

**NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT
JUNE 21, 2022
6:00 p.m.**

NOTICE IS HEREBY GIVEN THAT THE MANVEL ZONING BOARD OF ADJUSTMENT WILL MEET AT 6:00 P.M. THE MEETING WILL BE HELD IN THE MANVEL CITY HALL LOCATED AT 20031 HWY 6, MANVEL TEXAS. THIS MEETING IS TO CONSIDER AND IF APPROPRIATE, TAKE ACTION WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETER SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY AT 281-489-0630 FOR FURTHER INFORMATION.

CALL TO ORDER

ROLL CALL

Present

Not Present

- Pos # 1 George Collins 6/2022
- Pos # 2 Ronald Keels 6/2022-6/2024
- Pos # 3 Mary Ann Atkinson 6/2022-6/2024
- Pos # 4 Raf Lopez 6/2022-6/2024
- Pos # 5 Kim Bickham 6/2022-6/2024

PLEDGE

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

PUBLIC COMMENTS: "COMMENT CARD" REQUIRED

- o Any Member of the public with business before the Board, NOT scheduled on the agenda as a public hearing (that has submitted a public comment card) may have three (3) minutes to address the Board.
- o The Board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

PUBLIC HEARING

TO HEAR INPUT FROM THE PUBLIC REGARDING A ZONING VARIANCES TO CHAPTER 77, ZONING, SECTION 77-27 (B) (1), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT SIZE; CHAPTER 77, SECTION 77-27 (B) (2), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT WIDTH; CHAPTER 77, SECTION 77-27 (C) (1), SETBACKS, MINIMUM, CITY OF MANVEL, BY VARYING THE PRINCIPAL STRUCTURE MINIMUM FRONT YARD SETBACK; AND CHAPTER 77, SECTION 77-27 (C) (2), SETBACKS, MINIMUM, BY VARYING THE ACCESSORY STRUCTURE MINIMUM SIDE YARD SETBACK IN OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) ZONING DISTRICT FOR 24,360 SQUARE FEET (0.5592 ACRES) OF LAND LOCATED AT 5430 NORTH MASTERS ROAD, BEING A TRACT OF LAND CONTAINING 0.5592 ACRE (24,360 SQUARE FEET) BEING A PART OF THE TEXAS PIPELINE COMPANY'S 2.005 ACRE TRACT KNOWN AS ITS MANVEL COTTAGE LOT NUMBER 54, SUBDIVISION "E", SUBURBAN GARDENS SUBDIVISION, H.N. LITTLE SURVEY,

ABSTRACT 319, BRAZORIA COUNTY, TEXAS, PROVIDING FOR VARIANCES TO MINIMUM LOT SIZE, MINIMUM LOT WIDTH, MINIMUM PRINCIPAL STRUCTURE FRONT YARD SETBACK, AND MINIMUM ACCESSORY STRUCTURE SIDE YARD SETBACK IN THE OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) ZONING DISTRICT FROM THE CITY'S ZONING ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.


NEW BUSINESS

1. **Consideration and possible action to approve multiple variances for property located at 5430 Masters Road in the Open-Single Family Residential (O-SFR) District;
VARIANCE TO CHAPTER 77, ZONING, SECTION 77-27
(B) (1), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT SIZE;
(B) (2), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT WIDTH;
(C) (1), SETBACKS, MINIMUM, CITY OF MANVEL, BY VARYING THE PRINCIPAL STRUCTURE MINIMUM FRONT YARD SETBACK;
AND
(C) (2), SETBACKS, MINIMUM, BY VARYING THE ACCESSORY STRUCTURE MINIMUM SIDE YARD SETBACK IN OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) ZONING DISTRICT**
2. **Acceptance of the meeting minutes to date.**

ADJOURNMENT

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel Zoning Board of Adjustment is true and correct; and that I posted such notice on the bulletin board at the Manvel City Hall. A place convenient and readily accessible to the public on June 17, 2022 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et. seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



ZONING VARIANCE

Address: 5430 Masters Road
Legal Description: see Public Hearing Notice
Applicant/Representative: Renae Velasquez
Property Owner: Valiant Investment Properties, Inc.
Current Zoning: Open-Single Family Residential (O-SFR)
Request: Zoning variance to minimum lot area, minimum lot width, minimum principal structure front yard setback, and minimum accessory structure side yard setback requirements in the O-SFR zoning district
Applicable Land Use Regulations: Section 77-27 (b) (1), Section 77-27 (b) (2), Section 77-27 (c) (1), and Section 77-27 (c) (2)
Exhibits: Zoning Vicinity Map, Site Photographs, Property Survey, Aerial Map, Major Thoroughfare Map, Application, Applicant Authorization Letter, and Public Hearing Notice
Submitting Staff: Jessica Rodriguez Director of Development Services jrodriguez@cityofmanvel.com

Executive Summary

The property owner is requesting multiple variances for a property located at 5430 Masters Road in the Open-Single Family Residential (O-SFR) District. The property is approximately 24,360 square feet or 0.56 acres. The requested variances, if granted will:

- Decrease the required minimum lot size from 1 acre to 0.5592 acres or 24,360 square feet
- Decrease the minimum lot width from 120-feet to 116-feet
- Decrease the minimum front yard setback for a principal structure from 20-feet to 15.2-feet
- Decrease the minimum side yard setback for accessory structure from 10-feet to 5.8-feet

Site Location



Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



Staff Report

Variance Criteria

Manvel Code of Ordinances, Chapter 77, Zoning, Article III, Administration

Section 77-73., Zoning Board of Adjustment/Zoning Official and Section 77-74., Variances

After a public hearing consisting of 75% of the Zoning Board of Adjustment members, the Board shall place a concurring vote of 75% of the Board members to authorize a variation from the terms of a zoning ordinance. The Zoning Board of Adjustment shall not grant a variance unless it shall in each case, make specific written findings based directly upon the particular evidence presented to it which support written conclusions that:

- (1) The granting of a variance is necessary to secure appropriate development of a parcel of land which differs from other parcels in the zone by being of such restricted area, shape or slope that it cannot be appropriately developed without modification;
- (2) The granting of a variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being or substantially diminish or impair property values within the neighborhood; and
- (3) The variance desired will not be contrary to the general purpose and intent of these regulations.

H.B. 1475 (effective September 1, 2021)

Allows an additional criterion to the three mentioned above, where by the ZBA can consider if “other matters” are in compliance with the City’s zoning ordinance. The items include:

- (1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the accessor for the municipality under Section 26.01. Tax Code;
- (2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- (3) Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) Compliance would result in unreasonable encroachment on an adjacent property or easement; or
- (5) The municipality considers the structure to be a nonconforming structure.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



Overview

The property is located at 5430 Masters Road with approximately 24,360 square feet 0.5592 acres of land. The property is owned by Valiant Investment Properties, Inc. and zoned Open-Single Family Residential (O-SFR) district. The applicant/property owner does not live at 5430 Masters Road. The site currently has an existing home and detached garage on the property. According to Brazoria County Central Appraisal District (BCAD), the home and garage were constructed in 1943. This property has not been platted and would be required to do so in order to improve the structures on site. The applicant would like to redevelop the property and install a new septic system on site in order to sell the home and property. At this time, City of Manvel utility services are not extended to serve this property. The property survey that was provided shows a total lot acreage of 24,360 square feet (0.5592 acres) and a total lot frontage width of 116-feet, both of which are less than the required dimensions to be in conformance with O-SFR district requirements. The O-SFR zoning requires a minimum lot size of one acre and a minimum lot width of 120-feet (road frontage). Additionally, an accessory structure for the home is shown to be set back from the side property line at 5.8-feet, which is less than the required 10-feet. The O-SFR zoning requires a minimum of 10-foot side yard setback for accessory structures.

Because the property is being proposed for redevelopment (or substantial improvement), a plat is required to improve the existing structure. Part of the platting process, requires additional right-of-way dedication for roads (Section 62-41 (b) (13)). In this case, Masters Road is identified as a 'parkway' on the City's Major Thoroughfare Plan. A Parkway requires a minimum right-of-way width of 120-feet. The survey submitted by the applicant indicates the existing Masters Road right-of-way is 80-feet. The property owner is required to dedicate 20-feet of right-of-way for Masters Road from the existing front property line boundary. The 20-foot right-of-way dedication will move the property line 20-feet; thus, the principal structure will now be 15.2 feet from the new front property line. The O-SFR zoning district requires a minimum 25-foot front yard setback. The Masters Road right-of-way dedication will now encroach upon the principal structure's front yard setback by 9.8-feet. Accordingly, the property owner has requested a variance to the principal structure front yard setback of 25-feet due to redevelopment.

The property located at 5430 Masters Road does not have access to City of Manvel utilities. In order to have water and septic utilities, the site must have a well water and septic system. According to Texas Commission on Environmental Quality (TCEQ), one-half acre is required for a septic system permit (spray field) and one-half acre is required for a well water permit. Generally, new permits approved by TCEQ do not permit well water and septic system permits where a property is less than one-acre in order to provide proper spacing between both systems. The property has an existing septic and well water system. The applicant has stated the existing septic system cannot be certified, but the well water has been certified for use. The applicant has stated they are proposing a septic drip system that can be successfully implemented within the acreage limitations. However, it should be noted that septic drip systems do not perform well in the clay soil type in Manvel (and Houston area). The septic system primarily used by property owners is a septic system with a spray field.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



Further, a home add-on remodel permit was submitted to the Permits Department on January 31, 2022. The permit application was submitted to construct a 10-foot by 24-foot addition to the rear of the home for a bedroom and utility room to the existing structure. During the plan review process, a plan review letter was submitted to the property owner indicating the existing structures have a zoning compliance issues. At that point, the plan review process was halted and a meeting was scheduled for the property owner and City staff. During this time period, the property owner began performing work on the existing home without permits (*see Site Photographs Section of this report*). The work performed on the existing residence included the removal of siding, walls gutted to the studs, flooring removed, and electrical work performed. The work was done without permits, walls and flooring were removed without an asbestos report or approved plans, and electrical work performed without a Master Electrician. The City staff met with the property owners on March 17, 2022, to discuss options to redevelop the site. Staff made a few suggestions that included:

1. The property owner moves the existing structures so that they would not interfere with the O-SFR zoning district's front yard and side yard setbacks. But zoning variances to lot area and lot width would still be required.
2. The property owner applies to rezone the property to Single-Family Residential (SFR) or Highway Mixed Use (HMU) and moving the existing structures. In both zoning districts, the lot area and lot width requirements would be met for the existing lot.

The applicant declined proposed solutions presented by City staff and opted to file four variance requests on April 27, 2022.

Staff Recommendation

City staff recommends denial of variance requests to Section 77-27 (b) (1), Section 77-27 (b) (2), Section 77-27 (c) (1), and Section 77-27 (c) (2) of the *Manvel Code of Ordinances* for 24,360 square feet (0.5592 acres) of land located at 5430 Masters Road based on the following variance criteria:

- Section 77-27 (b) (1) states, "The minimum lot area is one acre".
 1. *The granting of a variance is necessary to secure appropriate development of a parcel of land which differs from other parcels in the zone by being of such restricted area, shape or slope that it cannot be appropriately developed without modification.*

The property does differ from majority of properties in the O-SFR zoning district. The site is restricted in area due to ownership. The owner does not own property abutting this site to make the required one-acre lot area. The hardship exists since the property owner does not own additional property.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



2. *The granting of a variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being or substantially diminish or impair property values within the neighborhood.*

Granting a variance to the property will not be materially detrimental or injurious to other properties in the area. It will also not impair adequate supply of light/air, substantially increase congestion, increase fire danger, endanger the public safety, health, and well-being of the neighborhood.

3. *The variance desired will not be contrary to the general purpose and intent of these regulations.*

The variance request is contrary to the general purpose and intent of the zoning regulations since the lot area is less than one-acre as defined in Section 77-27 of the zoning ordinance. The O-SFR's minimum lot area ensures owners have the minimum lot area of one acre in order to install a water well and septic system in addition to maintaining a rural lifestyle. New septic systems are suggested to maintain distances from well water systems other so water is not contaminated by the septic spray field.

4. *Additional criteria such as financial cost, loss in lot area, loss of compliance with city ordinances or building codes, unreasonable encroachment on an adjacent property, or the structure is nonconforming are in compliance with the city's zoning ordinance.*

- (a) A financial consideration cannot be taken into account since the property owner does not own additional property to obtain one acre;
- (b) The loss of 25% lot area to comply with the one acre requirement cannot be considered because the property owner does not own additional property to obtain one acre;
- (c) Compliance with the O-SFR one acre lot area would not result in the structure being noncompliant with the City's zoning ordinance, building codes, or other adopted regulations;
- (d) Compliance with the O-SFR one acre requirement would result in unreasonable encroachment on an adjacent property or easement because the property owner does not own adjacent property to obtain one acre; or
- (e) The existing single-family structure and garage are not nonconforming structures.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



- Section 77-27 (b) (2) states, “The minimum front lot width is 120 feet measured at the front setback line”.

 1. *The granting of a variance is necessary to secure appropriate development of a parcel of land which differs from other parcels in the zone by being of such restricted area, shape or slope that it cannot be appropriately developed without modification.*

The property does differ from majority of properties in the O-SFR zoning district. The site is restricted in lot width due to ownership. The owner does not own property abutting this site to make the required 120-feet of lot width on Masters Road. The hardship exists since the property owner does not own additional property.

2. *The granting of a variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being or substantially diminish or impair property values within the neighborhood.*

Granting a variance to the property will not be materially detrimental or injurious to other properties in the area. It will also not impair adequate supply of light/air, substantially increase congestion, increase fire danger, endanger the public safety, health, and well-being of the neighborhood.

3. *The variance desired will not be contrary to the general purpose and intent of these regulations.*

The variance request is contrary to the general purpose and intent of the zoning regulations since the lot width is less than 120-feet as defined in Section 77-27 of the zoning ordinance. The O-SFR’s minimum lot width ensures owners have the minimum lot width to maintain a rural lifestyle.

4. *Additional criteria such as financial cost, loss in lot area, loss of compliance with city ordinances or building codes, unreasonable encroachment on an adjacent property, or the structure is nonconforming are in compliance with the city’s zoning ordinance.*

- (a) A financial consideration cannot be taken into account since the property owner does not own additional property to obtain 120-feet of lot width;
- (b) The loss of 25% lot area to comply with the 120-foot lot width requirement cannot be considered because the property owner does not own additional property to obtain one acre;

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



- (c) Compliance with the O-SFR 120-foot lot width would not result in the structure being noncompliant with the City’s zoning ordinance, building codes, or other adopted regulations;
 - (d) Compliance with the O-SFR 120-foot lot width requirement would result in unreasonable encroachment on an adjacent property or easement because the property owner does not own adjacent property to obtain one acre; or
 - (e) The existing single-family structure and garage are not nonconforming structures.
- Section 77-27 (c) (1) states, “Principal structure. The minimum front yard setback shall be 25-feet. The minimum side, corner side and rear yard setbacks shall be 20-feet.”
 1. *The granting of a variance is necessary to secure appropriate development of a parcel of land which differs from other parcels in the zone by being of such restricted area, shape or slope that it cannot be appropriately developed without modification.*

The property does not differ from majority of properties in the O-SFR zoning district. The existing home can be moved or a new home constructed to meet the O-SFR zoning district’s 25-foot front yard setback. The hardship exists because the property owner does not want to move the existing principal structure or construct a new home.

2. *The granting of a variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being or substantially diminish or impair property values within the neighborhood.*

Granting a variance to the property will not be materially detrimental or injurious to other properties in the area. It will also not impair adequate supply of light/air, substantially increase congestion, increase fire danger, endanger the public safety, health, and well-being of the neighborhood.

3. *The variance desired will not be contrary to the general purpose and intent of these regulations.*

The variance request is contrary to the general purpose and intent of the zoning regulations since the principal structure front yard setback is 25-feet as defined in Section 77-27 of the zoning ordinance. The O-SFR’s minimum front yard setback is met by all other development in this zoning district. A 25-foot front yard setback is also the minimum in the Single Family Residential (SFR) zoning district too. The front yard setback ensures a principal structure is not located too close to a roadway, and ensures adequate open space between a home and the road.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



4. *Additional criteria such as financial cost, loss in lot area, loss of compliance with city ordinances or building codes, unreasonable encroachment on an adjacent property, or the structure is nonconforming are in compliance with the city's zoning ordinance.*

(a) According to BCAD, the appraised value of the structure is \$23,570.00 (2022). In order for the existing home to comply with the principal structure's front yard setback of 25-feet, it will need to be moved or a new home would need to be constructed. The cost of a new home would exceed more than 50% of the appraised value of the structure. However, it is unknown if moving the home would exceed 50% of the appraised value at \$11,786.00;

(b) Compliance with the O-SFR's principal structure front yard setback of 25-feet will not result in a loss of 25% of the development area that can physically occur. The existing lot is 24,360 square feet and 25% of this lot area is 18,270 square feet. The principal structure can fit within an 11,020 square foot building envelop which does not exceed 25% of the developable lot area;

(c) Compliance with the O-SFR's principal structure front yard setback of 25-feet would not result in the structure being noncompliant with the City's zoning ordinance, building codes, or other adopted regulations;

(d) Compliance with the O-SFR's principal structure front yard setback of 25-feet requirement would not result in unreasonable encroachment on an adjacent property or easement; or

(e) The existing single-family structure and garage are not nonconforming structures.

• Section 77-27 (c) (2) states, "Accessory structure. The minimum side, corner side and rear yard setback shall be ten feet."

1. *The granting of a variance is necessary to secure appropriate development of a parcel of land which differs from other parcels in the zone by being of such restricted area, shape or slope that it cannot be appropriately developed without modification.*

The property does not differ from majority of properties in the O-SFR zoning district. The accessory structure (garage) can be moved or a new detached garage can be constructed to meet the O-SFR zoning district's 10-foot accessory structure side yard setback. The hardship exists because the property owner does not want to move the existing accessory structure or construct a new detached garage.

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



2. *The granting of a variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being or substantially diminish or impair property values within the neighborhood.*

Granting a variance to the property will not be materially detrimental or injurious to other properties in the area. It will also not impair adequate supply of light/air, substantially increase congestion, increase fire danger, endanger the public safety, health, and well-being of the neighborhood.

3. *The variance desired will not be contrary to the general purpose and intent of these regulations.*

The variance request is contrary to the general purpose and intent of the zoning regulations since the accessory structure side yard setback is 10-feet as defined in Section 77-27 of the zoning ordinance. The O-SFR's minimum side yard setback for an accessory structure is met by all other development in this zoning district. A 10-foot accessory side yard setback ensures a garage (or other structure) is not constructed too close to a neighboring property so that the rural and open character is not destroyed.

4. *Additional criteria such as financial cost, loss in lot area, loss of compliance with city ordinances or building codes, unreasonable encroachment on an adjacent property, or the structure is nonconforming are in compliance with the city's zoning ordinance.*

- (a) According to BCAD, the appraised value of the structure is \$23,570.00 (2022). In order for the existing detached garage to comply with the accessory structure's side yard setback of 10-feet, it will need to be moved or a new detached garage would need to be constructed. It is unknown if moving the existing detached garage would exceed 50% of the appraised value at \$11,786.00. In recent years, valuations have been calculated at \$32.00 a square foot for a detached garage. The existing detached garage is approximately 40 square feet. Based on the existing square footage, a new detached garage would be a cost of \$1,280.00, which is below the 50% appraised value;
- (b) Compliance with the O-SFR's accessory structure side yard setback of 10-feet will not result in a loss of 25% of the development area can physically occur. The existing lot is 24,360 square feet and 25% of this lot area is 18,270 square feet. The accessory structure can fit within an 18,270 square foot building envelop which does not exceed 25% of the developable lot area;
- (c) Compliance with the O-SFR's accessory structure side yard setback of 10-feet would not result in the structure being noncompliant with the City's zoning ordinance, building codes, or other adopted regulations;

Manvel Zoning Board of Adjustment

Planning Department

City of Manvel

June 21, 2022



- (d) Compliance with the O-SFR’s accessory structure side yard setback of 10-foot requirement would not result in unreasonable encroachment on an adjacent property or easement; or
- (e) The existing single-family structure and garage are not nonconforming structures.

Zoning Board of Adjustment Public Notice

Notice of public hearing was published in a newspaper of general circulation. All property owners within 200-feet of the site were notified. At the time of writing this report, staff has not received informational inquiries or anyone for or against the request. *Table 1: 200-foot Mailing Notification* provides a more detailed look at the mailing notifications.

Table 1: 200-foot Mailing Notification

Letters Sent	Letters Returned	In Favor	In Opposition	Information Only
8	0	--	--	--



Zoning Map





Site Photographs





Site Photographs





Site Photographs





Site Photographs



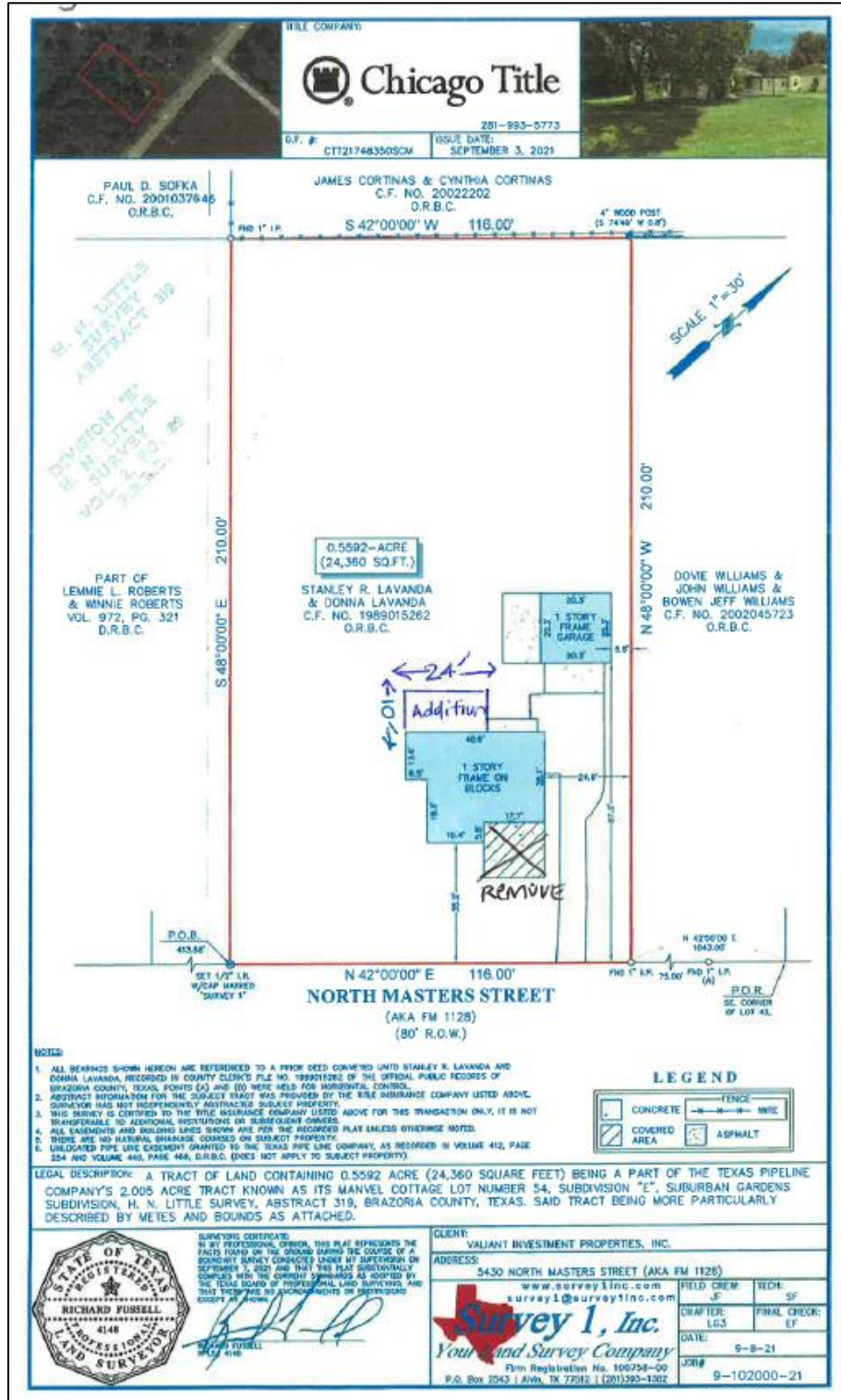


Site Photographs





Property Survey





Aerial Map





Major Thoroughfare Map





Application

1 - Page 1



PERMITS DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

ZONING VARIANCE APPLICATION

SITE INFORMATION

Project Name: 5430 Masters Rd 1128, Manvel, TX 77578

Site Address or Legal Description: 5430 Masters Rd, Manvel, TX 77578

Parcel/Tax ID# (s): 03190100000 Property Platted: YES NO

Current Zoning: O-SFR Total Acreage: .56 Total Lots: _____

Project Description: Renovate existing single family home and garage built in 1943. Lot is less than 1 acre and front is less than 120' wide. Home, as built, is within the front set back and side set back of the 2019 zoning ordinance.

OWNER & APPLICANT INFORMATION

Applicant Name: Renaee Velasquez Company Name: Valiant Investment Properties, Inc

Address: 3835 Bellini Rd City: Manvel State: TX Zip: 77578

Phone #: 713-806-0860 Email: valiantinvestment@yahoo.com

Owner Name: Valiant Investment Properties, Inc. Company Name: _____

Address: Same City: _____ State: _____ Zip: _____

Phone #: _____ Email: _____

ZONING VARIANCE INFORMATION

The zoning variance requested is (cite section from Chapter 77, Zoning, in the Code of Ordinances):

Section 77-27: Open Single Family Residential
• Lot Size • Front Width • Front Right of Way • Side Set-back

Is granting the variance necessary to secure appropriate development of a parcel of land which differs from other zoning districts by being of such restricted area, shape, or slope that it cannot be appropriately developed without modification?

The existing home was built in 1943 and predates the zoning ordinance. The house and lot should be grandfathered from the current zoning ordinance (see attached)

Will granting the variance be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located?

No. In fact, it would be consistent with the type and use of adjacent properties. It would increase city property tax values while bringing in new residents to the City who will contribute to and pay city tax dollars. House was part of a 2.005 acre tract as part of the Texas Pipeline Company. This home sits on the largest of the 5 lots all of similar type and use.



Application

1- Page 2



PERMITS DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

Will granting the variance impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety, and well-being, or substantially diminish or impair property values within the neighborhood?

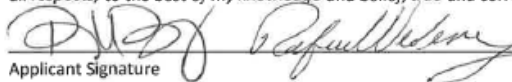
No, there would be no adverse impacts by granting the variances. It will increase curb appeal in the area; not impact traffic or right of way; add property value. It conforms to surrounding similarly situated properties.

Will the variance be contrary to the general purpose and intent of these regulations?

No, house does not interfere with right of way. Garage does not affect neighboring house or any structures as they are more than 20' from any existing. Acreage is largest of the original 5 tracks. We have had 2 septic companies state the land is favorable to install septic drip system.

DISCLAIMER & SIGNATURE

I certify that I am the owner or owner's representative of the property (with signed letter of authorization) and that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct.

 4/20/22
Applicant Signature Date



Application

1-Page 3

Zoning Variance Application

Is granting the variance (continued) ...

that is preventing the issuance of a permit to remodel the home. We have been told that to obtain a permit to remodel the home, we must obtain a zoning variance. As we have no choice, this application is being submitted. The location of the home and size of the lot do not allow for remodeling without of current zoning. The failure to grant this application would prevent the issuance of a permit to remodel the home which would seem to be an improper taking of our property. The granting of this application would allow the remodeling of the home which would improve the appearance of the home and increase the value.



Application



PERMITS DEPARTMENT

20025 HIGHWAY 6
 MANVEL, TX 77578
 PHONE: 281-489-0630
 FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

	ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
1	Completed Zoning Variance Application (with all signatures)	✓
2	One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 ½" x 11", 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed building)	✓
3	Recorded plat or survey	✓
4	Building elevations (if applicable)	✓
5	Letter of Authorization (if applicable)	✓
6	PDF format on disc containing all application documents rotated and formatted	✓
7	Application Fee of \$750.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.


 Applicant Signature

4/20/22
 Date



Applicant Authorization Letter

5-Page 1



PERMITS DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

Valiant Investment Properties, Inc.

Owner Name

3835 Bellini Rd

Owner Address

Manvel, Tx 77578

Owner City, State Zip

4/20/22

Date

Permits Department

20025 Highway 6

Manvel, TX 77578

Dear City of Manvel Permits Department,

Valiant Investment

Properties, Inc

I, Valiant Investment Properties, Inc, certify that I am the owner of the project property located at

5430 Masters Rd, Manvel and that the forgoing statements and answers made

and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge

and belief, true, and correct. I appoint Renee Velasquez with the company

Valiant Investment Properties, Inc (if applicable) to act as my representative for this application. I agree

to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore,

I understand that any material misrepresentation of this application, failure to comply with ordinances,

and /or failure to remit payment for services can lead to delays in this variance request – up to and

including rejecting the application and forfeiting any fees paid.

Please contact me directly at 713-806-0860 if you have any questions.

Sincerely,

Owner Name Rafael Velasquez Renee Velasquez

Owner Signature Rafael Velasquez Renee Velasquez



Public Hearing Notice

Public Hearing Notice to run on Sunday 06/05/2022

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL TX 77578 AT 6:00 P.M. ON TUESDAY, JUNE 21, 2022, BEFORE THE MANVEL ZONING BOARD OF ADJUSTMENT TO HEAR INPUT FROM THE PUBLIC REGARDING A ZONING VARIANCES TO CHAPTER 77, ZONING, SECTION 77-27 (B) (1), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT SIZE; CHAPTER 77, SECTION 77-27 (B) (2), MINIMUM LOT SIZE, CITY OF MANVEL, BY VARYING THE MINIMUM LOT WIDTH; CHAPTER 77, SECTION 77-27 (C) (1), SETBACKS, MINIMUM, CITY OF MANVEL, BY VARYING THE PRINCIPAL STRUCTURE MINIMUM FRONT YARD SETBACK; AND CHAPTER 77, SECTION 77-27 (C) (2), SETBACKS, MINIMUM, BY VARYING THE ACCESSORY STRUCTURE MINIMUM SIDE YARD SETBACK IN OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) ZONING DISTRICT FOR 24,360 SQUARE FEET (0.5592 ACRES) OF LAND LOCATED AT 5430 NORTH MASTERS ROAD, BEING A TRACT OF LAND CONTAINING 0.5592 ACRE (24,360 SQUARE FEET) BEING A PART OF THE TEXAS PIPELINE COMPANY'S 2.005 ACRE TRACT KNOWN AS ITS MANVEL COTTAGE LOT NUMBER 54, SUBDIVISION "E", SUBURBAN GARDENS SUBDIVISION, H.N. LITTLE SURVEY, ABSTRACT 319, BRAZORIA COUNTY, TEXAS, PROVIDING FOR VARIANCES TO MINIMUM LOT SIZE, MINIMUM LOT WIDTH, MINIMUM PRINCIPAL STRUCTURE FRONT YARD SETBACK, AND MINIMUM ACCESSORY STRUCTURE SIDE YARD SETBACK IN THE OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) ZONING DISTRICT FROM THE CITY'S ZONING ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. /S/ TAMMY BELL, CITY SECRETARY.