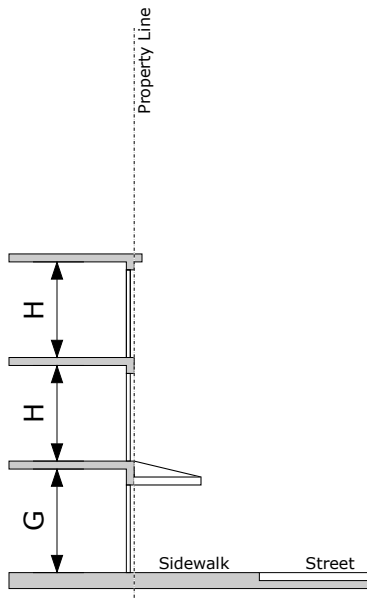
(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Carolyn Drive. (Lot 34A, Block 171, Padre Beach Subdivision, Sec. XI)

ITEM BACKGROUND

The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception on Lot 34A Block 171, Padre Beach Subdivision, Section XI. The subject property is located on the north side of E. Carolyn Drive and is zoned District "NT" Neighborhood Transition Character Zone.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant.

Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land within the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination. Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Heliport 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
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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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

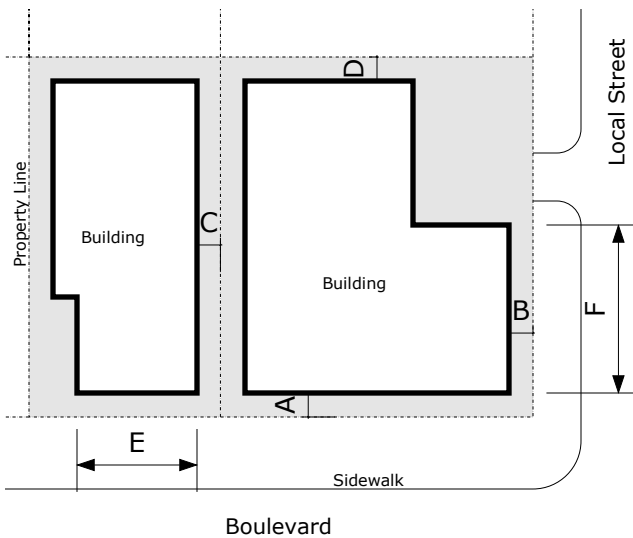
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**PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



- (i) Build-to-Zone (From property line)

Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B

* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.
- (ii) Setback

Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D

* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.
- (iii) Building Frontage

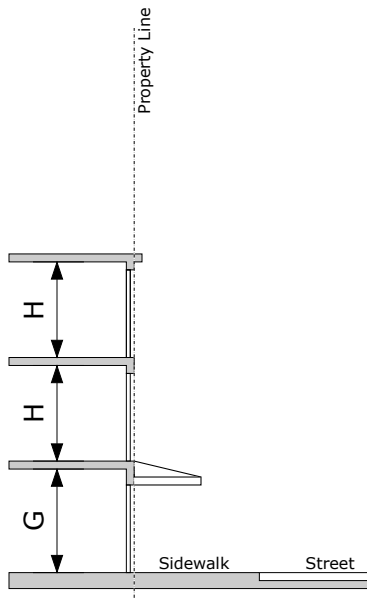
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height: 3 stories
- (ii) 1st Floor Ceiling Height: 12' min. G
- (iii) Upper Floor(s) Ceiling Height: 8' min. H
- (iv) Canopies, signs, awnings, balconies and similiar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Comercial Ready standards.



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

APPLICANT INFORMATION

Name Consorzio Group, LLC

Mailing Address P.O. Box 2535

City, State, Zip South Padre Island, TX 78597

Phone number (956) 414 - 1844

Fax number _____

E-mail Address claudiofasci@hotmail.com

OWNER INFORMATION

Name Consorzio Group, LLC

Mailing address P.O. Box 2535

City, State, Zip South Padre Island, TX 78597

Phone number (956) 414 -1844

Fax number _____

E-mail Address claudiofasci@hotmail.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 102A E. Carolyn Dr.

Legal Description (Lot / Block / Subdivision): Lot 34A, Lots 34A and 34B, Block 17L, Padre Beach Section XI

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

Special Exception for single family use

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: _____

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) Claudio Fasci

Owner's Name (Please Print): Claudio Fasci

Applicant's Signature: Claudio Fasci

Owner's Signature: Claudio Fasci

Date: 10-20-22

Date: 10-20-22

LOT 34A
 LOTS 34A AND 34B
 BLOCK 171
 PADRE BEACH SECTION XI
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 102A E. CAROLYN DR.

BUILDING AREAS:		
LIVING AREA:	1,500 FT ²	
PORCH:	40 FT ²	
TOTAL AREA:		1,540 FT ²

CUSTOMER:
 CONSORZIO GROUP, LLC
 CLAUDIO FASCI
 MCALLEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 7-22-22

10-17-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.

SITE PLAN

SCALE: PER DETAIL

PAGE NO.

2.0

PROJECT NO.

26-022

GENERAL NOTES:
 I. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

BUILDING SETBACKS (PER PLAT):

FRONT (NORTH):	0'-0"
WEST SIDE:	0'-0"
EAST SIDE:	0'-0"
REAR (SOUTH):	10'-0"

NOTE: CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF PROPERTY PIN LOCATIONS FOR PROPER SETBACK REQUIREMENTS FROM MUNICIPALITY.

PARKING SPACES:

PROPOSED PARKING: 2 PARKING SPACES. (9'x18' PER SPACE)

ADA PARKING:

LANDSCAPE (GREEN AREA ONLY):

GREEN AREA:






CITY REQUIREMENTS: 15% OF FRONT YARD SETBACK
 25'x25' = 625 FT²
 625 FT² X 15% = 187.5 FT² TOTAL REQUIRED
 GREEN AREA 1 & 2 = 168 FT² + 20 FT² = 188 FT² PROPOSED

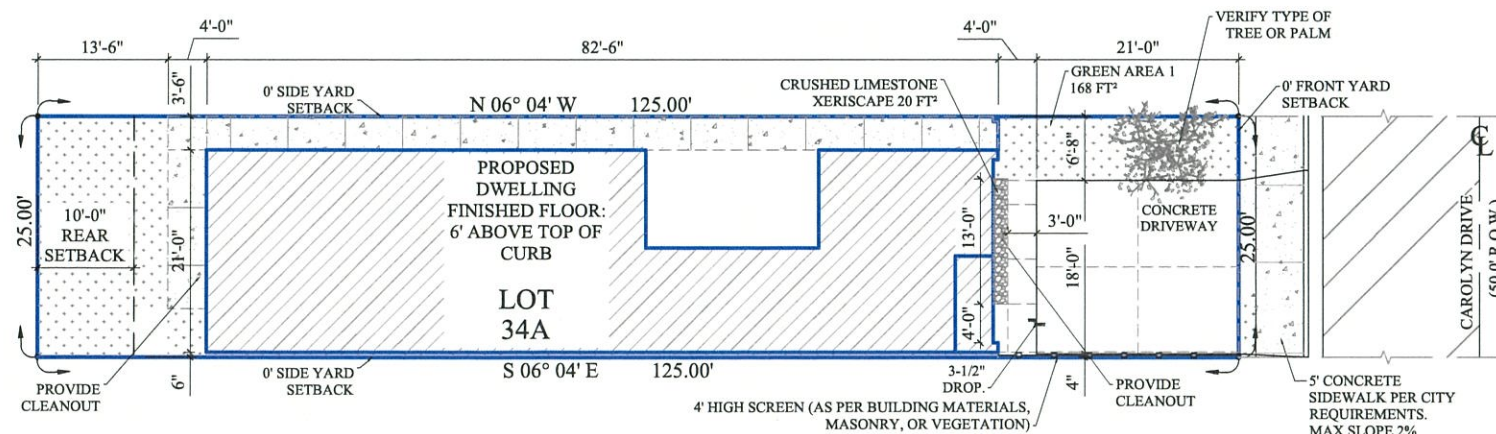
GREEN AREA PROVIDED: AREA 1	-	168 FT ²
AREA 2	-	20 FT ²
TOTAL PROVIDED	-	188 FT ²




TREES: 1 TREE/ 300 FT²
 1 TREE PROPOSED BASED ON 194 FT² OF LANDSCAPE.
 (VERIFY TREE TYPE AND SIZE PER OWNER)

GENERAL SITE PLAN NOTES:

1. SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT, SITE CONSTRUCTION, AND/OR BUILDING CONSTRUCTION. IF OWNER AND/OR CONTRACTOR DECIDES TO USE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK, SURVEY RECOMMENDED.
2. SITE PLAN PROPERTY LINES DRAWN AS PER LOT DIMENSIONS AVAILABLE FROM RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION.
3. OWNER/CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED R.O.W PERMITS, SUBDIVISION REQUIREMENTS, ZONING, TXDOT PERMITS, CURB CUTS PERMITTED, CURB CUT APPROACH MINIMUM AND MAXIMUM SIZE PERMITTED.
4. IRRIGATION PLANS, IF ANY, PROVIDED BY OTHERS.
5. FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BUILDING LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION.
6. OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
7. OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
8. CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR R.O.W. ON OR ADJACENT TO PROPERTY PRIOR TO CONSTRUCTION.
9. CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM 811.

-  HOLLY (DWARF) HEDGE, OR SIMILAR HEDGE
-  UPRIGHT ROSEMARY (PLANT AROUND SHADE TREE)
-  BICOLOR IRIS
-  PIGMEY PALM
-  SHADE TREE 2" MINIMUM CALIPER (OAK, ASH, OR ELM), 10' HEIGHT MINIMUM



-  CONCRETE
-  GREEN AREA
-  ASPHALT PAVING

SITE PLAN (FOR REFERENCE ONLY)

Scale: 1:20

LOT 34A
 LOTS 34A AND 34B
 BLOCK 171
 PADRE BEACH SECTION XI
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 102A E. CAROLYN DR.

BUILDING AREA:	1,500 FT ²	TOTAL AREA:	1,540 FT ²
LIVING AREA:	40 FT ²		
PORCH:			

CUSTOMER:
 CONSORZIO GROUP, LLC
 CLAUDIO FASCI
 MCALLEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 7-22-22

10-11-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.

FLOOR PLAN

SCALE: PER DETAIL

PAGE NO.

4.0

PROJECT NO.

26-022

ROOM FINISH NOTES:

FLOOR:
 1. CERAMIC TILE. (COLOR, SIZE, AS PER OWNER AND/OR CONTRACT)

BASE:
 1. WOOD TRIM PAINTED. SIZE, TYPE PER OWNER AND/OR CONTRACT.

WALLS:
 1. TAPE, FLOAT, TEXTURE, & PAINT. PAINT AS PER CONTRACT.

CEILING:
 1. TAPE, FLOAT, TEXTURE. PAINT AS PER CONTRACT.

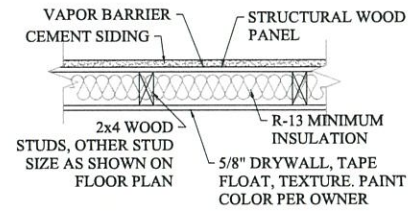
CEILING HEIGHT:
 1. ALL WALLS AT 9' PLATE HEIGHT, UNLESS OTHERWISE ON FLOOR PLAN OR BUILDING SECTIONS. (CEILING HEIGHT SHOW AS "CLG.")

EXTERIOR FINISHES:
 1. REFERENCE ELEVATIONS. NOTE: ALL MATERIALS INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND PER IRC.

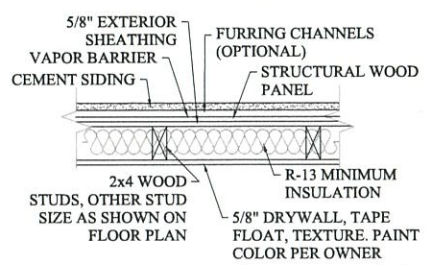
NOTE: ALL NEW PAINT COLOR AS PER OWNER/TENANT AND/OR BUILDING CONTRACT.

PROPOSED WALL LEGEND:

- 2x6 WOOD STUDS WITH 1/2" DRYWALL, CEMENT SIDING VENEER, OTHER VENEER TYPE PER BUILDING ELEVATIONS.
- 2x4 WOOD STUDS WITH 1/2" DRYWALL (OTHER WOOD STUD SIZES NOTED ON FLOOR PLAN)

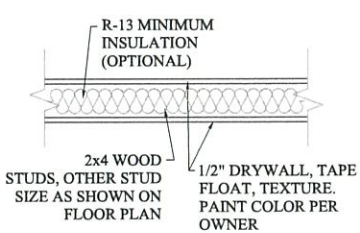


WALL TYPE 2
 Scale: NOT TO SCALE

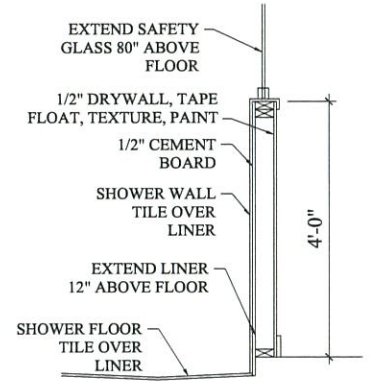


WALL TYPE 1
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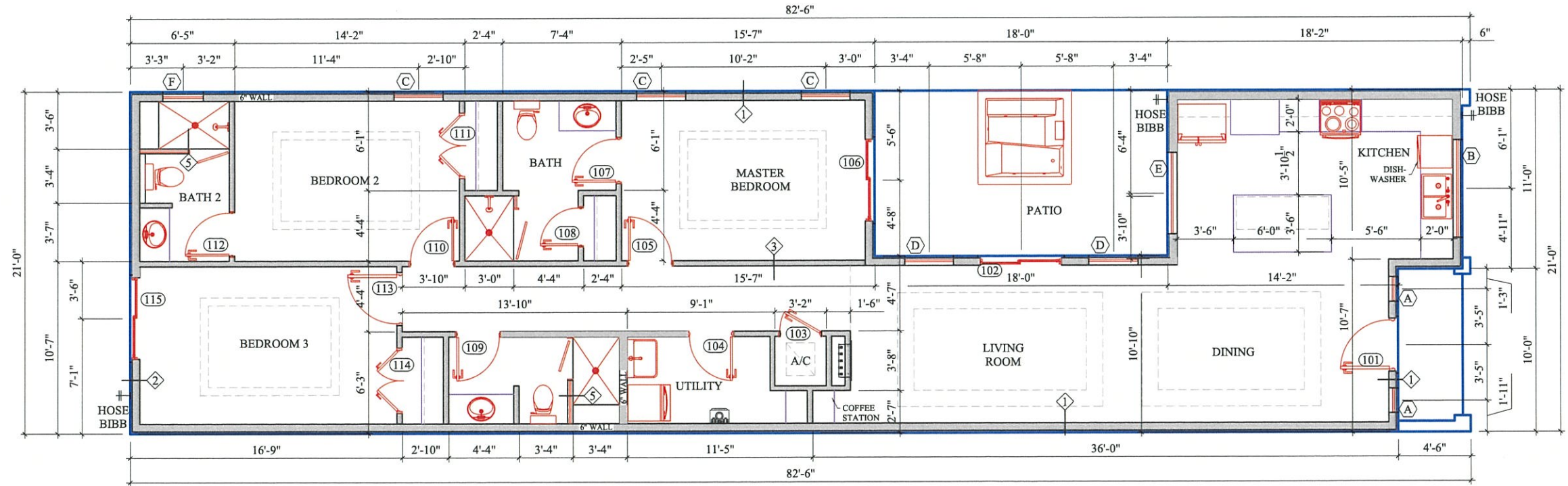
WALL TYPE 4
 Scale: NOT TO SCALE



WALL TYPE 3
 Scale: NOT TO SCALE



WALL TYPE 5
 Scale: NOT TO SCALE



GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

Scale: 1/8" = 1'-0"

FLOOR PLAN

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Carolyn Drive. (Lot 34B, Block 171, Padre Beach Subdivision, Sec. XI)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

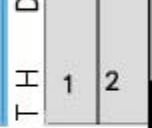
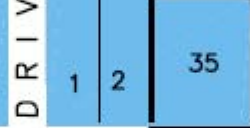
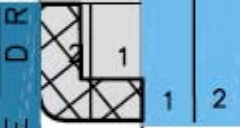
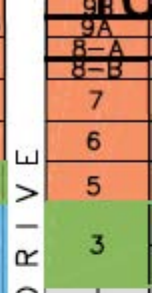
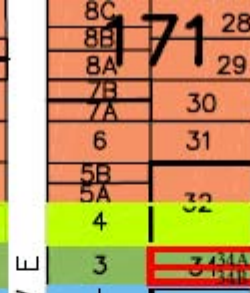
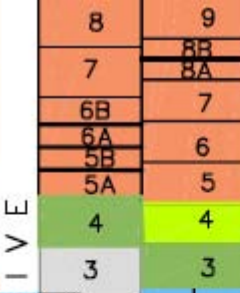
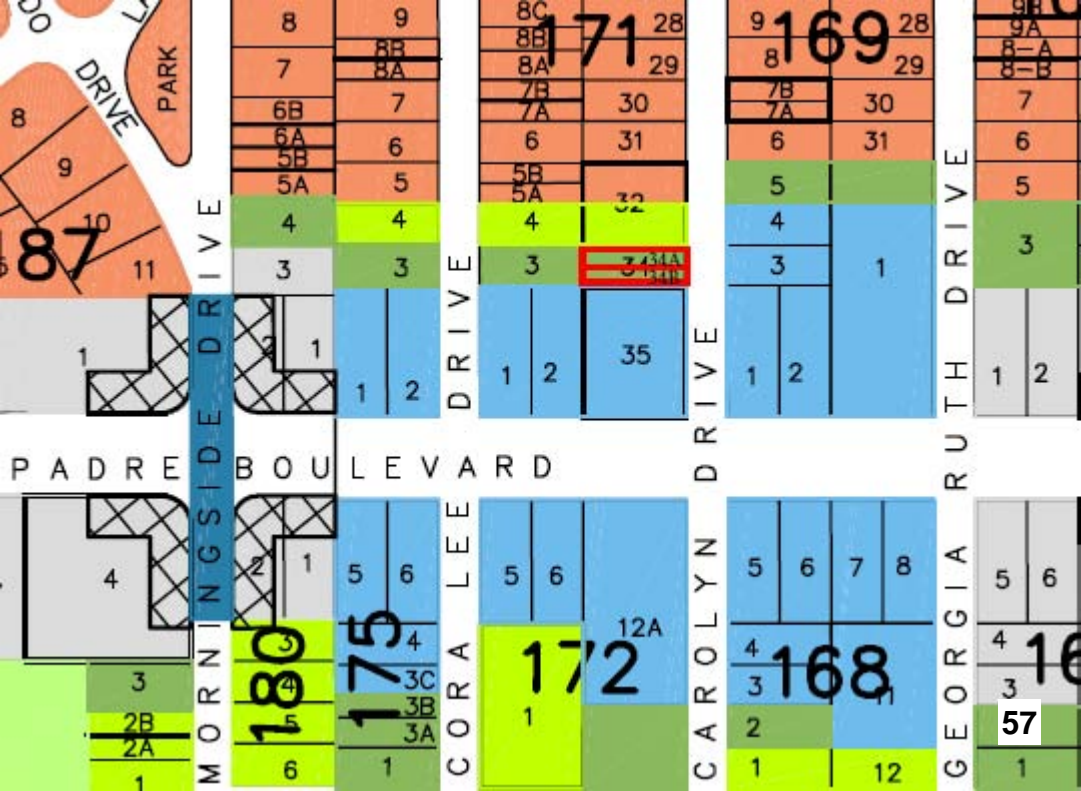
N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



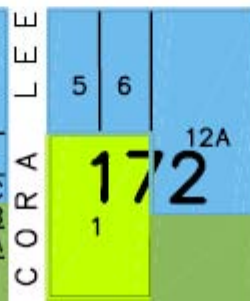
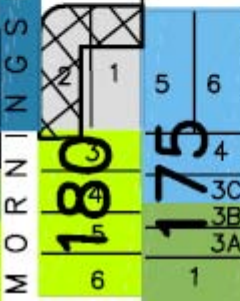
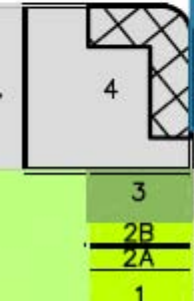
PADRE BOULEVARD

MORNING SIDE DRIVE

CORA LEE DRIVE

CAROLYN DRIVE

GEORGIA RUTTH DRIVE



MORNING SIDE DRIVE

PADRE BOULEVARD

CORA LEE DRIVE

CAROLYN DRIVE

GEORGIA RUTTH DRIVE

Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land with the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Helicopter 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

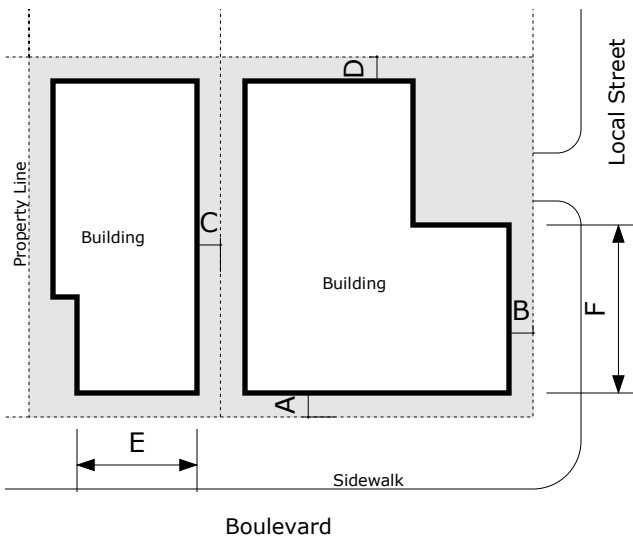
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



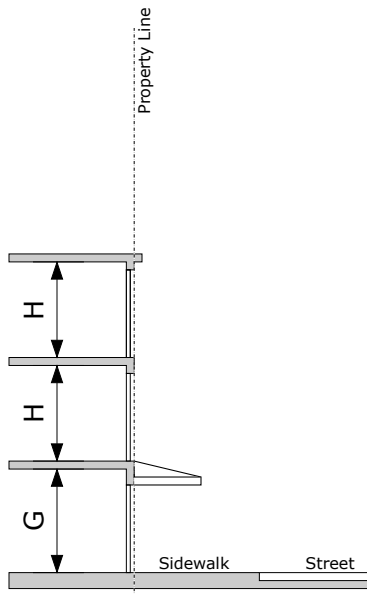
(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.

LOT 34A
 LOTS 34A AND 34B
 BLOCK 171
 PADRE BEACH SECTION XI
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 102B E. CAROLYN DR.

BUILDING AREAS:	1,500 FT ²	1,540 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 JOE LEON, LLC
 JOSEPH GONZALES
 MCALEN, TX

CONTRACTOR:

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DATE: 7-22-22

4-29-22	6-08-22
5-02-22	10-10-22
5-06-22	
5-07-22	
5-09-22	
5-09-22	
5-12-22	



DRAWN BY: J.M.
 REVIEWED BY: J.M.

FLOOR PLAN

SCALE: PER DETAIL

PAGE NO.

4.0

PROJECT NO.

26-022

ROOM FINISH NOTES:

FLOOR:
 1. CERAMIC TILE. (COLOR, SIZE, AS PER OWNER AND/OR CONTRACT)

BASE:
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CEILING:
 1. TAPE, FLOAT, TEXTURE. PAINT AS PER CONTRACT.

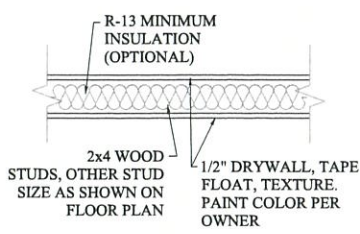
CEILING HEIGHT:
 1. ALL WALLS AT 9' PLATE HEIGHT, UNLESS OTHERWISE ON FLOOR PLAN OR BUILDING SECTIONS. (CEILING HEIGHT SHOW AS "CLG.")

EXTERIOR FINISHES:
 1. REFERENCE ELEVATIONS. NOTE: ALL MATERIALS INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND PER IRC.

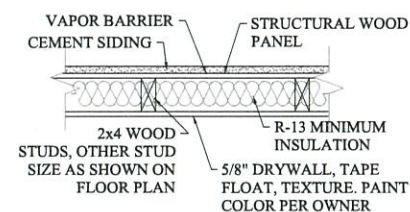
NOTE: ALL NEW PAINT COLOR AS PER OWNER/TENANT AND/OR BUILDING CONTRACT.

PROPOSED WALL LEGEND:

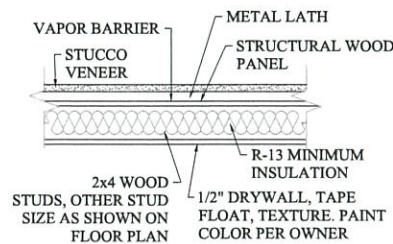
- 2X6 WOOD STUDS WITH 1/2" DRYWALL, CEMENT SIDING VENEER, OTHER VENEER TYPE PER BUILDING ELEVATIONS.
- 2x4 WOOD STUDS WITH 1/2" DRYWALL (OTHER WOOD STUD SIZES NOTED ON FLOOR PLAN)



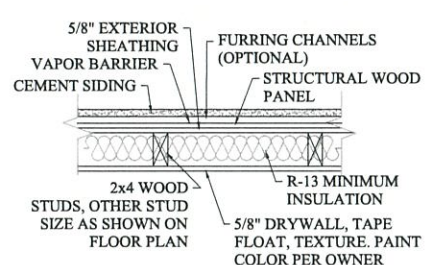
WALL TYPE 4
 Scale: NOT TO SCALE



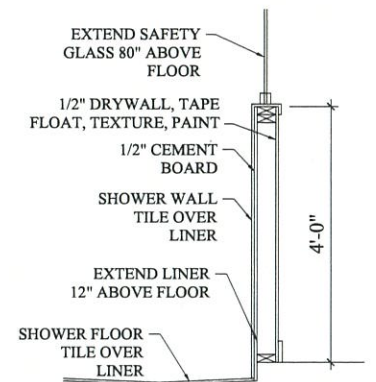
WALL TYPE 2
 Scale: NOT TO SCALE



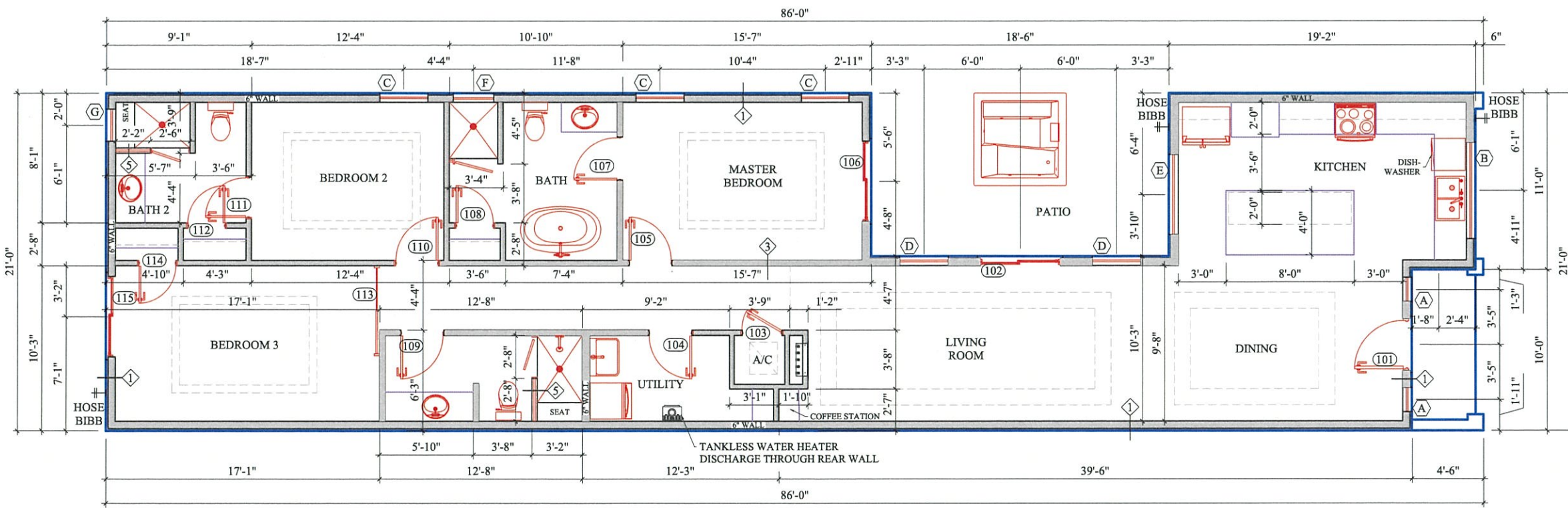
WALL TYPE 3
 Scale: NOT TO SCALE



WALL TYPE 1
 Scale: NOT TO SCALE



WALL TYPE 5
 Scale: NOT TO SCALE



GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.



Scale: 1/8" = 1'-0"

FLOOR PLAN

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Carolyn Drive. (Lot 34B, Block 171, Padre Beach Subdivision, Sec. XI)

ITEM BACKGROUND

The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception on Lot 34B Block 171, Padre Beach Subdivision, Section XI. The subject property is located on the north side of E. Carolyn Drive and is zoned District "NT" Neighborhood Transition Character Zone.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

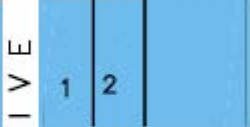
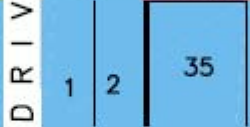
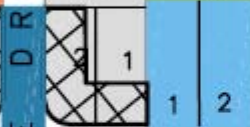
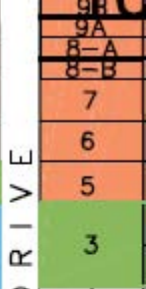
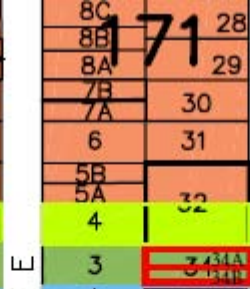
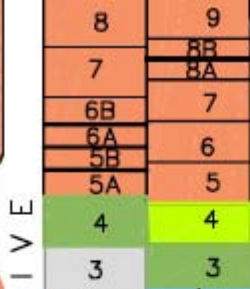
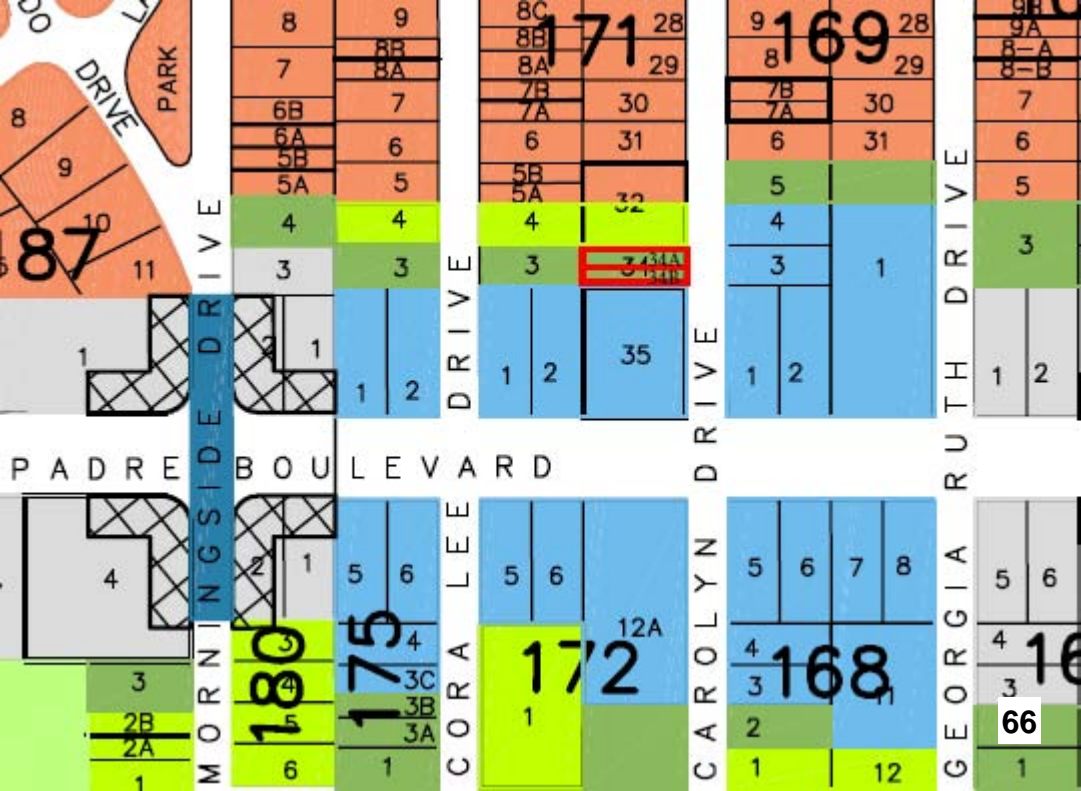
LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant.



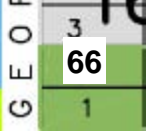
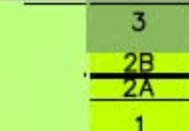
PADRE BOULEVARD

MORNING SIDE DRIVE

CORA LEE DRIVE

CAROLYN DRIVE

GEORGIA RUTTH DRIVE



Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land with the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Heliport 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

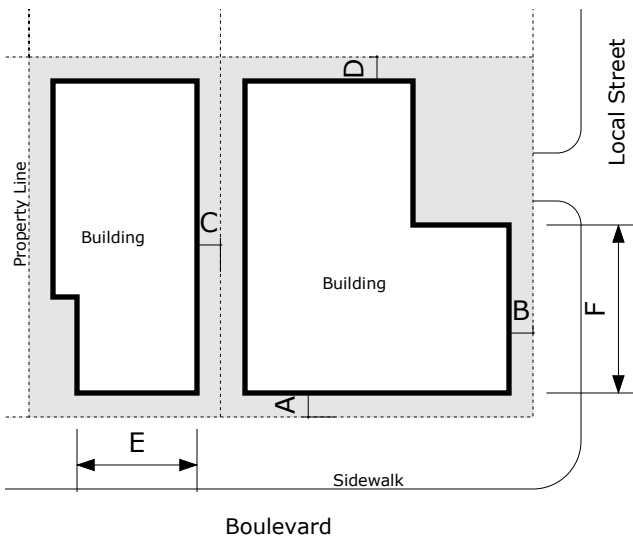
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



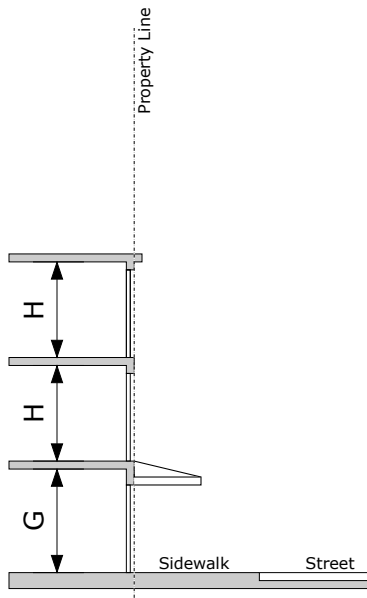
(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

APPLICANT INFORMATION

Name Consorzio Group, LLC
Mailing Address P.O. Box 2535
City, State, Zip South Padre Island, TX 78597
Phone number (956) 414 - 1844
Fax number _____
E-mail Address claudiofasci@hotmail.com

OWNER INFORMATION

Name Joseph Gonzale
Mailing address P.O. Box 2535
City, State, Zip South Padre Island, TX 78597
Phone number (956) 414 -1844
Fax number _____
E-mail Address claudiofasci@hotmail.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 102B E. Carolyn Dr.

Legal Description (Lot / Block / Subdivision): Lot 34B, Lots 34A and 34B, Block 171, Padre Beach Section XI

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

Special Exception for single family use

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: _____

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) Claudio Fasci Owner's Name (Please Print): Claudio Fasci

Applicant's Signature: Claudio Fasci (Authorized Agent) Owner's Signature: Claudio Fasci (Authorized Agent)

Date: 10-20-22

Date: 10-20-22

LOT 34A
 LOTS 34A AND 34B
 BLOCK 171
 PADRE BEACH SECTION XI
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 102B E. CAROLYN DR.

BUILDING AREAS:	1,500 FT ²	1,540 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 JOE LEON, LLC
 JOSEPH GONZALES
 MCALLEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 7-22-22

10-17-22	



DRAWN BY: J.M.
 REVIEWED BY: J.M.

SITE PLAN

SCALE: PER DETAIL






PAGE NO.

2.0

PROJECT NO.

26-022

GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

-  HOLLY (DWARF) HEDGE, OR SIMILAR HEDGE
-  UPRIGHT ROSEMARY (PLANT AROUND SHADE TREE)
-  BICOLOR IRIS
-  PIGMEY PALM
-  SHADE TREE 2" MINIMUM CALIPER (OAK, ASH, OR ELM), 10' HEIGHT MINIMUM

BUILDING SETBACKS (PER PLAT):

FRONT (NORTH): 0'-0"
 WEST SIDE: 0'-0"
 EAST SIDE: 0'-0"
 REAR (SOUTH): 10'-0"

NOTE: CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF PROPERTY PIN LOCATIONS FOR PROPER SETBACK REQUIREMENTS FROM MUNICIPALITY.

PARKING SPACES:

PROPOSED PARKING: 2 PARKING SPACES. (9x18' PER SPACE)

ADA PARKING:

LANDSCAPE (GREEN AREA ONLY):

GREEN AREA:

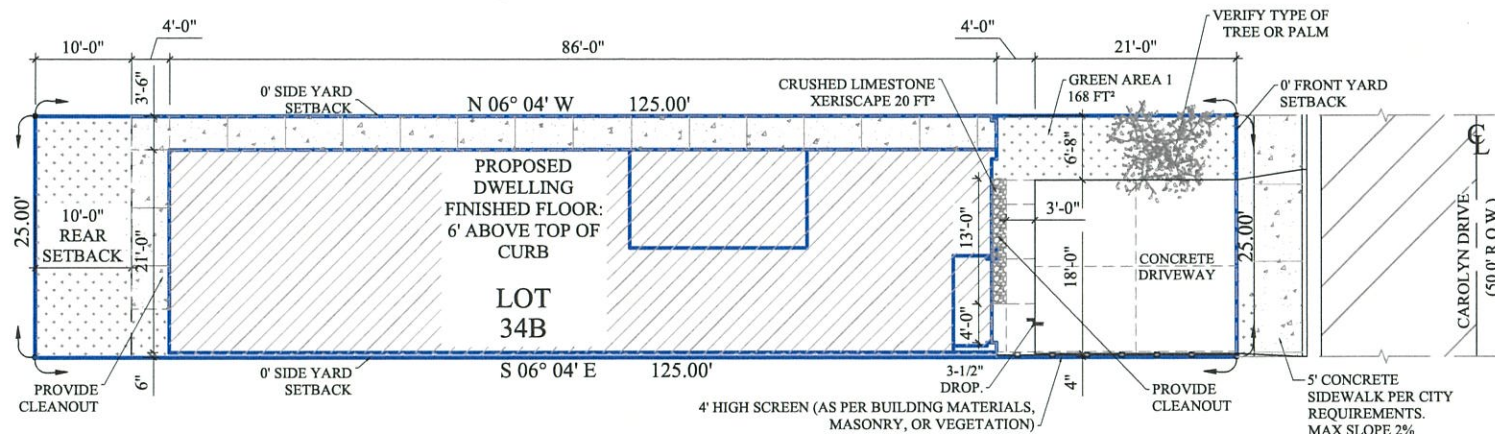
CITY REQUIREMENTS: 15% OF FRONT YARD SETBACK)
 25'x25' = 625 FT²
 625 FT² X 15% = 187.5 FT² TOTAL REQUIRED
 GREEN AREA 1 & 2 = 168 FT² + 20 FT² = 188 FT² PROPOSED




GREEN AREA PROVIDED: AREA 1 - 168 FT²
 AREA 2 - 20 FT²
 TOTAL PROVIDED - 188 FT²

TREES: 1 TREE/ 300 FT²
 1 TREE PROPOSED BASED ON 194 FT² OF LANDSCAPE.
 (VERIFY TREE TYPE AND SIZE PER OWNER)

GENERAL SITE PLAN NOTES:

- SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT, SITE CONSTRUCTION, AND/OR BUILDING CONSTRUCTION. IF OWNER AND/OR CONTRACTOR DECIDES TO USE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK, SURVEY RECOMMENDED.
- SITE PLAN PROPERTY LINES DRAWN AS PER LOT DIMENSIONS AVAILABLE FROM RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION.
- OWNER/CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED R.O.W PERMITS, SUBDIVISION REQUIREMENTS, ZONING, TXDOT PERMITS, CURB CUTS PERMITTED, CURB CUT APPROACH MINIMUM AND MAXIMUM SIZE PERMITTED.
- IRRIGATION PLANS, IF ANY, PROVIDED BY OTHERS.
- FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BUILDING LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION.
- OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
- OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR R.O.W. ON OR ADJACENT TO PROPERTY PRIOR TO CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM 811.



-  CONCRETE
-  GREEN AREA
-  ASPHALT PAVING

SITE PLAN (FOR REFERENCE ONLY)

Scale: 1:20

LOT 34A
 LOTS 34A AND 34B
 BLOCK 171
 PADRE BEACH SECTION XI
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 102B E. CAROLYN DR.

BUILDING AREAS:	1,500 FT ²	1,540 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 JOE LEON, LLC
 JOSEPH GONZALES
 MCALEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 7-22-22

4-29-22	6-08-22
5-02-22	10-10-22
5-06-22	
5-07-22	
5-09-22	
5-09-22	
5-12-22	



DRAWN BY: J.M.
 REVIEWED BY: J.M.

FLOOR PLAN

SCALE: PER DETAIL

PAGE NO.

4.0

PROJECT NO.

26-022

ROOM FINISH NOTES:

FLOOR:
 1. CERAMIC TILE. (COLOR, SIZE, AS PER OWNER AND/OR CONTRACT)

BASE:
 1. WOOD TRIM PAINTED. SIZE, TYPE PER OWNER AND/OR CONTRACT.

WALLS:
 1. TAPE, FLOAT, TEXTURE, & PAINT. PAINT AS PER CONTRACT.

CEILING:
 1. TAPE, FLOAT, TEXTURE. PAINT AS PER CONTRACT.

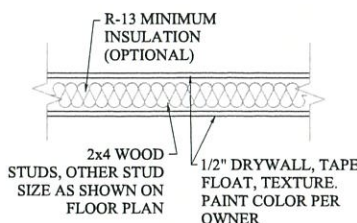
CEILING HEIGHT:
 1. ALL WALLS AT 9' PLATE HEIGHT, UNLESS OTHERWISE ON FLOOR PLAN OR BUILDING SECTIONS. (CEILING HEIGHT SHOW AS "CLG.")

EXTERIOR FINISHES:
 1. REFERENCE ELEVATIONS. NOTE: ALL MATERIALS INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND PER IRC.

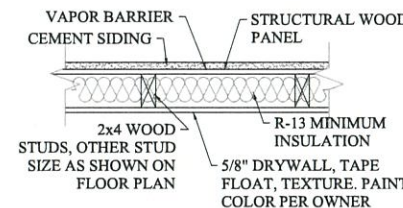
NOTE: ALL NEW PAINT COLOR AS PER OWNER/TENANT AND/OR BUILDING CONTRACT.

PROPOSED WALL LEGEND:

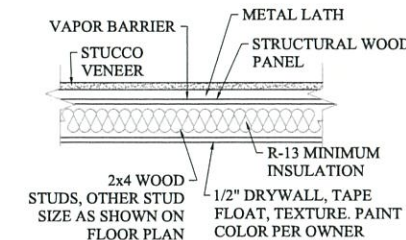
- 2X6 WOOD STUDS WITH 1/2" DRYWALL, CEMENT SIDING VENEER, OTHER VENEER TYPE PER BUILDING ELEVATIONS.
- 2x4 WOOD STUDS WITH 1/2" DRYWALL (OTHER WOOD STUD SIZES NOTED ON FLOOR PLAN)



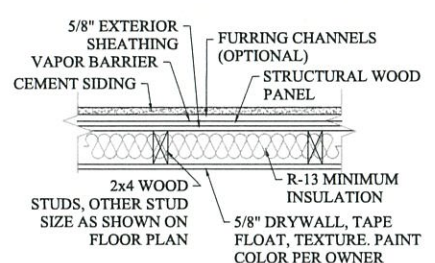
WALL TYPE 4
 Scale: NOT TO SCALE



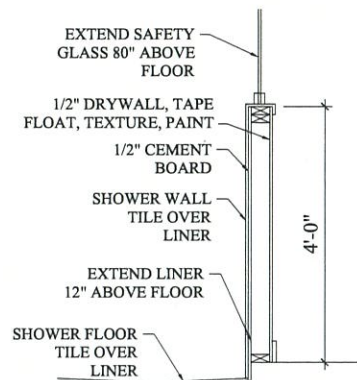
WALL TYPE 2
 Scale: NOT TO SCALE



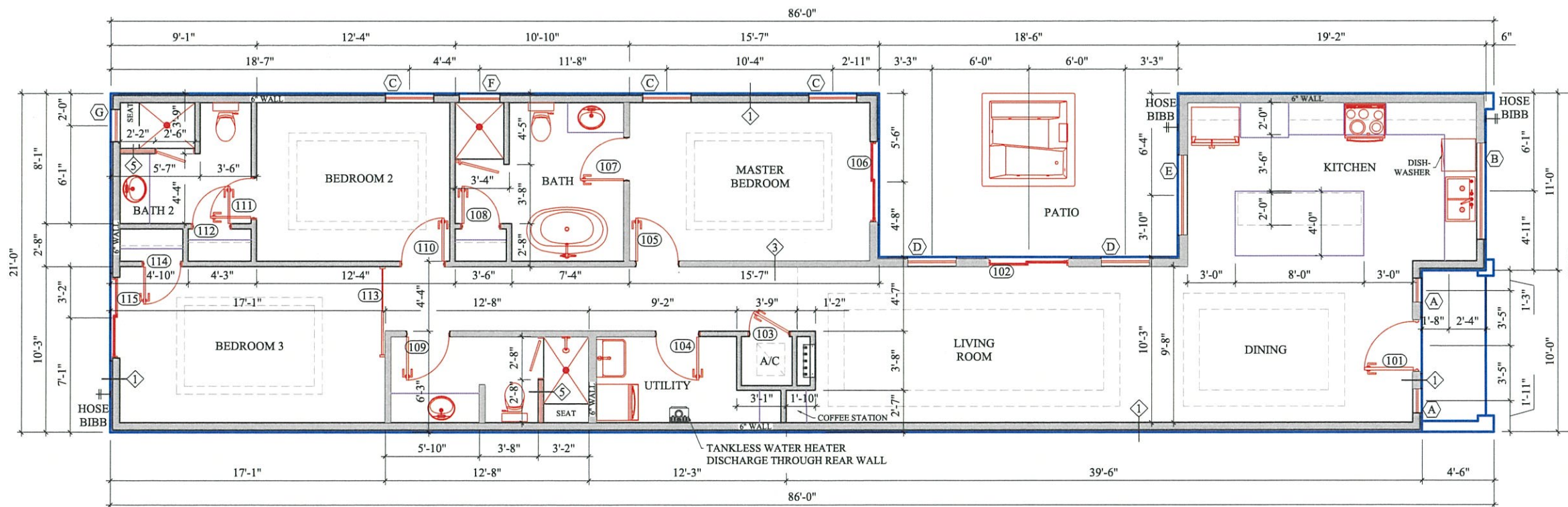
WALL TYPE 3
 Scale: NOT TO SCALE



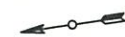
WALL TYPE 1
 Scale: NOT TO SCALE



WALL TYPE 5
 Scale: NOT TO SCALE



GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.



Scale:

1/8" = 1'-0"

FLOOR PLAN

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Verna Jean Drive. (Lot 3A, Block 162, Padre Beach Subdivision, Sec. XI)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

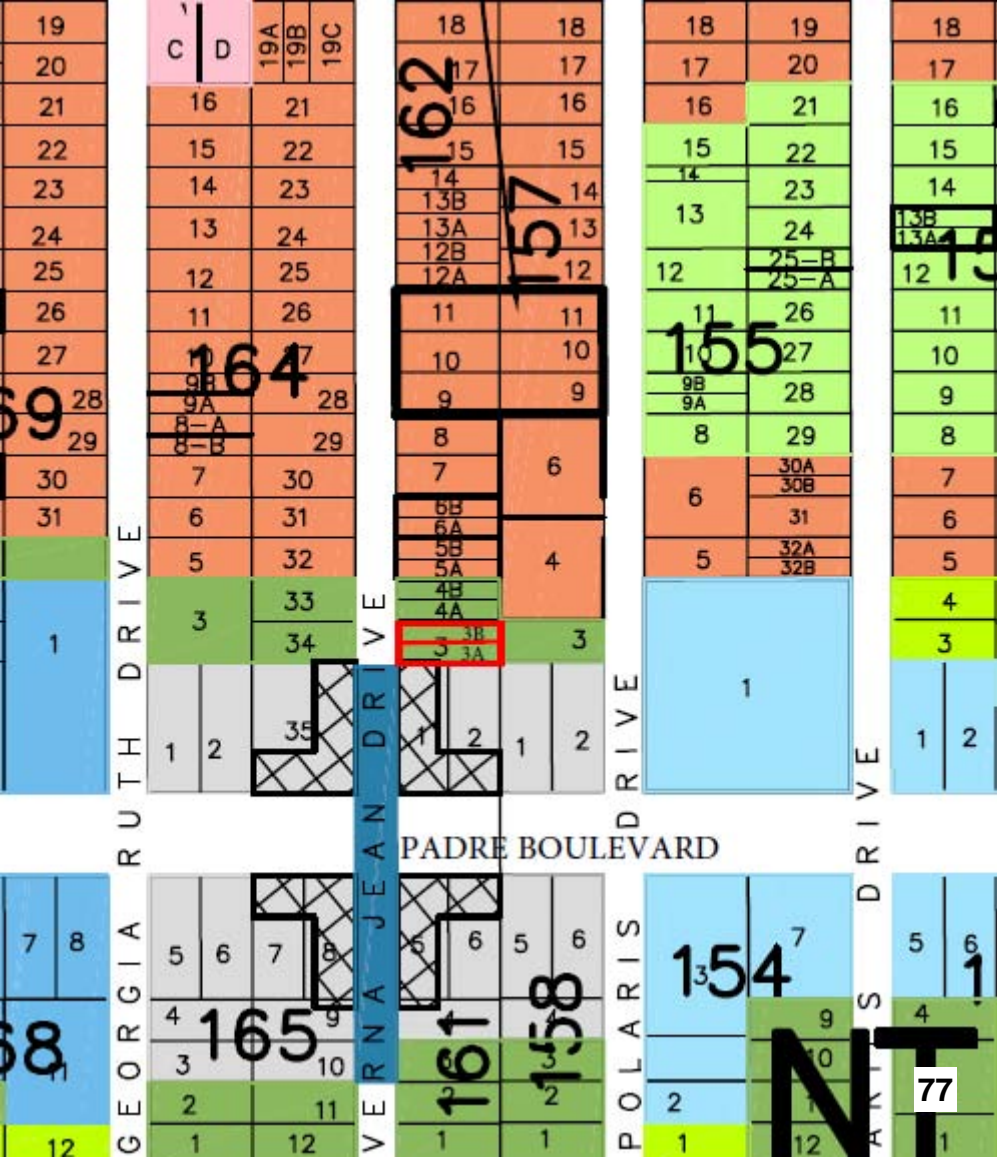
N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land within the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Heliport 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

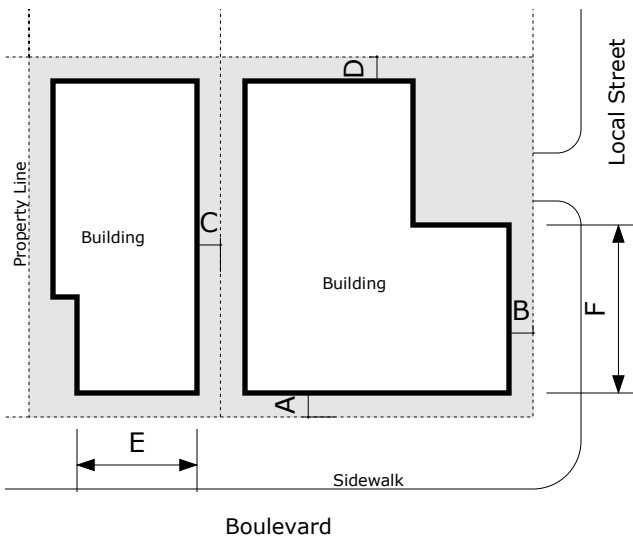
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



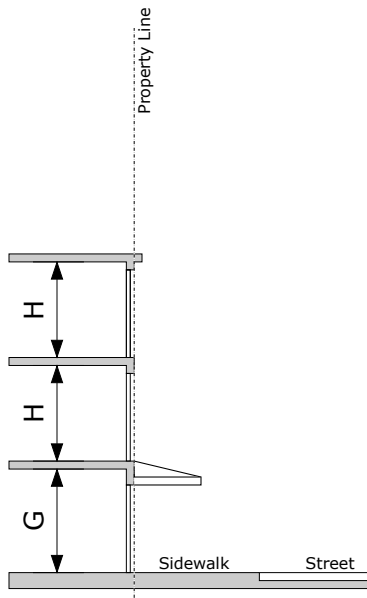
(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height: 3 stories
- (ii) 1st Floor Ceiling Height: 12' min. G
- (iii) Upper Floor(s) Ceiling Height: 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102A E. Verna Jean Drive. (Lot 3A, Block 162, Padre Beach Subdivision, Sec. XI)

ITEM BACKGROUND

The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception on Lot 3A Block 162, Padre Beach Subdivision, Section XI. The subject property is located on the south side of E. Verna Jean Drive and is zoned District "NT" Neighborhood Transition Character Zone.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

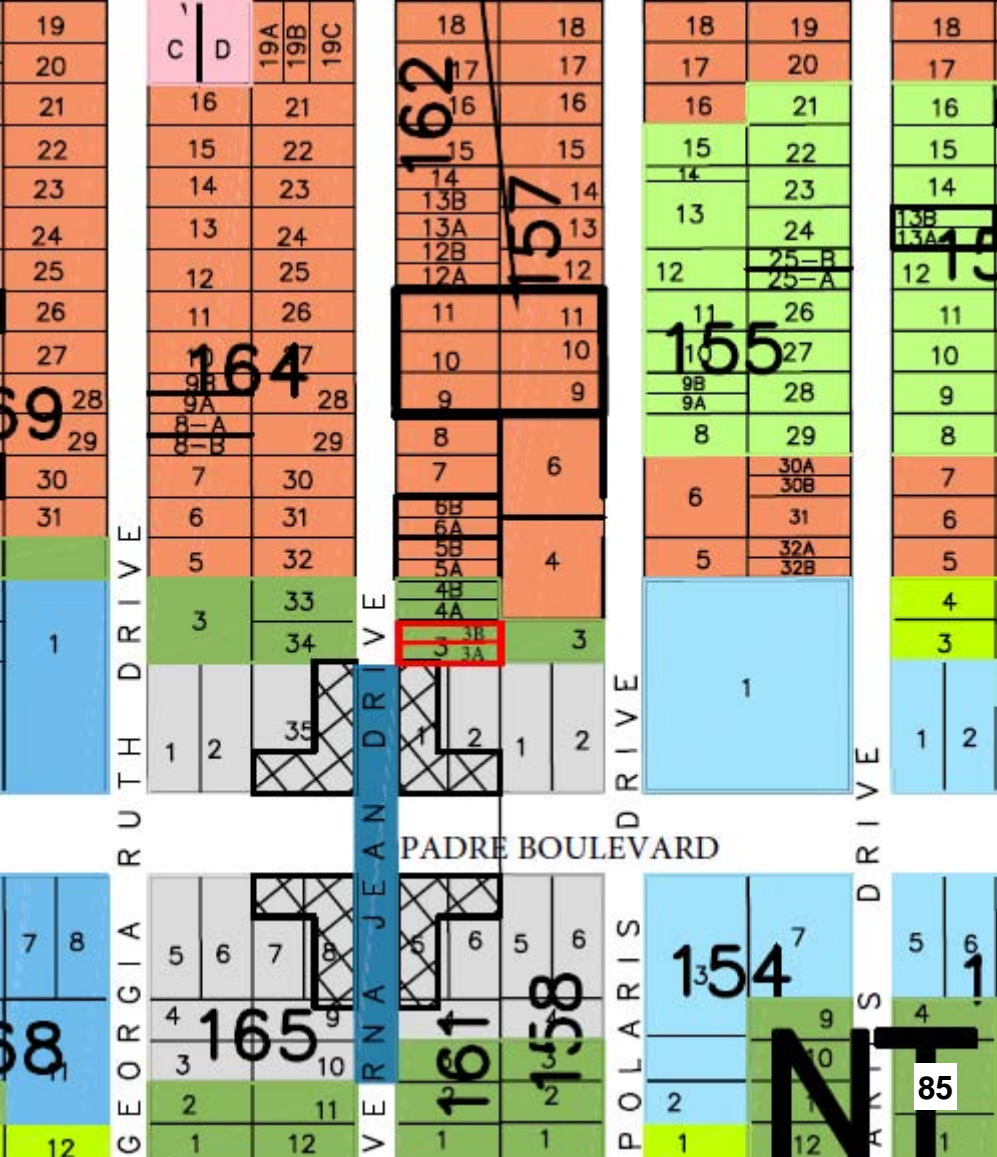
LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant.



Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land with the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

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Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Helicopter 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

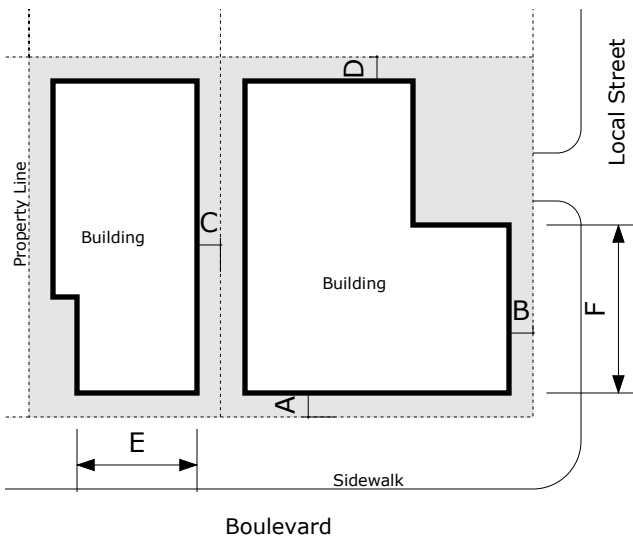
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



- (i) Build-to-Zone (From property line)

Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B

* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.
- (ii) Setback

Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D

* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.
- (iii) Building Frontage

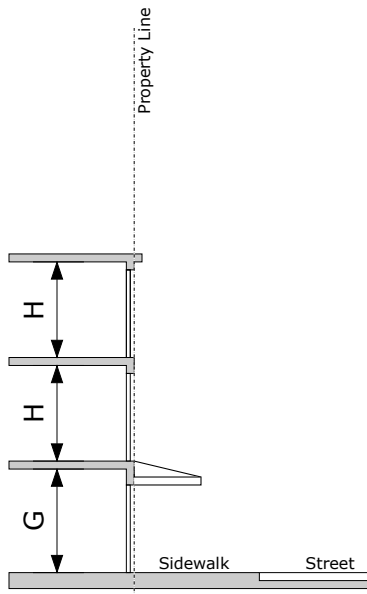
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height: 3 stories
- (ii) 1st Floor Ceiling Height: 12' min. G
- (iii) Upper Floor(s) Ceiling Height: 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

APPLICANT INFORMATION

Name Consorzio Group, LLC
 Mailing Address P.O. Box 2535
 City, State, Zip South Padre Island, TX 78597
 Phone number (956) 414 - 1844
 Fax number _____
 E-mail Address claudiofasci@hotmail.com

OWNER INFORMATION

Name Joseph Gonzalez
 Mailing address P.O. Box 2535
 City, State, Zip South Padre Island, TX 78597
 Phone number (956) 414 -1844
 Fax number _____
 E-mail Address claudiofasci@hotmail.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 102A E. Verna Jean Dr.

Legal Description (Lot / Block / Subdivision): Lot 3A, Lots 3A and 3B, Block 162, Padre Beach Section XI

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

Special Exception for single family use

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: _____

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) Claudio Fasci Owner's Name (Please Print): Claudio Fasci

Applicant's Signature: Claudio Fasci (Authorized Agent) Owner's Signature: Claudio Fasci (Authorized Agent)

Date: 10-20-22 Date: 10-20-22

LOT 3A
 LOTS 3A AND 3B,
 BLOCK 162
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 103A VERNA JEAN DR.

BUILDING AREAS:	1,585 FT ²	1,625 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 CLAUDIO FASCI
 MCALLEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 10-17-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.

SITE PLAN






SCALE: PER DETAIL

PAGE NO.

2.0

PROJECT NO.
 43.1-022

GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

-  — HOLLY (DWARF) HEDGE, OR SIMILAR HEDGE
-  — UPRIGHT ROSEMARY (PLANT AROUND SHADE TREE)
-  — BICOLOR IRIS
-  — PIGMEY PALM
-  — SHADE TREE 2" MINIMUM CALIPER (OAK, ASH, OR ELM), 10' HEIGHT MINIMUM

BUILDING SETBACKS (PER PLAT):

FRONT (NORTH):	0'-0"
WEST SIDE:	0'-0"
EAST SIDE:	0'-0"
REAR (SOUTH):	10'-0"

NOTE: CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF PROPERTY PIN LOCATIONS FOR PROPER SETBACK REQUIREMENTS FROM MUNICIPALITY.

PARKING SPACES:

PROPOSED PARKING: 2 PARKING SPACES. (9'x18' PER SPACE)

ADA PARKING:

LANDSCAPE (GREEN AREA ONLY):




GREEN AREA:
 CITY REQUIREMENTS: 15% OF FRONT YARD SETBACK)
 25'x25' = 625 FT²
 625 FT² X 15% = 187.5 FT² TOTAL REQUIRED
 GREEN AREA 1 & 2 = 165 FT² + 24 FT² = 189 FT² PROPOSED

GREEN AREA PROVIDED: AREA 1	-	165 FT ²
AREA 2	-	24 FT ²
TOTAL PROVIDED	-	189 FT ²

TREES: 1 TREE/ 300 FT²
 1 TREE PROPOSED BASED ON 194 FT² OF LANDSCAPE.
 (VERIFY TREE TYPE AND SIZE PER OWNER)

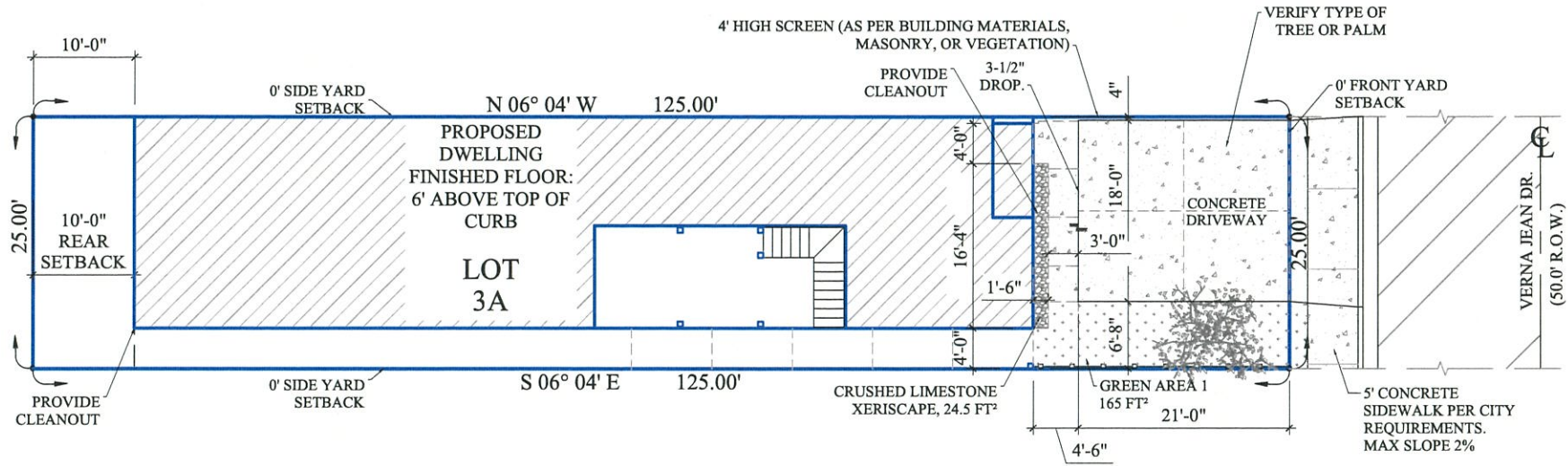
GENERAL SITE PLAN NOTES:

1. SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT, SITE CONSTRUCTION, AND/OR BUILDING CONSTRUCTION. IF OWNER AND/OR CONTRACTOR DECIDES TO USE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK, SURVEY RECOMMENDED.
2. SITE PLAN PROPERTY LINES DRAWN AS PER LOT DIMENSIONS AVAILABLE FROM RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION.
3. OWNER/CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED R.O.W PERMITS, SUBDIVISION REQUIREMENTS, ZONING, TXDOT PERMITS, CURB CUTS PERMITTED, CURB CUT APPROACH MINIMUM AND MAXIMUM SIZE PERMITTED.
4. IRRIGATION PLANS, IF ANY, PROVIDED BY OTHERS.
5. FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BUILDING LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION.
6. OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
7. OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
8. CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR R.O.W. ON OR ADJACENT TO PROPERTY PRIOR TO CONSTRUCTION.
9. CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM 811.

	— CONCRETE
	— GREEN AREA
	— ASPHALT PAVING

SITE PLAN (FOR REFERENCE ONLY)

Scale: 1:20



LOT 3A
 LOTS 3A AND 3B,
 BLOCK 162
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 103A VERNA JEAN DR.

BUILDING AREA:	1,585 FT ²	40 FT ²	1,625 FT ²
LIVING AREA:			
PORCH:			
TOTAL AREA:			

CUSTOMER:
 CLAUDIO FASCI
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DATE: 7-22-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.

FLOOR PLAN

SCALE: PER DETAIL

PAGE NO.

4.0

PROJECT NO.

43.1-022

ROOM FINISH NOTES:

FLOOR:
 1. CERAMIC TILE. (COLOR, SIZE, AS PER OWNER AND/OR CONTRACT)

BASE:
 1. WOOD TRIM PAINTED. SIZE, TYPE PER OWNER AND/OR CONTRACT.

WALLS:
 1. TAPE, FLOAT, TEXTURE, & PAINT. PAINT AS PER CONTRACT.

CEILING:
 1. TAPE, FLOAT, TEXTURE. PAINT AS PER CONTRACT.

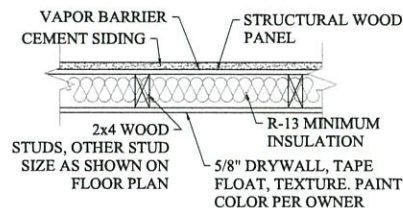
CEILING HEIGHT:
 1. ALL WALLS AT 9' PLATE HEIGHT, UNLESS OTHERWISE ON FLOOR PLAN OR BUILDING SECTIONS. (CEILING HEIGHT SHOW AS "CLG.")

EXTERIOR FINISHES:
 1. REFERENCE ELEVATIONS. NOTE: ALL MATERIALS INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND PER IRC.

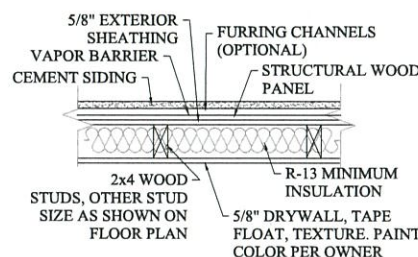
NOTE: ALL NEW PAINT COLOR AS PER OWNER/TENANT AND/OR BUILDING CONTRACT.

PROPOSED WALL LEGEND:

- 2X6 WOOD STUDS WITH 1/2" DRYWALL, CEMENT SIDING VENEER, OTHER VENEER TYPE PER BUILDING ELEVATIONS.
- 2X4 WOOD STUDS WITH 1/2" DRYWALL (OTHER WOOD STUD SIZES NOTED ON FLOOR PLAN)

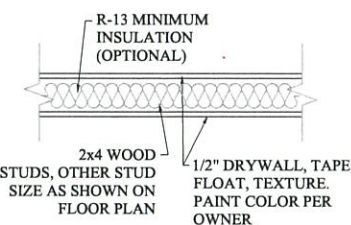


WALL TYPE 2
 Scale: NOT TO SCALE

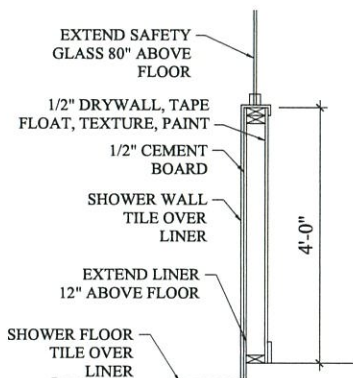


WALL TYPE 1
 Scale: NOT TO SCALE

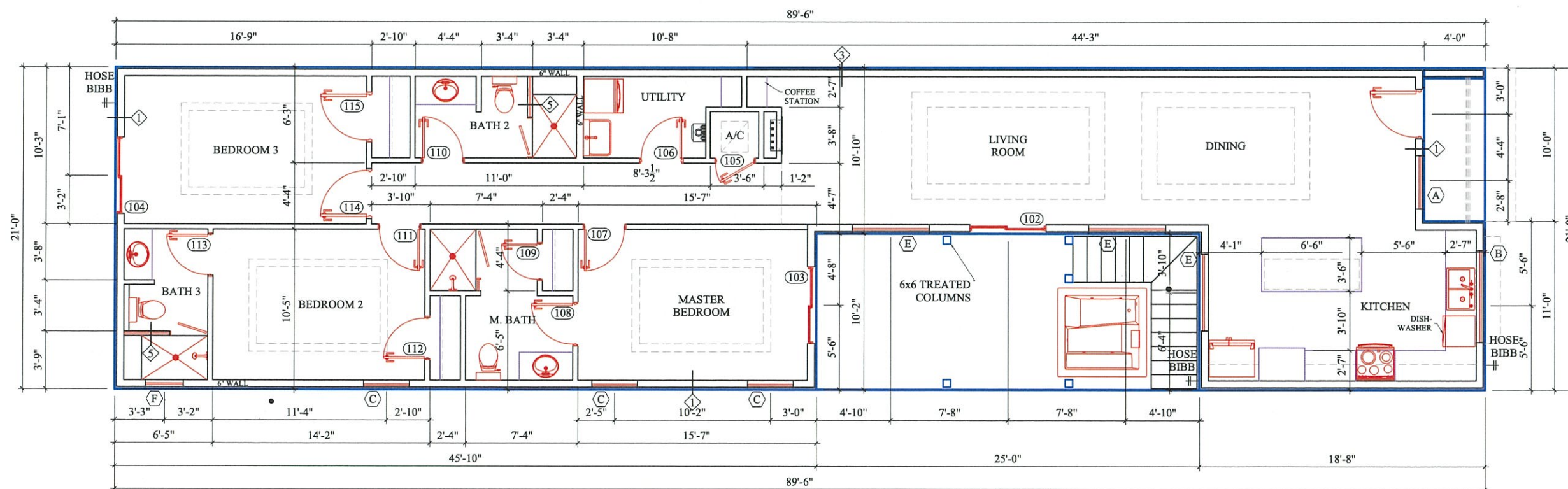
WALL TYPE 4
 Scale: NOT TO SCALE



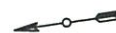
WALL TYPE 3
 Scale: NOT TO SCALE



WALL TYPE 5
 Scale: NOT TO SCALE



GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.



Scale:

FLOOR PLAN 1

1/8" = 1'-0"

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Verna Jean Drive. (Lot 3B, Block 162, Padre Beach Subdivision, Sec. XI)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

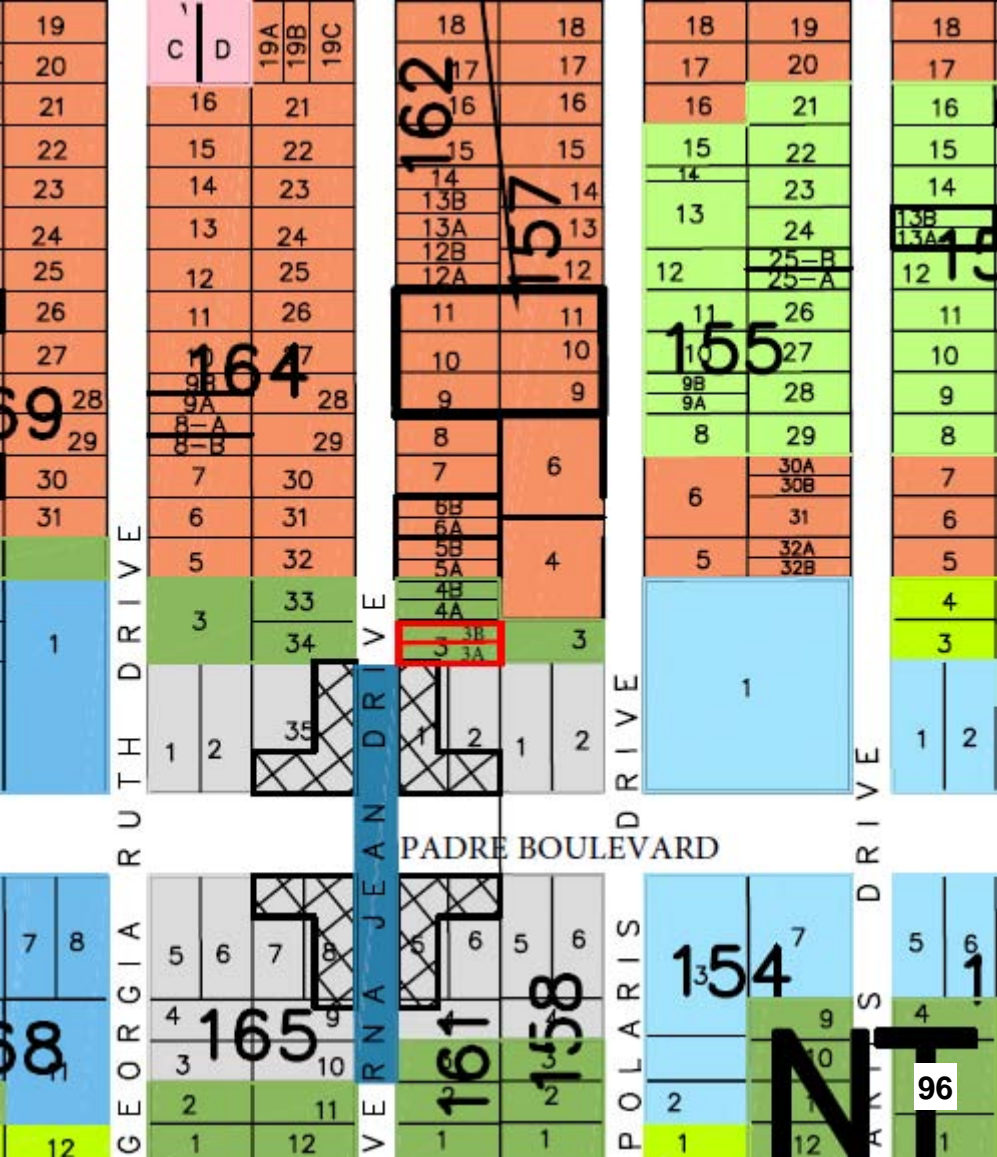
N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land within the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Heliport 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

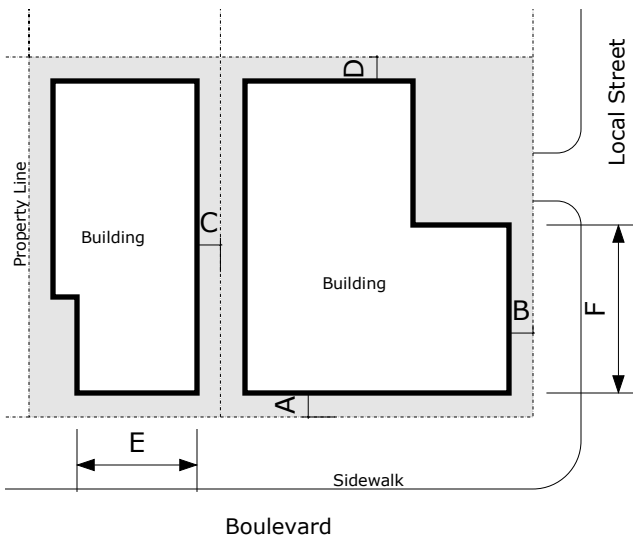
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;

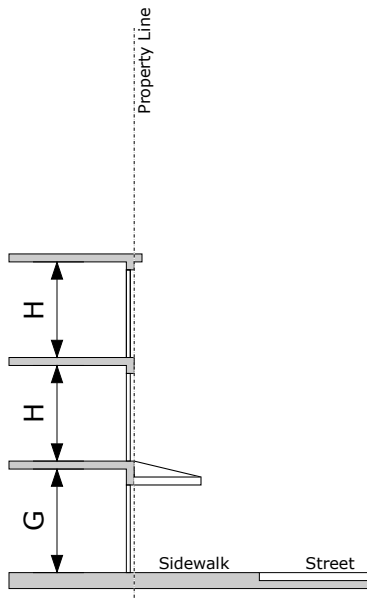
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.

- (iii) Alternative Parking Measures

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.

- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Commercial Ready standards.

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by Consorzio Group, LLC property owner for a variance from Chapter 20 Zoning, Section 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code of the City's Code of Ordinances, Table 5.1 Schedule of Uses (Land Use), Single family homes are allowed within the Neighborhood Transition Character Zone with a Special Exception as established in the Padre Boulevard and Entertainment District Code. The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception located at 102B E. Verna Jean Drive. (Lot 3B, Block 162, Padre Beach Subdivision, Sec. XI)

ITEM BACKGROUND

The applicant is requesting to construct a single-family home in the Neighborhood Transition Character Zone; which is allowed with a special exception on Lot 3B Block 162, Padre Beach Subdivision, Section XI. The subject property is located on the south side of E. Verna Jean Drive and is zoned District "NT" Neighborhood Transition Character Zone.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff did not receive any letter for or against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant.

Sec. 20-8.1. Appendix "Z" Padre Boulevard and Entertainment District Code.

- (a) *Authority.* This Padre Boulevard and Entertainment District Code (hereinafter, "PBED Code") is enacted as one of the instruments for implementing the public purposes and objectives of the adopted City of South Padre Island 2008 Comprehensive Plan and the Padre Boulevard and Entertainment District Plan. This code is declared to be consistent with the 2008 Comprehensive Plan, and except as noted herein, supplants the application of all provisions of the City of South Padre Island City Code of Ordinances as it applies to land within the boundaries of the Padre Boulevard Corridor and Entertainment District, (hereinafter, "the corridor") prior to the effective date of this PBED Code.
- (b) *Purpose and Intent.* The purpose of the PBED Code is to support economic development and reinvestment along this commercial corridor and within this dedicated entertainment district. Along Padre Boulevard, the PEDC implements specific development nodes with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, beachfront, housing and neighborhood retail services. The intent is to revitalize Padre Boulevard to be an attractive, vibrant commercial corridor in the community, and to develop the Entertainment District into a walkable, mixed use regional destination, Therefore, the goals of the PBED Code are to promote and provide a more functional and attractive community through the use of recognized principals of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form.

Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility_(includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bong, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	NP	P
Private clubs, fraternities, sororities and lodges that operate solely for the benefit of their members only	P	P	P	P	P	P	NP	P
Art, dance & music schools	P	P	P	P	P	P	NP	P
Marina or yachting club facility	P/SUP	NP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Boat docks	P	NP	P	NP	P	P	NP	P
Museums and other special purpose recreational institutions	P	P	NP	P	P	P	NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Performing arts, theater, cinema, dance or music establishment	P	P	P	P	P	P	NP	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	NP	P
Child day care and preschools	P	P	P	P	P	P	P	P

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
Residential Uses								
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
Other Uses								
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 (newspaper, 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	NP	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
Helicopter 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

SUP shall meet standards in Chapter 20-24 of the City Code of Ordinances

A: Accessory use to not exceed 25% of the primary use building square footage

SE: Special Exception

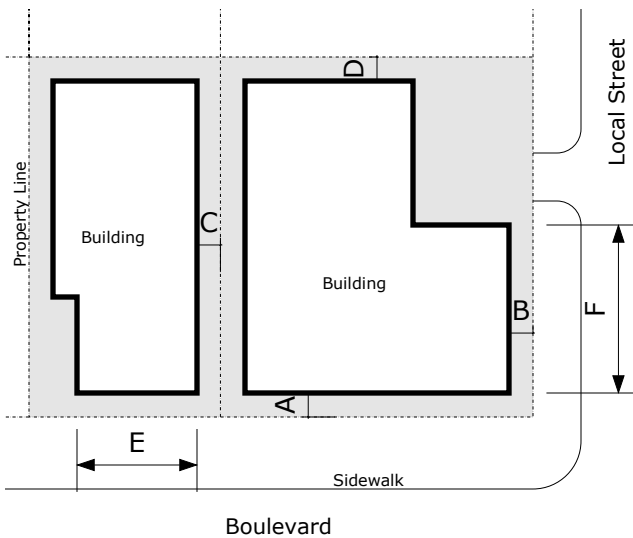
NA: Not applicable

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
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE**

6.7.1 Building Placement



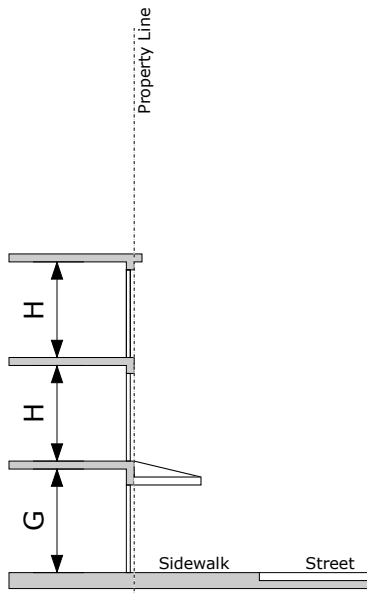
(i) Build-to-Zone (From property line)		
Boulevard	10'-75'	A
Local Street	None	B
Pedestrian Priority St.	5'-20'	B
* Arcades and colonnades are allowed within the BTZ with a minimum of 6' in depth and 12' interior clearance height.		
(ii) Setback		
Side	0' min.	C
Rear	0' min.	D
Rear toward a Single Family residential lot	10' min.	D
* A private fence (masonry or opaque vegetative) of a 6' height shall be required when abutting a single family residential lot.		
(iii) Building Frontage		
Boulevard	50% min.	E
Local Street	None	F
Pedestrian Priority St.	50% min.	F

6.7.3 Parking

- (i) Location Priority
 1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
 1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. 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.
- (iii) Alternative Parking Measures

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.
- (iv) Service Access
 1. Service access should not be located on a Pedestrian Priority Street or on Padre Blvd.
 2. Porte cocheres may be permitted.
 3. Shared driveway and cross access easements shall be required between lots to minimize curb cuts.

6.7.2 Building Height



- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similiar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
- (v) Recessed entrances may be permitted if the upper floors meet the built-to-zone standards.
- (vi) Attics and mezzanines less than 7 feet (avg.) height shall not be counted as a story.
- (vii) Ground floors of all building fronting on Pedestrian Priority Street and Boulevard shall be built to Comercial Ready standards.



CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

APPLICANT INFORMATION

Name Consorzio Group, LLC

Mailing Address P.O. Box 2535

City, State, Zip South Padre Island, TX 78597

Phone number (956) 414 - 1844

Fax number _____

E-mail Address claudiofasci@hotmail.com

OWNER INFORMATION

Name Joseph Gonzalez

Mailing address P.O. Box 2535

City, State, Zip South Padre Island, TX 78597

Phone number (956) 414 -1844

Fax number _____

E-mail Address claudiofasci@hotmail.com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 102B E. Verna Jean Dr.

Legal Description (Lot / Block / Subdivision): Lot 3B, Lots 3A and 3B, Block 162, Padre Beach Section XI

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

Special Exception for single family use

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: _____

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) Claudio Fasci

Owner's Name (Please Print): Claudio Fasci

Applicant's Signature: Claudio Fasci (Authorized Agent) Owner's Signature: Claudio Fasci (Authorized Agent)

Date: 10-20-22

Date: 10-20-22

LOT 3B
 LOTS 3A AND 3B,
 BLOCK 162
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 103B VERNA JEAN DR.

BUILDING AREAS:	1,585 FT ²	1,625 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 JOE LEON, LLC
 JOSEPH GONZALES
 MCALLEN, TX

CONTRACTOR:

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF K-GEM CONSULTING & DESIGN, AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN PERMISSION FROM K-GEM. ALL INFORMATION PROVIDED ON THE DRAWINGS ARE FOR USE ON THE SPECIFIED PROJECT ONLY AND SHALL NOT BE USED OTHERWISE.

DATE: 10-17-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.






SITE PLAN

SCALE: PER DETAIL

PAGE NO.
 2.0

PROJECT NO.
 43.1-022

GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.

-  HOLLY (DWARF) HEDGE, OR SIMILAR HEDGE
-  UPRIGHT ROSEMARY (PLANT AROUND SHADE TREE)
-  BICOLOR IRIS
-  PIGMEY PALM
-  SHADE TREE 2" MINIMUM CALIPER (OAK, ASH, OR ELM), 10' HEIGHT MINIMUM

BUILDING SETBACKS (PER PLAT):

FRONT (NORTH):	0'-0"
WEST SIDE:	0'-0"
EAST SIDE:	0'-0"
REAR (SOUTH):	10'-0"

NOTE: CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF PROPERTY PIN LOCATIONS FOR PROPER SETBACK REQUIREMENTS FROM MUNICIPALITY.

PARKING SPACES:

PROPOSED PARKING: 2 PARKING SPACES. (9'x18' PER SPACE)

ADA PARKING:

LANDSCAPE (GREEN AREA ONLY):




GREEN AREA:
 CITY REQUIREMENTS: 15% OF FRONT YARD SETBACK
 25'x25' = 625 FT²
 625 FT² X 15% = 187.5 FT² TOTAL REQUIRED
 GREEN AREA 1 & 2 = 165 FT² + 24 FT² = 189 FT² PROPOSED

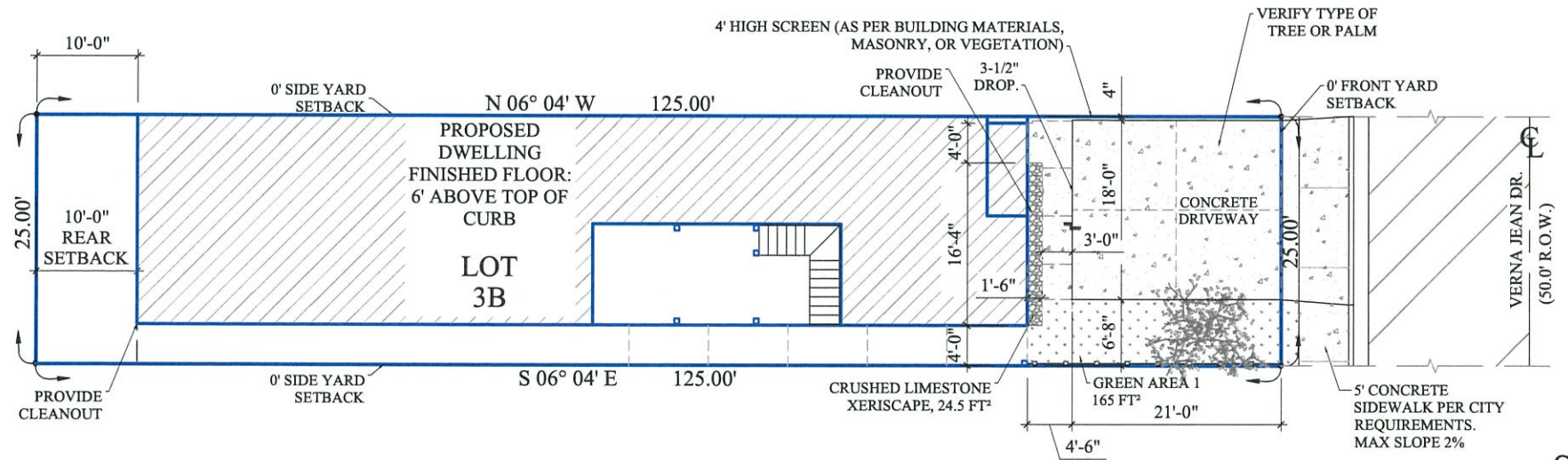
GREEN AREA PROVIDED: AREA 1	-	165 FT ²
AREA 2	-	24 FT ²
TOTAL PROVIDED	-	189 FT²

TREES: 1 TREE/ 300 FT²
 1 TREE PROPOSED BASED ON 194 FT² OF LANDSCAPE.
 (VERIFY TREE TYPE AND SIZE PER OWNER)

GENERAL SITE PLAN NOTES:

- SITE LAYOUT INCLUDING BUILDING IS FOR REFERENCE ONLY, AND IS NOT CONSIDERED A SURVEY, AND SHOULD NOT BE USED AS A SURVEY. SITE PLAN SHOULD NOT BE USED FOR ANY DEVELOPMENT, SITE CONSTRUCTION, AND/OR BUILDING CONSTRUCTION. IF OWNER AND/OR CONTRACTOR DECIDES TO USE THIS SITE PLAN FOR SITE CONSTRUCTION, IS AT OWN RISK, SURVEY RECOMMENDED.
- SITE PLAN PROPERTY LINES DRAWN AS PER LOT DIMENSIONS AVAILABLE FROM RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION.
- OWNER/CONTRACTOR TO VERIFY WITH CITY ON ANY REQUIRED R.O.W PERMITS, SUBDIVISION REQUIREMENTS, ZONING, TXDOT PERMITS, CURB CUTS PERMITTED, CURB CUT APPROACH MINIMUM AND MAXIMUM SIZE PERMITTED.
- IRRIGATION PLANS, IF ANY, PROVIDED BY OTHERS.
- FIELD VERIFY ALL MEASUREMENTS OF SITE LAYOUT, INCLUDING BUILDING LOCATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION AND/OR DEVELOPMENT. CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENT VERIFICATION PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION.
- OWNER/CONTRACTOR IS RESPONSIBLE TO OBTAIN APPROVAL FROM CITY AND/OR OTHER ENTITIES AS REQUIRED, FOR SITE LAYOUT.
- OTHER CIVIL DRAWINGS IF REQUESTED BY MUNICIPALITY, ARE TO BE OBTAINED BY CONTRACTOR AND/OR OWNER.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL EASEMENTS AND/OR R.O.W. ON OR ADJACENT TO PROPERTY PRIOR TO CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR REQUESTING UTILITY IDENTIFICATION AND/OR LOCATIONS FROM 811.

-  CONCRETE
-  GREEN AREA
-  ASPHALT PAVING



SITE PLAN (FOR REFERENCE ONLY)

Scale: 1:20

LOT 3B
 LOTS 3A AND 3B,
 BLOCK 162
 SUBDIVISION
 SOUTH PADRE
 ISLAND, TX
 103B VERNA JEAN DR.

BUILDING AREAS:	1,585 FT ²	1,625 FT ²
LIVING AREA:	40 FT ²	
PORCH:		
TOTAL AREA:		

CUSTOMER:
 JOE LEON, LLC
 JOSEPH GONZALES
 MCALEN, TX

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DATE: 7-22-22



DRAWN BY: J.M.
 REVIEWED BY: J.M.

FLOOR PLAN

SCALE: PER DETAIL

PAGE NO.
 4.0

PROJECT NO.
 43.1-022

ROOM FINISH NOTES:

FLOOR:
 1. CERAMIC TILE. (COLOR, SIZE, AS PER OWNER AND/OR CONTRACT)

BASE:
 1. WOOD TRIM PAINTED. SIZE, TYPE PER OWNER AND/OR CONTRACT.

WALLS:
 1. TAPE, FLOAT, TEXTURE, & PAINT. PAINT AS PER CONTRACT.

CEILING:
 1. TAPE, FLOAT, TEXTURE. PAINT AS PER CONTRACT.

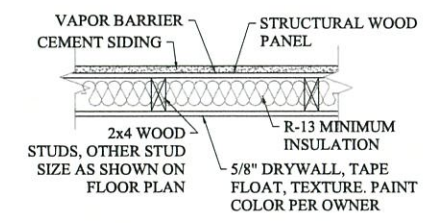
CEILING HEIGHT:
 1. ALL WALLS AT 9' PLATE HEIGHT, UNLESS OTHERWISE ON FLOOR PLAN OR BUILDING SECTIONS. (CEILING HEIGHT SHOW AS "CLG.")

EXTERIOR FINISHES:
 1. REFERENCE ELEVATIONS. NOTE: ALL MATERIALS INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND PER IRC.

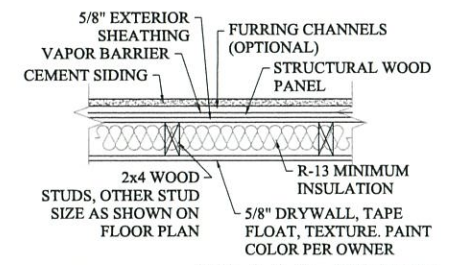
NOTE: ALL NEW PAINT COLOR AS PER OWNER/TENANT AND/OR BUILDING CONTRACT.

PROPOSED WALL LEGEND:

- 2X6 WOOD STUDS WITH 1/2" DRYWALL. CEMENT SIDING VENEER, OTHER VENEER TYPE PER BUILDING ELEVATIONS.
- 2x4 WOOD STUDS WITH 1/2" DRYWALL. (OTHER WOOD STUD SIZES NOTED ON FLOOR PLAN)

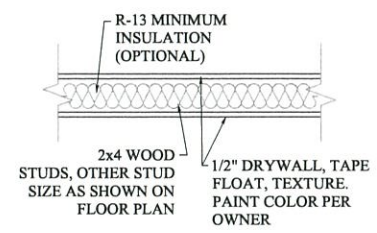


WALL TYPE 2
 Scale: NOT TO SCALE

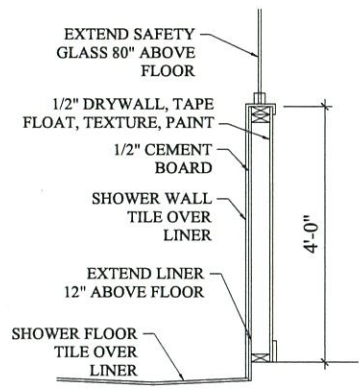


WALL TYPE 1
 Scale: NOT TO SCALE

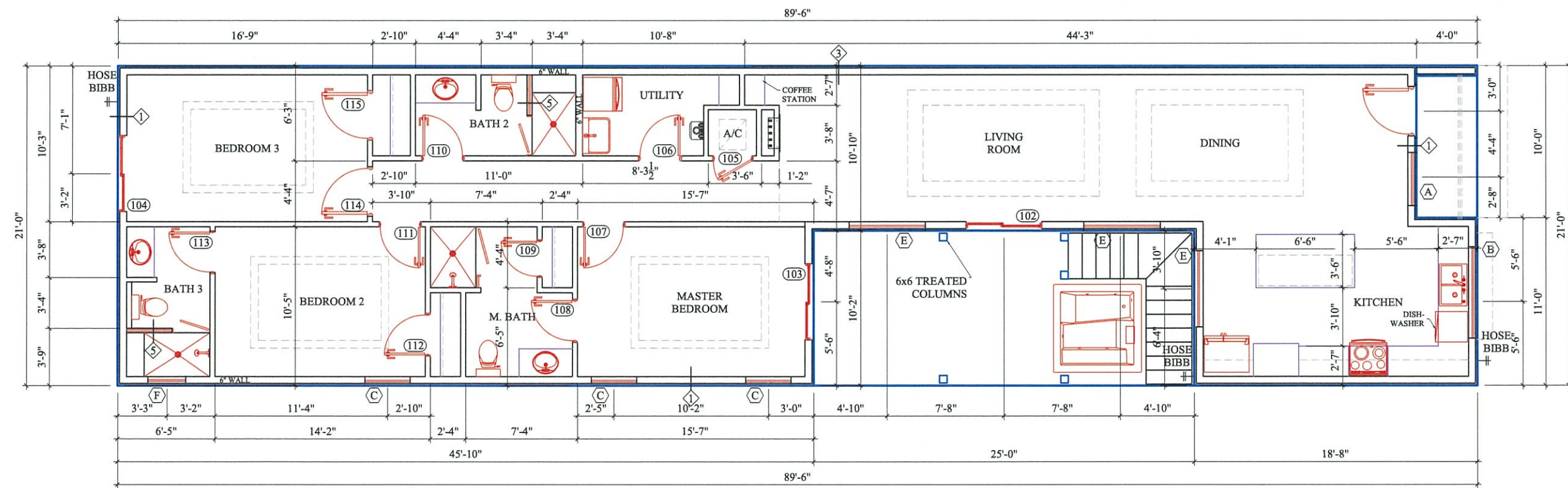
WALL TYPE 4
 Scale: NOT TO SCALE



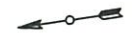
WALL TYPE 3
 Scale: NOT TO SCALE



WALL TYPE 5
 Scale: NOT TO SCALE



GENERAL NOTES:
 1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR CONSTRUCTION.



Scale: 1/8" = 1'-0"

FLOOR PLAN

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING: to discuss a request by Gracie Gumbel property owner for a variance from Chapter 20 Zoning, Section 20-6 District "A" - Single family dwelling district, (C) Area regulations, (3) Rear yards, (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line, and Section 20-13 Setback area - Special regulations and uses as established in the City's Code of Ordinances. The applicant is requesting to keep a structure (fireplace) on the rear yard setback within the eight (8) feet utility easement located at 218 W. Sunset Drive. (Lot 17, Block 201, Fiesta Isle Subdivision (Padre Beach, Sec. XII)

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 or in opposition of agenda item.
3. Once everyone in favor and 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 after the Public Hearing has been closed.

Staff has received one (1) email against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

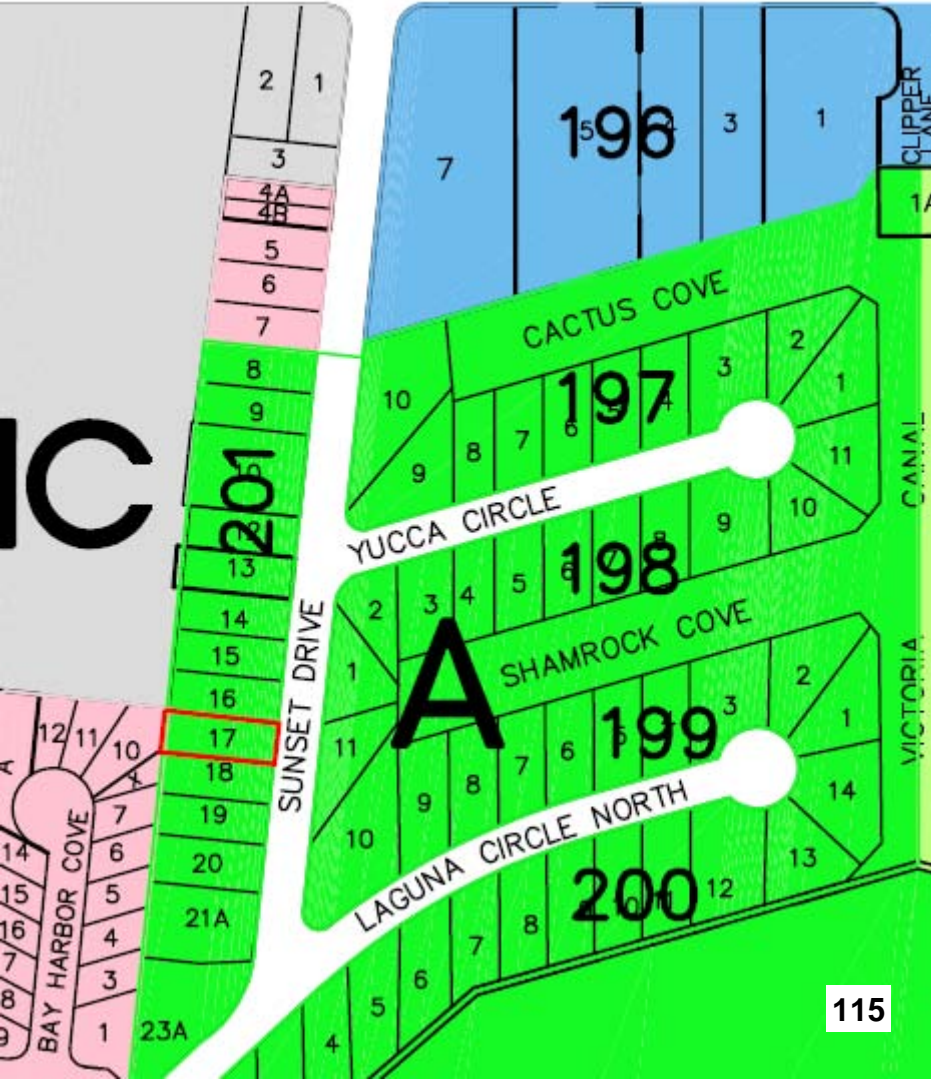
LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

IC



Sec. 20-6. District "A"—Single family dwelling district.

(A) *Use regulations:*

- (1) Dwellings, one family.
- (2) Accessory buildings, including a private garage and bona fide servants' quarters, not for rent. When the accessory building is directly attached to the main building it shall be considered an integral part of the building. When the accessory building is attached to the main building by a breezeway, the breezeway may be considered a part of the accessory building. The floor area of all accessory buildings on the lot shall not exceed 50% of the floor area of the principal structure.
- (3) Temporary buildings to be used for construction purposes only and which shall be removed upon completion or abandonment of construction work.
- (4) Field offices for the sale of real estate for the specified development which shall be used for temporary offices only, to be removed after sales are closed, and to be used on the site only. A building permit is required for the installation of a field office and shall be valid for a one (1) year period, renewable upon expiration if sales are still active.
- (5) Special Exceptions: Public Service Facility; Residential accessory uses in a vacant lot that is contiguous with a residential single family lot having a principal building under common ownership.
- (6) Rentals of less than 30 days are prohibited.

(B) *Height regulations.* No building shall exceed forty-five (45) feet, when measured vertically from the center line of the street to the highest point of the building.

(C) *Area regulations:*

(1) *Front yards:*

- (a) There shall be a front yard having a minimum depth of twenty-five (25) feet except all lots facing the Gulf of Mexico on the East side of Gulf Boulevard may have a front yard depth of no less than ten (10) feet from the lot line.
- (b) Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side yards:*

- (a) There shall be a side yard on each side of the lot having a clear width of not less than five (5) feet, including projections of the side of the building such as eaves, cornices, porches, stairways, carports, etc.
- (b) In all cases where the side yard is adjacent to a side street, the side yard shall not be less than ten (10) feet.
- (c) Where canals, bay front, beach front, and/or yacht basins occur at the side of lots, buildings may extend to the bulkhead abutting such canals, bay front, beach front, and/or yacht basins.

(3) *Rear yards:*

- (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line
- (b) Where canals, bayfront, beach front, and/or yacht basins occur at rear of lots, buildings may extend to the bulkhead.
- (c) Where canals and yacht basins occur at rear of lots, boathouses may extend twenty (20) feet into the water provided that the structure is less than twelve (12) feet in height, is open construction,

has no bathroom facilities and observes the sideyard set back as if the property lines were extended.

- (4) *Area of lot.* the minimum area of a lot shall be 5,000 square feet, except no person may replat any lot within Padre Beach Subdivision, Section XII that is Single-Family Residential (District "A") to cause it to be smaller than it was platted in the original subdivision plat.
- (5) *Width of lot.* The minimum width of a lot shall be fifty (50) feet.
- (6) *Depth of lot.* The minimum depth of a lot shall be one hundred (100) feet.
- (7) *Area of building.* The minimum area of a dwelling structure shall be 2,000 square feet in any lot in Block 192 and a minimum of 1,200 square feet in all other lots in the single family district. In the case of two or more stories, the area requirements shall apply to the ground floor.
- (8) *Sanitation.* There shall be no sewage disposal without water carriage. Chemical toilets may be erected on a temporary basis during construction only.
- (9) *Type of construction—Padre Beach Section XII.* All buildings erected on any portion of Padre Beach Section XII must be of masonry or reinforced concrete construction from the ground floor to the second floor living area. This, however, will not preclude the use of wood material for roof members, windows, doors and for decorative effects. For the purpose of this sub-section only, masonry may include the use of brick veneer.

(Ord. No. 96-05, 10-2-1996; Ord. No. 00-10, § 1, 8-2-2000)

Sec. 20-13. Setback area—Special regulations and uses.

- (A) *Setbacks—Area Not To Be Used.* No vertical structures or manufacture of any kind, temporary or permanent, or any types of goods, wares or merchandise of any kind, nor other property of any kind, will be placed within the setback requirements required by this code, except for fences, signs, trash pads, walks, linen cabinets as detailed in Section 20-13(E) below and retaining walls and the sideyard setback may have placed in it swimming pool equipment, trash pads, walks, shower pads and air conditioning equipment not to exceed first floor level. The rear yard setback may have placed in it a swimming pool and pool accessories that are limited to a hot tub, a spa, a pool slide, pool railings, water features, water pumps, swimming pool equipment and shower pads, provided those accessories are to be used solely by occupants of the dwelling(s) and their guests and shall not exceed 6.5 feet in height when located within 10 feet of a property line. The setback area shall be that portion of the property between a public right-of-way or lot line and the permissible building line for that piece of property.
- (B) *Determining Setback Requirements.* When determining the setback requirements for this Chapter, the setback lines for a structure will vary for different portions of that structure as it increases in height, thereby allowing stair stepping in determining the setback requirements. Each time a building reaches a height that requires an additional setback, only that portion of the building at that height must meet the additional setback, and the lower portions must only comply with the setback as applied to it
- (C) *Reserved.*
- (D) *Beach Lots—Rear Yard.* All buildings located East of Gulf Blvd. are not required to maintain a rear yard regardless of any provision in this Chapter to the contrary and may build the rear of their structure to the building line as established by the Attorney General of the State of Texas.
- (E) *Linen Cabinets.* Linen cabinets may be placed in the side and rear-yard setback areas with an approved Building Permit for such installation, under the following conditions:
- (1) Only within the "C", "C-2", "D" and "D-1" zoning districts.
 - (2) A minimum of a five (5) foot separation must exist between the linen cabinet and any structure, excluding fences.
 - (3) The receptacle must be anchored at or above the six (6) foot elevation and must be built and anchored to meet FEMA and windstorm standards for permanent structures.

(Ord. No. 98-03, Jan. 1998)



Marta Martinez <mmartinez@myspi.org>

Notice of Variance

1 message

Maurine Salas <mas@pellego.com>
To: "mmartinez@myspi.org" <mmartinez@myspi.org>

Wed, Nov 30, 2022 at 2:43 PM

To whom it may concern,

This is in regard to the notice of the proposed variance at [218 W Sunset Drive](#).

As I understand it there should be no structures built within the setback as per the City's Code of Ordinances. Also, nothing taller than 6.5 ft within 10 ft of the property line is allowed.

The structure they have built violates both of those regulations. The structure is twice that size and obstructs the view of the fireworks we had before. In my opinion, as a realtor, this affects my property value. The structure is also unsightly. I'm not sure what it is, maybe a chimenea, but it is definitely an eye sore. I also have concerns as to how the structure and its proximity to the shared fence/wall will weigh and wear on the wall over time.

If this is in fact a chiminea/stove/firepit I can't even imagine the amount of smoke it will emit when in use. As mentioned it is enormous!

Please take all of this into consideration when determining whether this will be permitted to stay. There will definitely be ongoing issues with neighbors unless it is removed. It also starts a precedent of build at will and ask for permission later that does not look good for the city.

Thank you for your time!

All the best
Maurine A. Salas
RE/MAX Elite
[103 S Garcia St](#)
[Port Isabel, TX 78578-4110](#)

p. [206.271.6091](tel:206.271.6091)

<https://www.zillow.com/profile/maurineasalas7/#reviews>

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

MEETING DATE: December 6, 2022

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION: to discuss a request by Gracie Gumbel property owner for a variance from Chapter 20 Zoning, Section 20-6 District "A" - Single family dwelling district, (C) Area regulations, (3) Rear yards, (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line, and Section 20-13 Setback area - Special regulations and uses as established in the City's Code of Ordinances. The applicant is requesting to keep a structure (fireplace) on the rear yard setback within the eight (8) feet utility easement located at 218 W. Sunset Drive. (Lot 17, Block 201, Fiesta Isle Subdivision (Padre Beach, Sec. XII)

ITEM BACKGROUND

The applicant applied for a construction of a BBQ pit on rear yard setback; application was denied by staff. The applicant constructed the structure (fireplace) on the rear yard setback within the eight (8) feet utility easement on Lot 17 Block 201, Fiesta Isle Subdivision (Padre Beach Subdivision, Section XII) without a permit. The applicant is requesting to keep the structure. The subject property is located on the north side of W. Sunset Drive and is zoned District "A" - Single family dwelling district.

Notice of variance request was placed in the Port Isabel/South Padre Island Press that ran on Thursday, November 24, 2022, and notices to property owners within two-hundred (200) feet of the subject property were mailed out on Thursday, November 17, 2022 informing them of the variance request.

Staff has received one (1) email against.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:

The Board should establish the hardship(s), if any, that would serve as justification for this request. Finances and/or mere inconvenience are insufficient based for the granting of a variance. Staff would also like to remind the Board that variances run with the property, not with the owner. So, should something happen to the structure that it is removed or destroyed, any variances granted would allow the owner to rebuild according to previously granted variances instead of bringing the new structure up to current code. Please remember to state for the record your reason(s) for denial, or the hardship(s) involved that allows(s) you to approve the applicant. Staff recommends denial.

Sec. 20-6. District "A"—Single family dwelling district.

(A) *Use regulations:*

- (1) Dwellings, one family.
- (2) Accessory buildings, including a private garage and bona fide servants' quarters, not for rent. When the accessory building is directly attached to the main building it shall be considered an integral part of the building. When the accessory building is attached to the main building by a breezeway, the breezeway may be considered a part of the accessory building. The floor area of all accessory buildings on the lot shall not exceed 50% of the floor area of the principal structure.
- (3) Temporary buildings to be used for construction purposes only and which shall be removed upon completion or abandonment of construction work.
- (4) Field offices for the sale of real estate for the specified development which shall be used for temporary offices only, to be removed after sales are closed, and to be used on the site only. A building permit is required for the installation of a field office and shall be valid for a one (1) year period, renewable upon expiration if sales are still active.
- (5) Special Exceptions: Public Service Facility; Residential accessory uses in a vacant lot that is contiguous with a residential single family lot having a principal building under common ownership.
- (6) Rentals of less than 30 days are prohibited.

(B) *Height regulations.* No building shall exceed forty-five (45) feet, when measured vertically from the center line of the street to the highest point of the building.

(C) *Area regulations:*

(1) *Front yards:*

- (a) There shall be a front yard having a minimum depth of twenty-five (25) feet except all lots facing the Gulf of Mexico on the East side of Gulf Boulevard may have a front yard depth of no less than ten (10) feet from the lot line.
- (b) Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side yards:*

- (a) There shall be a side yard on each side of the lot having a clear width of not less than five (5) feet, including projections of the side of the building such as eaves, cornices, porches, stairways, carports, etc.
- (b) In all cases where the side yard is adjacent to a side street, the side yard shall not be less than ten (10) feet.
- (c) Where canals, bay front, beach front, and/or yacht basins occur at the side of lots, buildings may extend to the bulkhead abutting such canals, bay front, beach front, and/or yacht basins.

(3) *Rear yards:*

- (a) There shall be a rear yard having a depth of not less than twenty (20) feet from the rear lot line
- (b) Where canals, bayfront, beach front, and/or yacht basins occur at rear of lots, buildings may extend to the bulkhead.
- (c) Where canals and yacht basins occur at rear of lots, boathouses may extend twenty (20) feet into the water provided that the structure is less than twelve (12) feet in height, is open construction,

has no bathroom facilities and observes the sideyard set back as if the property lines were extended.

- (4) *Area of lot.* the minimum area of a lot shall be 5,000 square feet, except no person may replat any lot within Padre Beach Subdivision, Section XII that is Single-Family Residential (District "A") to cause it to be smaller than it was platted in the original subdivision plat.
- (5) *Width of lot.* The minimum width of a lot shall be fifty (50) feet.
- (6) *Depth of lot.* The minimum depth of a lot shall be one hundred (100) feet.
- (7) *Area of building.* The minimum area of a dwelling structure shall be 2,000 square feet in any lot in Block 192 and a minimum of 1,200 square feet in all other lots in the single family district. In the case of two or more stories, the area requirements shall apply to the ground floor.
- (8) *Sanitation.* There shall be no sewage disposal without water carriage. Chemical toilets may be erected on a temporary basis during construction only.
- (9) *Type of construction—Padre Beach Section XII.* All buildings erected on any portion of Padre Beach Section XII must be of masonry or reinforced concrete construction from the ground floor to the second floor living area. This, however, will not preclude the use of wood material for roof members, windows, doors and for decorative effects. For the purpose of this sub-section only, masonry may include the use of brick veneer.

(Ord. No. 96-05, 10-2-1996; Ord. No. 00-10, § 1, 8-2-2000)

Sec. 20-13. Setback area—Special regulations and uses.

- (A) *Setbacks—Area Not To Be Used.* No vertical structures or manufacture of any kind, temporary or permanent, or any types of goods, wares or merchandise of any kind, nor other property of any kind, will be placed within the setback requirements required by this code, except for fences, signs, trash pads, walks, linen cabinets as detailed in Section 20-13(E) below and retaining walls and the sideyard setback may have placed in it swimming pool equipment, trash pads, walks, shower pads and air conditioning equipment not to exceed first floor level. The rear yard setback may have placed in it a swimming pool and pool accessories that are limited to a hot tub, a spa, a pool slide, pool railings, water features, water pumps, swimming pool equipment and shower pads, provided those accessories are to be used solely by occupants of the dwelling(s) and their guests and shall not exceed 6.5 feet in height when located within 10 feet of a property line. The setback area shall be that portion of the property between a public right-of-way or lot line and the permissible building line for that piece of property.
- (B) *Determining Setback Requirements.* When determining the setback requirements for this Chapter, the setback lines for a structure will vary for different portions of that structure as it increases in height, thereby allowing stair stepping in determining the setback requirements. Each time a building reaches a height that requires an additional setback, only that portion of the building at that height must meet the additional setback, and the lower portions must only comply with the setback as applied to it
- (C) *Reserved.*
- (D) *Beach Lots—Rear Yard.* All buildings located East of Gulf Blvd. are not required to maintain a rear yard regardless of any provision in this Chapter to the contrary and may build the rear of their structure to the building line as established by the Attorney General of the State of Texas.
- (E) *Linen Cabinets.* Linen cabinets may be placed in the side and rear-yard setback areas with an approved Building Permit for such installation, under the following conditions:
- (1) Only within the "C", "C-2", "D" and "D-1" zoning districts.
 - (2) A minimum of a five (5) foot separation must exist between the linen cabinet and any structure, excluding fences.
 - (3) The receptacle must be anchored at or above the six (6) foot elevation and must be built and anchored to meet FEMA and windstorm standards for permanent structures.

(Ord. No. 98-03, Jan. 1998)



Marta Martinez <mmartinez@myspi.org>

Notice of Variance

1 message

Maurine Salas <mas@pellego.com>
To: "mmartinez@myspi.org" <mmartinez@myspi.org>

Wed, Nov 30, 2022 at 2:43 PM

To whom it may concern,

This is in regard to the notice of the proposed variance at [218 W Sunset Drive](#).

As I understand it there should be no structures built within the setback as per the City's Code of Ordinances. Also, nothing taller than 6.5 ft within 10 ft of the property line is allowed.

The structure they have built violates both of those regulations. The structure is twice that size and obstructs the view of the fireworks we had before. In my opinion, as a realtor, this affects my property value. The structure is also unsightly. I'm not sure what it is, maybe a chimenea, but it is definitely an eye sore. I also have concerns as to how the structure and its proximity to the shared fence/wall will weigh and wear on the wall over time.

If this is in fact a chiminea/stove/firepit I can't even imagine the amount of smoke it will emit when in use. As mentioned it is enormous!

Please take all of this into consideration when determining whether this will be permitted to stay. There will definitely be ongoing issues with neighbors unless it is removed. It also starts a precedent of build at will and ask for permission later that does not look good for the city.

Thank you for your time!

All the best
Maurine A. Salas
RE/MAX Elite
[103 S Garcia St](#)
[Port Isabel, TX 78578-4110](#)

p. [206.271.6091](tel:206.271.6091)

<https://www.zillow.com/profile/maurineasalas7/#reviews>

5

s



July 6, 2022
218 W. Sunset Drive

Zoning: (A)

1. No structure allowed within utility easements.
2. The minimum rear setback is 20'.
3. Per Ordinance 20-13(A): No vertical structures or manufacture of any kind, temporary or permanent, or any types of goods, wares or merchandise of any kind, nor other property of any kind, will be placed within the setback requirements required by this code, except for fences, signs, trash pads, walks, linen cabinets as detailed in [Section 20-13\(E\)](#) below and retaining walls and the sideyard setback may have placed in it swimming pool equipment, trash pads, walks, shower pads and air conditioning equipment not to exceed first floor level. The rear yard setback may have placed in it a swimming pool and pool accessories that are **limited** to a hot tub, a spa, a pool slide, pool railings, water features, water pumps, swimming pool equipment and shower pads, provided those accessories are to be used solely by occupants of the dwelling(s) and their guests and shall not exceed 6.5 feet in height when located within 10 feet of a property line. The setback area shall be that portion of the property between a public right-of-way or lot line and the permissible building line for that piece of property.

Please submit the revised items to spi-permits@myspi.org and feel free to contact me or staff for any guidance or clarification on any of the above mentioned items. Other City departments may still be reviewing the plans any will get back to you as soon as possible.

Regards



C. Alejandro Sanchez, P.E., CFM
Public Works Director/City Engineer

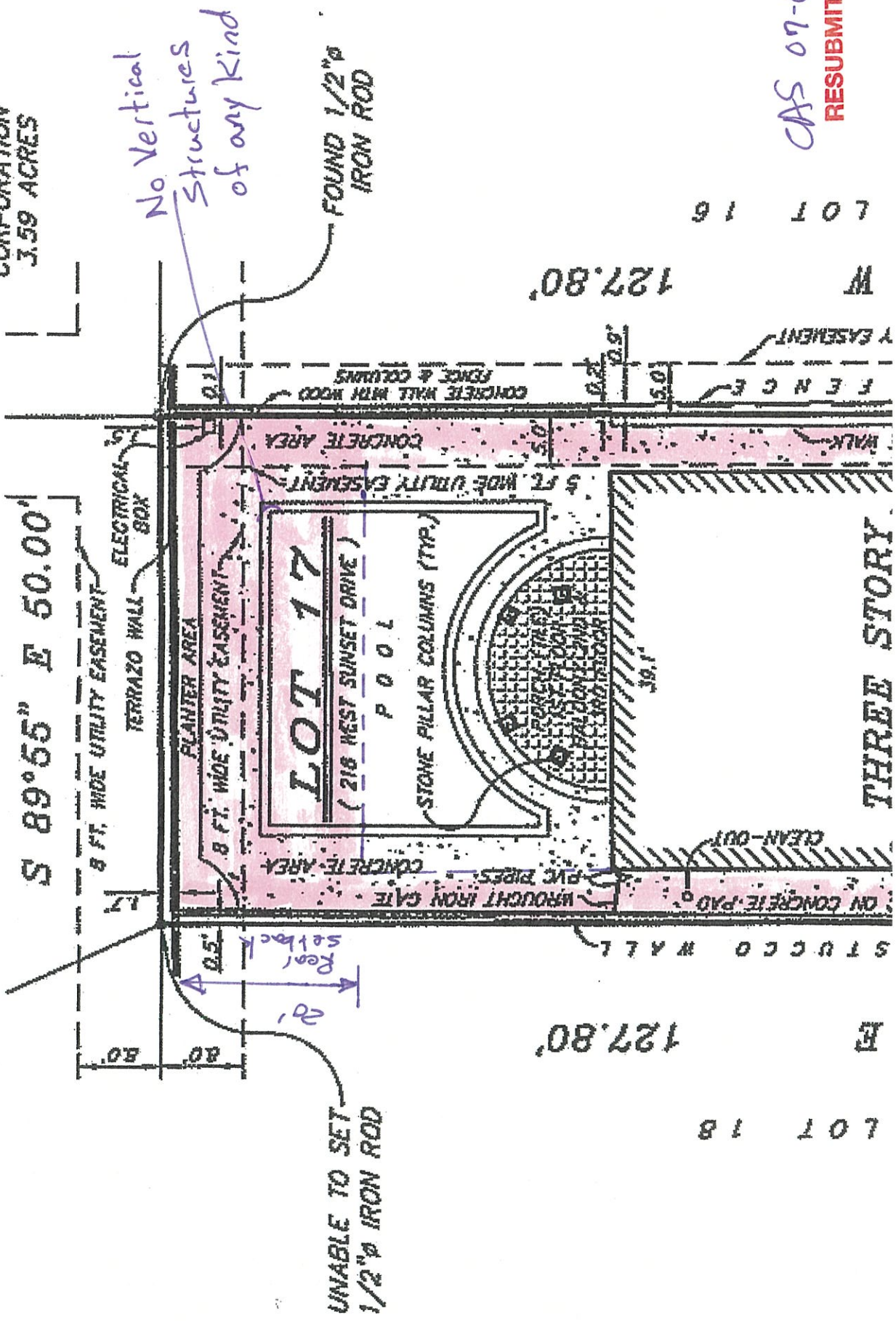
BAY HARBOR SUBDIVISIONS PHASE I
(CABINET 1 PAGE 1865-B)

SOUTH TEXAS
HOUSING
DEVELOPMENT
CORPORATION
3.59 ACRES

MER.
PAD
SEC

LOT 9 LOT 10

S 89°55" E 50.00'



LOT 9

UNABLE TO SET
1/2" IRON ROD

127.80'

LOT 18

127.80'

LOT 16

THREE STORY

CAS 07-06-2022
RESUBMIT

City of South Padre Island
Building Permit Application



Proposed Work Site: email application to: spi-permits@myspi.org

PHYSICAL ADDRESS: 218 W. Sunset Dr. LEGAL DESCRIPTION:

Property Owner Information:
 Name: GRACIE B. Gumbel
 Mailing Address: 218 W. Sunset Dr
 City, State, Zip: SPI Brownsville TX 78597
 Phone Number: 956 579-2093 *
 Fax Number: _____
 E:mail Address: G1Przaldia@gmail.com
 Cost/Improvement Value\$ \$ 3,500⁰⁰
 (Excluding residential structures, additions and remodels)

Contractor Information:
 Name: Self GRACIE B Gumbel
 Mailing Address: 218 W. Sunset Dr
 City, State, Zip: SPI, TX 78597
 Phone Number: 956-579-2093
 Fax Number: _____
 E:mail Address: G1Przaldia@gmail.com
 Contractor Signature: [Signature]
 Date: 6/21/22

TDLR Registration No. _____

License & Permit Bond Yes No (if No, one is required)

PLEASE NOTE: A Beach & Dune Permit is required for properties located east of Gulf Blvd, a Building Permit cannot be issued until the B&D Permit has been approved & issued first.

TYPE OF CONSTRUCTION

- Development Change of Occupancy / Use
 New Addition Remodeling Repair Demolition Move

Building Height: _____ Square footage _____ # Floors _____ # Parking Spaces _____
 Lot Square Feet _____ Lot Front _____ Floor Elevation Above Curb _____
 Floor area per story: First _____ Second _____ Third _____ Other _____
 Lot Existing Use _____ New Use _____

List other Permits that will be required finishing a uncompleted outdoor chimney w/ counter top. (it was started before we bought 2020)

OTHER WORK BEING DONE BESIDES NEW CONSTRUCTION _____

Received

FLOOD HAZARD (All zones considered Flood Hazard)

Special Flood Hazard Area (SFHE) including Base Flood Elevation (BFE) _____
 New and Substantial Improvements - Lowest floor elevation in relation to mean sea level _____
 Flood proofing - Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed: 1141 1 2022

Residential Use Only:

No. of Units _____, Bedrooms _____, Bathrooms _____, Sq. Feet non-Living _____, Sq. Feet Living _____

City of South Padre Island
Inspections Department

OTHER

FOUNDATION	EXT. WALL	ROOF	SPECIAL CONDITION
<input type="checkbox"/> Concrete slab on pilings	<input type="checkbox"/> Masonry Veneer	<input type="checkbox"/> Wood Shingle	<input type="checkbox"/> Public Sidewalk
<input type="checkbox"/> Concrete pier	<input type="checkbox"/> Masonry Solid	<input type="checkbox"/> Composition	<input type="checkbox"/> Corner Lot
<input type="checkbox"/> Wood pier & beam	<input type="checkbox"/> Metal Siding	<input type="checkbox"/> Metal	<input type="checkbox"/> Cul De Sac
	<input type="checkbox"/> Composition	<input type="checkbox"/> Build Up	<input type="checkbox"/> B&D Conditions
	<input type="checkbox"/> Wood		<input type="checkbox"/> Other

NOTICE: Separate Permits are required for Electrical, Plumbing, Heating, Ventilating or Air Conditioning. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 6 months at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.



Customer Feedback Form

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-6456
Fax: (956) 761-3888

Date: 6/16/22 Time of Occurrence: _____ For Department / Division: Building

This is a:	
<input type="checkbox"/> Comment	<input type="checkbox"/> Compliment
<input type="checkbox"/> Suggestion	<input checked="" type="checkbox"/> Complaint

Nature of Feedback				
<input type="checkbox"/> Drainage	<input type="checkbox"/> Health	<input type="checkbox"/> Street	<input type="checkbox"/> Right-of-Way Street	<input type="checkbox"/> Sign Repair
<input type="checkbox"/> Garbage/Litter	<input type="checkbox"/> Water	<input type="checkbox"/> Public Safety Issue	<input type="checkbox"/> Street Light	<input type="checkbox"/> Personnel
<input type="checkbox"/> Sewer	<input type="checkbox"/> Traffic	<input type="checkbox"/> Vacant Lot	<input type="checkbox"/> Welcome Center	<input type="checkbox"/> Convention Centre
<input type="checkbox"/> Dog Complaint	<input type="checkbox"/> Customer Service	<input type="checkbox"/> Weedy Lot	<input type="checkbox"/> Noise/Disturbance	<input checked="" type="checkbox"/> Other

Customer Information				
Your Name:	<u>Jeanne Hines</u>			
Address:	<u>220 W Sunset DR</u>			
City:	<u>SPI</u>	Country:	<u>Cameron</u>	State: <u>TX</u> Zip: <u>78597</u>
E-mail:	<u>jayhines2218@gmail.com</u>		Phone:	<u>206-409-8382</u>

Comments
<p><u>Next door neighbors at 218 W Sunset are in the process of building a structure in their backyard that is approximately 4 ft above the dividing wall and when completed will be not only be a view obstruction but could possibly be damaging to property or persons if a strong wind comes through.</u></p>



SAN JUAN 956-312-4473







September 21, 2022
218 W. Sunset Drive

Zoning: (A)

1. No structure allowed within utility easements. **Remove structure within 30 days.**
2. The minimum rear setback is 20'.
3. Per Ordinance 20-13(A): No vertical structures or manufacture of any kind, temporary or permanent, or any types of goods, wares or merchandise of any kind, nor other property of any kind, will be placed within the setback requirements required by this code, except for fences, signs, trash pads, walks, linen cabinets as detailed in [Section 20-13\(E\)](#) below and retaining walls and the sideyard setback may have placed in it swimming pool equipment, trash pads, walks, shower pads and air conditioning equipment not to exceed first floor level. The rear yard setback may have placed in it a swimming pool and pool accessories that are **limited** to a hot tub, a spa, a pool slide, pool railings, water features, water pumps, swimming pool equipment and shower pads, provided those accessories are to be used solely by occupants of the dwelling(s) and their guests and shall not exceed 6.5 feet in height when located within 10 feet of a property line. The setback area shall be that portion of the property between a public right-of-way or lot line and the permissible building line for that piece of property.

Please submit the revised items to spi-permits@myspi.org and feel free to contact me or staff for any guidance or clarification on any of the above mentioned items. Other City departments may still be reviewing the plans any will get back to you as soon as possible.

Regards

C. Alejandro Sanchez, P.E., CFM
Public Works Director/City Engineer

CITY OF SOUTH PADRE ISLAND
BUILDING INSPECTIONS DIVISION
REVISIONS REQUIRED LISTING
(956) 761-6456



Date: 9/20/2022

RE: Addition of BBQ Pit

Address: 218 W. Sunset

We have reviewed the construction documents submitted for the address above and found the following items in need of clarification, correction, and/or completion prior to complete review/issuance of building permit.

Note: The following items have been reviewed under the 2018 International Residential Building Codes and the City of South Padre Island Ordinances. These items reflect plan review from the Building Inspections Division only, other departments may require additional information.

REVISIONS REQUIRED

1.	Show the location of the BBQ Pit on the actual survey
2.	Based on pictures owner submitted, the BBQ Pit seems to be located on a utility easement. No structures of any kind shall be located on easements.

Please contact Building Inspections Division with any questions on the items listed above.

Sincerely,

George Martinez

George Martinez
Building Official



BUILDING PERMIT APPLICATION

City of South Padre Island
4601 Padre Boulevard
South Padre Island, TX 78597
(956) 761-8104

email application to: spi-permits@myspi.org

PLEASE PRINT OR TYPE - APPLICATION MUST BE COMPLETE

Project Address: 218 W. Sunset Dr Unit:

Legal Description: So Padre Is Fiesta Isles Lot 17 Blk 201

Lot 17 Block 201 Subdivision

Property Owner: Grace B. Gumbel

Email: G1Pazaldug@gmail.com Phone: (956) 579-2093

Address: 218 W. Sunset Dr City: SPT State: TX Zip: 78597

Contractor: YEHUDA AZOULAY

Email: QUEPADRE@LIVE.COM Phone: (956) 571-8273

Address: 1314 PADRE BLV City: SOUTH PADRE State: TX Zip: 78592

APPLICANT

PERMIT TYPE

- Permit type options: New, Addition, Remodel, Repair, Change of Occupancy/Use, Swimming Pool, Sign, Driveway, Re-Roof, Development, Irrigation System, Demolition, Fence, Other

Type of work to be done/Description: Finish construction of Blue Pt

RESIDENTIAL & COMMERCIAL

Building Height, No. of Floors, Lot Dimensions, Linear Feet

Bldg Sq. Ft., No. Parking Spaces, Sq. Ft. Lot, Floor Elevation Above Curb

Existing Use of Lot, New Use, Improvement Value \$

No. of Units, No. of Bedrooms, No. of Bathrooms, Non-Living

Sq. Ft. Living, Sq. Ft. Garage, Sq. Ft. Patio, Sq. Ft. Driveway

Received

FLOOD HAZARD (All zones considered Flood Hazard)

SEP 20 2022

Special Hazard Area (SFHE) including Base Flood Elevation (BFE). New and Substantial Improvements - Lowest floor elevation in relation to mean sea level Flood proofing - Elevation in relation to mean sea level to which any non-residential structure shall be floodproofed.

City of South Padre Island Inspections Department

NOTICE: Separate Permits are required for Electrical, Plumbing, Heating, Ventilating or Air Conditioning. This Permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 6 months at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Authorized Agent/Owner Signature: Grace B. Gumbel Date: 9/17/21 Authorized Agent/Owner Print Name

FOR CITY OF SOUTH PADRE ISLAND USE ONLY

Received By: Date: Time:

Permit Fee \$ Double Fee \$

BUILDING DEPT. APPROVED APPROVED W/CONDITIONS RE-SUBMIT
ADDRESS 218 W Sunset Dr LOT 17 BLOCK 201

EABPRJA/B # _____ Zoning _____ ResCheck ComCheck
 Manual J

Foundation _____ Ext. Wall _____ Roof _____

Occupancy Group _____ Type of Use _____ Occupant Load _____

Type of Const _____ Asbestos Survey Condemned Structure

RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

Comments Attached

[Signature]
SIGNATURE

9/20/22
DATE

PLANNING APPROVED APPROVED W/CONDITIONS RE-SUBMIT

Zoning "A" Single Family Setback Front 25 Side 5 Rear 20

Replat _____ RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

- Setbacks?
- Accessory structure allowed?
- Utility Easement

Comments Attached

[Signature]
SIGNATURE

09-20-2022
DATE

PUBLIC WORKS APPROVED APPROVED W/CONDITIONS RE-SUBMIT

Grading and Drainage Plan Erosion and Sediment Control Plan Engineering Site Plan
 Development Plan / Master Flood Hazard Prevention

RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

Comments Attached

SIGNATURE

DATE

FIRE DEPT. APPROVED APPROVED W/CONDITIONS RE-SUBMIT

Fire Sprinkler System Fire Alarm System

RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

Comments Attached

SIGNATURE

DATE

HEALTH APPROVED APPROVED W/CONDITIONS RE-SUBMIT

RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

Comments Attached

SIGNATURE

DATE

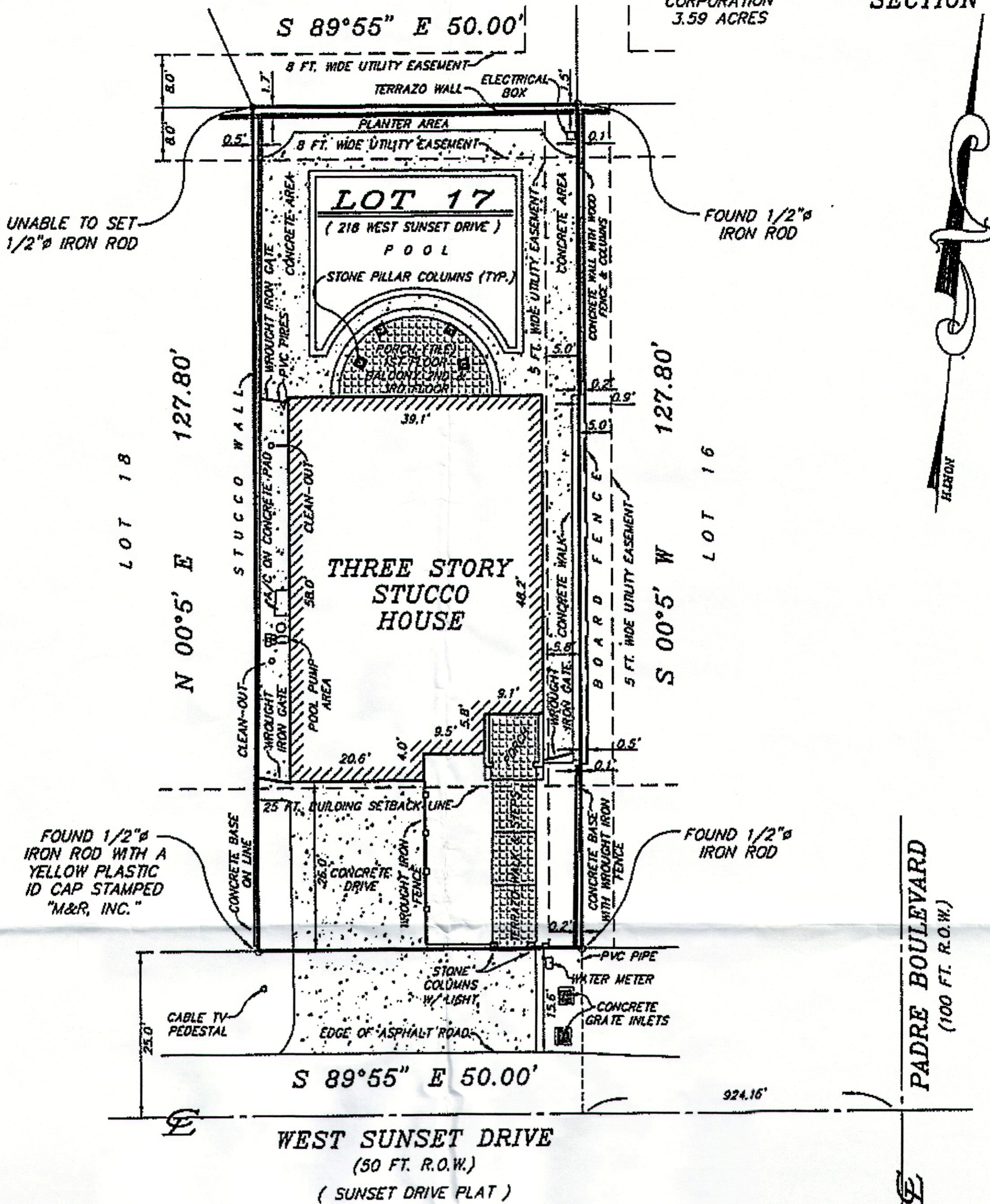
SHORELINE APPROVED APPROVED W/CONDITIONS RE-SUBMIT

RE-SUBMIT _____ | _____ | _____
DATE DATE DATE

Comments Attached

SIGNATURE

DATE



NOTES:

1. HELD MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF WEST SUNSET DRIVE FOR BASIS OF BEARING.
2. THIS TRACT LIES IN ZONE "AE" (2-8) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0001 D, EFFECTIVE MARCH 9, 1999.
3. THIS PROPERTY IS SUBJECT TO RESTRICTION AS SHOWN IN VOLUME 17, PAGE 43, MAP RECORDS CAMERON COUNTY, TEXAS.
4. EASEMENT AND RIGHT OF WAY GRANTED TO AEP TEXAS CENTRAL COMPANY, A TEXAS CORPORATION, BY EYAL, INC., A TEXAS CORPORATION, DATED MAY 12, 2006, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF CAMERON COUNTY, TEXAS IN VOLUME 12778, PAGE 39, OFFICIAL RECORDS, CAMERON COUNTY, TEXAS.
5. SOME IMPROVEMENTS ALONG THE BOUNDARY LINES HAVE BEEN EXAGGERATED FOR CLARITY PURPOSES AND ARE NOT TO SCALE.
6. THIS SURVEY IS THE PROPRIETARY WORK PRODUCT OF VASQUEZ SURVEYING INC. USE OF THIS SURVEY OTHER THAN THE ENTITY FOR WHICH IT WAS SURVEYED FOR, IS STRICTLY PROHIBITED. REPRODUCTION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF VASQUEZ SURVEYING, INC. WILL BE SUBJECT TO CLAIMS AND DAMAGES.
7. ALL IRON RODS SET HAVE A YELLOW PLASTIC ID CAP STAMPED "VASQUEZ CO RPLS 5739"

SURVEY OF

LOT SEVENTEEN (17), BLOCK TWO HUNDRED ONE (201), FIESTA ISLES, PADRE BEACH SECTION XII. AN ADDITION TO THE TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGE 43. MAP RECORDS, CAMERON COUNTY, TEXAS.

SURVEYED FOR:

William D. Fowler and Karen L. Fowler

SCALE: 1" = 20'

The undersigned hereby certifies that the survey described hereon was made on the ground on February 8, 2017; that the only improvements on the ground are as shown; that there are no visible encroachments, visible overlappings, apparent conflicts, or visible easements except as shown hereon. THIS CERTIFICATION IS ONLY VALID WITH AN ORIGINAL SIGNATURE AND IF THE DRAWING CONTAINS NO ERASURES OR ADDITIONS.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5739

THE DIMENSIONS SHOWN ON THE BUILDING FOOTPRINT HAVE BEEN ROUNDED OFF TO THE NEAREST TENTH OF A FOOT.
ALL DIMENSIONS ARE IN DECIMAL OF A FOOT UNLESS OTHERWISE NOTED.

VASQUEZ SURVEYING INC.
FIRM NO. 10084100
4000 BOCA CHICA BLVD.
BROWNSVILLE, TEXAS 78521
Phone: (956) 541-9826 Cell: (956) 466-9680
Fax: (956) 544-4177
G.F. No. 2017-0070 JOB No. 17.4191

MERJ
PADR
SEC

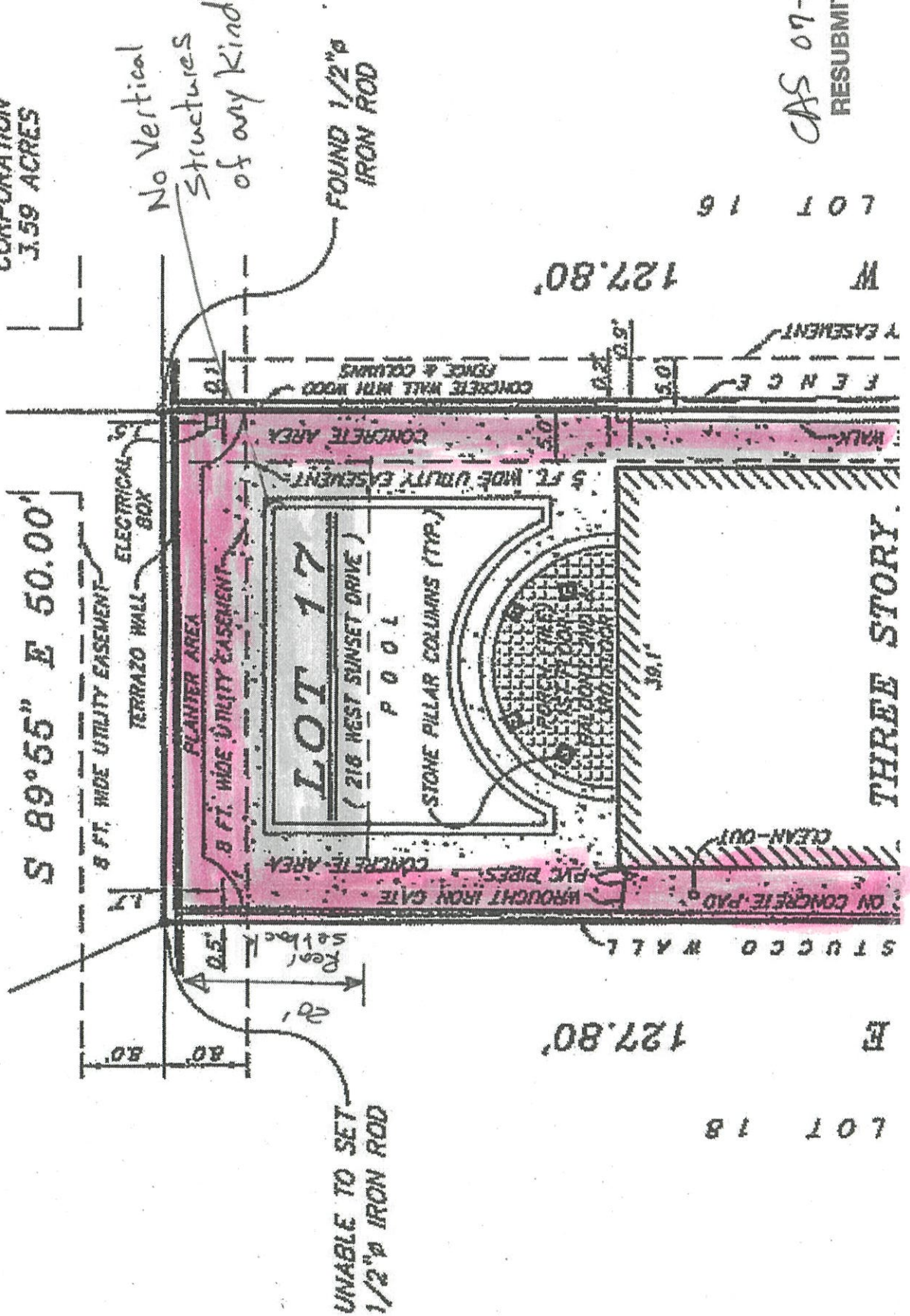
SOUTH TEXAS
HOUSING
DEVELOPMENT
CORPORATION
3.59 ACRES

BAY HARBOR SUBDIVISIONS PHASE I
(CABINET I PAGE 1865-B)

LOT 9

LOT 10

S 89°55" E 50.00'



CAS 07-06-2022
RESUBMIT

LOT 16

THREE STORY

127.80'

LOT 18

