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

NOTE: 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.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENTS & APPEALS (ZONING) OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A <u>REGULAR</u> MEETING ON:

TUESDAY, JANUARY 7, 2014

9:00 a.m. at the Municipal Building, City Council Chambers, 2nd Floor 4601 Padre Boulevard, South Padre Island, Texas

- 1. Call to Order.
- 2. Pledge of Allegiance.
- 3. Public Comments and Announcements: This is an opportunity for citizens to speak to the Board relating to agenda or non-agenda items. Speakers are required to address the Board at the podium and give their name before addressing their concerns. [Note: State law will not permit the Board of Adjustments & Appeals (Zoning) to discuss, debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Board of Adjustments & Appeals (Zoning) meeting]
- 4. Election of Chair and Vice-Chair.
- 5. Approval of Minutes of the December 3, 2013 Regular Meeting.
- 6. Discussion and action regarding a request by Sarah Bryan Reyes for a review from Section 20-10 District "E" (B) Use Regulations (6) Special Exceptions of the City's Code of Ordinance. Applicant is requesting to construct a swimming pool on a vacant lot. (207 W. Mezquite Street; Lot 7 Block 94 Padre Beach Subdivision, Section VII)
- 7. Reviewing the results of the Visioning Session for the City of South Padre Island. (Dr. Kim, Staff)
- 8. Adjourn

DATED THIS THE 30TH DAY OF DECEMBER 2013

Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF REGULAR MEETING OF THE BOARD OF ADJUSTMENTS & APPEALS (ZONING) 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 30**, **2013** AT/OR BEFORE **1:00** PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



Susan Hill, City Secretary

THIS CALILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR A COMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

BOARD OF ADJUSTMENTS & APPEALS (ZONING) MEETING MINUTES DECEMBER 3, 2013

1. Call to Order.

Roy De los Santos called the meeting to order at 9:00 a.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Board Members in attendance were: Jerry Pace, James Helms, Jim Winholtz, and Roy De los Santos. Member with an unexcused absence was Paul Fedigan. Staff Members present were Development Director Sungman Kim, Building Official Jay Mitchim, Director of Public Works Marcy Newman, Interim City Manager Darla Jones, and Marta Martinez.

2. <u>Pledge of Allegiance.</u>

Mr. De los Santos led those present in the Pledge of Allegiance.

3. Public comments and Announcements.

None

4. Approval of Minutes of the November 6, 2013 Regular Meeting.

Mr. De los Santos announced the item from the agenda and asked the Board Members if they had any corrections to the November 6, 2013 regular Meeting Minutes. Mr. Winholtz made a motion to approve as submitted. Mr. Pace seconded the motion. The motion carried unanimously.

5. <u>Discussion and action regarding a variance request by Richard Correa for variances</u> from Section 20-11 Special area regulations (A) Front, side and rear yard fences, walls, etc. (1) (2) of the City's Code of Ordinance. Applicant is requesting a variance to construct an intruder-resistant fence for a lift station. (500 Padre Boulevard; Isla Grand)

Mr. De los Santos announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief summary of request and stated that staff recommends approval. Mr. Winholtz made a motion to approve as submitted. Mr. Helms seconded the motion. The motion carried unanimously.

6. <u>Adjourn</u>

Since the Board had no further business to discuss, Mr. Winholtz made a motion to adjourn the meeting. The meeting was adjourned at 9:05 a.m.

Marta Martinez, Secretary

Roy De los Santos, Chairman

MEETING DATE: January 07, 2014

SPONSOR / ORIGINATOR: Ms. Sarah Reyes, 207 & 209 W. Mczquite Street

ITEM DESCRIPTION:

Discussion and action regarding Special Exception review on residential accessory use (pool) development in a vacant lot that is contiguous with a residential single-family lot having a principal building under common ownership.

DISCUSSION:

The Request

Ms. Sarah Reyes wants to build an in-ground swimming pool on Lot 7 Blk 94 Padre Beach Section VII. She is currently residing in a house on Lot 8 Blk 94 Padre Beach Section VII.





Zoning Ordinance

Sec. 20-10(B)(6) Special Exceptions: Residential accessory uses in a vacant lot that is contiguous with a residential single family lot having a principal building under common ownership

Pool Construction



STAFF RECOMMENDATIONS / COMMENTS:

The applicant is planning to build an in-ground swimming pool at the southern end of the lot 7, whereas leaving rooms to build a house on the subject lot.

Staff recommends the Board approve the pool construction on the property under the provision of Special Exception to the Zoning. Any utility connections from Lot 8 to Lot 7 shall be removed upon sales of Lots 7 or 8, unless the two neighboring lots (Lots 7 and 8) are sold all together at the same time.

COMMISSION ACTION:

MOTION:							
BY:			SECOND BY: _				
Fedigan	Helms	De los Santos	Pace	Winholtz	Maheu	Huffman	Burch
Yes No Abstain							

(G) Any third party will be required to file a copy of the concession/lease agreement with the City of South Padre Island, Public Works Department, which shall control that party's use of the property.

Sec. 20-10 District "E" - Low Density Residential--Single-Family and Townhouse Dwelling District.

- (A) Purpose--This district is composed of those areas of the City whose principal use is and ought to be single-family dwellings and single-family attached Townhouse dwellings. This district is characterized by dwelling units with separate and distinct owners who own and reside within the dwelling units or rent these units. This district is intended to create and preserve areas of essentially single-family residential character, and promote a single-family residential neighborhood environment.
- (B) Use Regulations:
 - (1) Dwellings, one family.
 - (2) Townhouses.
 - (3) Accessory buildings, including 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 main 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 fifty percent (50%) of the gross floor area of the principal structure.
 - (4) Temporary buildings to be used for construction purposes only, and which shall be removed upon the completion or abandonment of the construction work.
 - (5) 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.
 - (6) 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
- (C) 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.
- (D) Area Regulations:
 - (1) Front yards:
 - (a) There shall be a frontyard having a depth of twenty-five (25) feet.
 - (b) Where lots have double frontage, running through from one street to another, the required front yard shall be provided upon both streets.
 - (c) Corner lots shall provide the minimum frontyard setback along both streets, with the exception of corner lots on Laguna and Gulf Boulevards. The frontyard setback for both the Laguna and Gulf Boulevard frontages or corner lots shall be ten (10) feet.
 - (2) Side yards:

City of South Padre Island Code of Ordinances 11/20/13

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CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENT & APPEALS APPLICATION

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

	APPLICANT INFORMATION	OWNER INFORMATION
	Name Sarah Bryan Rayes	NameSame
	Mailing Adultess PO BOX 2941	Mailing address
	City, State, Zip South Padre Kland Tr	City, State, Zip
	Phone number 956 371 9499	Phone number
	Fax number 956 412 3224	Fax number
	Email Address Salah Drips 68 ayahoo com	E-mail Address
	SITE LOCATION FOR REQUEST:	
	Physical Address (Street Name & Number): 207/2	09 W. Mezquite SPI
	Legal Description (Lot / Block / Subdivision): So Padre	151. Padre Beach Section VII
- 1	I hereby request the following from the Board of Adjustm	Int SALLET DILLOL
-	Residential Accessory Uses (pool) in with a residential single-family let	a vacant lot that is contiguous having a pricipal builty under
	An addition, the application requires the submission of the \$250 application fee per variance, special exception, and \$250 application fee per variance, special exception fee per variance, special	following: For Internal use only: appeal request. Amount Paid: Subject Property. Paid Cash or Check No. ted or expanded. Date Received:
N n E tv	Note: Applicants are required to fully disclose in the application make their determination prior to issuance of any permit. A exception shall contain <u>ten (10) copies</u> of the information outline wenty (20) days prior to the meeting date. <u>All fees must be paid</u> I Staff determines that the application is incorrect, incomplete, inderstanding of the variance or special exception, staff shall retu	all information that is necessary for the various bodies to At a minimum, an application for a variance or Special ed above. All information must be submitted no later than prior to the Board reviewing the application.
Ap	oplicant's Name (Please Print) <u>Savah Bryankey</u> e)Own oplicant's Signatures Own ter Dat	er's Signatures
1		





MAP OF SURVEY IT (8), BLOCK NINETY-FOUR (94), PADRE BEACH, SECTION VII, CAMERON







VISIONS OF TOMORROW (2039)

Prepared for:The Citizens of South Padre IslandDate:January 2014





Recently, the City has initiated a number of actions to guide on-going developments and to resolve existing issues.

One of the first tasks undertaken by the City was the preparation of this Vision Plan (hereafter the "Plan"). In fact, a prosperous and sustainable future of the City depends on us looking ahead and developing visions of tomorrow. The Plan looks for 25-year planning horizon and has been designed to assure that the plan evolved from the community under appropriate guidance of professional in-house staff members.

The result of the visioning process will lay the groundwork for the City's Comprehensive Plan to create vibrant, diverse, safe neighborhoods in the City of South Padre Island where all residents, workers and visitors can live, work and play.

PROCESS

The Plan was developed over a several month period structured around a series of public workshops, each organized to gain input about issues and opportunities existed in the City.



STATUS REPORT

Younger generations have been outmigrated whereas older populations have been in-migrated to the City.



E



Housing Occupancy	YR 2000	YR 2010
For seasonal, recreational, or occasional use	2,068	4,096
Year-Round Vacant	1,406	1,268
Owner-occupied housing units	769	862
Renter-occupied housing units	442	492
Total	4,685	6,718



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Population growth has been slowed down and shows no increasing trends.

Seasonality has been growing strongly in the City.

Accommodation, food services and other related services occupy approximately 49% of the entire City business. Real estate, rental, and lease services add 12% and retail adds 16%.





Urban Models including Bid-Rent Theory (von Thünen, 1826), Concentric Zone Model (Burgess, 1923), Sector Model (Hoyt, 1939) and Multiple Nuclei Model (Harris & Ullman, 1945) does not provide basic justifications for the City of South Padre Island Zoning map. In fact, residential zones reside between commercial and tourist destinations, cut in the middle of traffic chaos.

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VISIONING SESSION

On Wednesday, December 18, 2013 at 3:00 P.M., the City of South Padre Island accommodated a public workshop for the Visioning. Approximately twenty (20) citizens have participated in the session. At the session, each professional staff guided each themed discussion that is appropriate. More specifically, the citizen participants revised the existing vision and, when questions arose, staff provided comments and/or answers to them.





THE VISION

MISSION STATEMENT (Why do we exist now?)

South Padre Island is a unique, friendly seaside resort community that values its residents and tourists, preserves and protects the natural environment, and provides for quality sustainable growth and development that is highly diverse and responsive to changing economic conditions.

VISION STATEMENT (Where should we be headed?)

1. COMMUNITY CHARACTER (Darla Jones)

- South Padre Island has transformed its image as a unique seaside community and a first-class resort destination, attracting a <u>balance-blend</u> of permanent and seasonal residents and visitors who come to enjoy its beaches, protected scenic natural environment and its many recreational attractions in a familyfriendly, <u>but respecting its diversity</u>, small town setting.
- A distinctive "South Padre Style" reflects the relaxed seaside ambiance, the climate and international culture and encompassing well-designed buildings, lush landscaping, and themed way-finding signage and lighting.
- South Padre-Boulevards hasve been transformed as an imageable anda visually exciting tree-lined corridor reflecting themed imageability constituting the preferable shape, color and arrangement. New and retrofitted buildings are harmonious in design, signage is appropriate in scale and understated in design. The visual impact of overhead utilities has been reduced by taking advantage of technological innovations and other opportunities to cost-effectively place utilities underground. Where feasible, excessive front paved areas have been removed and replaced with landscaping and generous sidewalks and bike lanes.
- A new City Hall, community center, birding center and other public buildings and civic enhancements have set a high standards in exemplifying the "South Padre Style" and are widely emulated by new and renovated commercial and residential structures.
- The City is noted for the cleanliness of its beaches, parks, roadways and public and private properties. The declining number of vacant lots is well kept and free of litter and debris.

2. PARKS AND RESOURCES (Reuben Trevino)

• The City's beaches, parks, playgrounds, beach access points, waterfront promenades, boat ramps, <u>shaded areas</u>, <u>restrooms</u> and other recreational amenities are well placed and conveniently accessible for residents and visitors. Recreational and sports facilities meet the needs of all age groups and well-used by the islands growing number of families with children.

- <u>Sustainable maintenance plan for parks and beaches has been developed and scheduled for cleanliness and adequate facility operations.</u>
- The island's unique natural resources its beaches and dunes, wetlands, Laguna Madre waterfront and native flora and fauna are valued and well protected.
- A system of linked parks, greenways, open spaces, water-front promenades, nature trails and areas dedicated to activities such as bird watching and ecotourism area easily accessible by foot or bicycle.
- Birding Center has been grew into one of the best in the world, providing bird watching, fishing, kiting, sand castles, beaches and windsurfing. The City also supported and acquired a world class aquarium.
- <u>Continuous funding sources have been identified to provide sustainable</u> parks and resources.

3. ECONOMIC DEVELOPMENT (Rodrigo Gimenez; Sylvia Soliz)

- The transformation of the character and ambience of the island, the presence of longer stay familiespermanent residents, more discerning tourists and a commitment to excellence by the City has in turn created opportunities for greater employment and business opportunities year-round.
- Tourism has matured and diversified with a year-round orientation, longer stays, and a broader array of family attractions and less reliance on Spring Break. The island has developed a wide range of entertainment and amenities, more upscale hotels and services, shopping and a well-used convention center attracting group visitation from the region and nationwide. The excesses of Spring Break and Texas Week have been moderated by strict enforcement. South Padre's reputation and market share have grown, making it a well-known, highly competitive destination for regional, national and international visitors. Hospitality training programs have improved service quality, producing a stable, educated and better paid workforce, while supporting a shift toward a higher end tourism market.
- There are many new attractions and amenities on the island catering to both resident and visiting youths, adults and senior citizens. These include community meeting facilities, a library, eco-tourism and cultural attractions, public tennis courtssporting facilities, and improved public access to marinas and water sports. Travel in the region and across the border into Mexico is easily arranged with tours available to places of interest.
- South Padre Island becomes one of the most business-friendly city in the United States by encouraging and investing local workforces, and tough restrictions on local business expansion have been removed.
- South Padre Island has supported tourism for space industry, off-shore oil and gas production, and University-Sponsored events.
- The City has adopted a correct marketing strategy and provided appropriate resources for tour. Through the efforts, for an example, Spring Break has become a positive experience of sporting, cultural and special events that attract both college students and families.

4. GROWTH & FUTURE LAND USE (Sungman Kim)

- New regulations and development standards enacted to implement the Comprehensive Strategic Plan are clear and user-friendly and have served to streamline the permitting process while "raising bar" of standards of development quality.
- Land use patterns have consolidated to form distinct neighborhoods and activity districts through carefully guided new development, infill and redevelopment. <u>Mixed-Use has been encouraged where strong traffic issues</u> were identified and a city center has been emerged through planning efforts.
- Northern areas of South Padre Island have been annexed to the City and, through implementation of a strong annexation plan, the growth has been controlled carefully to provide a basis for permanent residents.
- <u>The City has built sustainable resilience through interlocal relations that</u> were circumvented by creative and effective collaborations while sharing <u>mutual benefits.</u>
- Neighborhoods are well defined <u>by use separation</u> and consistent in scale and use. Business, shopping and entertainment districts serving both tourists and residents are compact and well-defined. Through shared parking and a well developed pedestrian network, reliance on the automobile for local travel is greatly reduced.
- The array of housing types have diversified, with single family home, townhouses, apartments and condominiums sited compatibly and consistently in scale. With a broad array of amenities such as parks, playgrounds, sidewalks and landscaping, neighborhoods are livable and attract growing proportions of families and permanent residents.
- Commercial uses have diversified with a wide array of quality shopping opportunities for local residents and tourists. Tourist-oriented commercial activities such as souvenir shops have diversified and improved in image and are located in close proximity to hotels and entertainment attractions.

5. TRANSPORTATION (Jesse Arriaga)

- Traffic congestion has been reduced during special event and peak periods by limiting access in selected areas and by strict and innovative traffic management. Congestion has been reduced by increased availability and convenience of public transit and a convenient network of bicycle and pedestrian facilities.
- <u>The City has supported Space X program. Ferry operations to and from Boca</u> <u>Chica Beach have offered greater access to the City. Alternatively, a bridge</u> <u>between the City and Boca Chica Beach has been constructed.</u>
- A second causeway has been constructed providing an alternative link to the mainland and improved egress for emergency evacuation. The new causeway respects the delicate ecological balance and recreational functions of the Laguna Madre. The design of the causeway and its approach to the island provides a distinctive image as an entry feature or gateway.

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6. INFRASTRUCTURE (Ray Moya)

• Deficiencies have been corrected and measures instituted to ensure an adequate supply of potable water and water for irrigation <u>supplemented by</u> additional resources like disalinization. Sanitary and storm sewer systems have been designed and provided in an appropriate manner, and their <u>negative impacts like bad odor have been reduced</u>. The supply of electricity is reliable and sufficient to satisfy all local needs. Flooding threats have been reduced in low lying areas through drainage improvements and development standards that reduce standing water and encourage detention and rapid percolation. The City has the infrastructure capacity and fiscal resources to support planned incremental growth.

7. GOVERNANCE (Wendi Delgado)

- The City has <u>been successfully maintained</u> a "Home Rule" type of government, which allows greater control over fiscal matters and public expenditures. This allows for a more stable environment for effective decision-making.
- City government is well-managed and has instituted measures to ensure fiscal health and remain well-prepared for <u>high performance outcome</u> through planned short and long range capital investments.
- The Comprehensive Strategic Plan is the key reference for all government decisions, actions concerning budgets, capital spending, regulatory measures and development review and approvals.

8. COMMUNITY RELATIONS (Naida Robles)

- South Padre citizens are deeply involved in civic affairs and participate in decisions affecting their current and future lifestyle. City Hall provides effective communication on day to day affairs and the various associations on the island as well as throughout the region, representing a wide range of interest, are well supported by citizens of all ages.
- <u>The City has followed the Texas Open Meetings Act (Government Cod chapter 551) and made governmental decision-making accessible to the public.</u>
- Government, citizens and business and civic organizations continue to collaborate effectively on initiatives to improve South Padre Island <u>through</u> <u>every possible means</u>.
- City staff and elected officials are committed to fulfill their obligations to provide high quality services and leadership.
- <u>The City has been providing a notion of Origin and the feeling of "home</u> (Origin) or citizen ownership" grew in the communities.

9. FIRE, POLICE & EMERGENCY MANAGEMENT (Marcus Smith; Randy Smith)

• As parts of basic municipal services, the City has been fully supporting Fire, Police and Emergency Management operations. • Citizen volunteers have been fully utilized through appropriate training programs.

<u>FIRE</u>

- The Fire Department established additional fire stations on the island. As the infrastructure is extended to the north, business and residential occupancies have also moveed into those areas. Additional stations reduced the response times to those areas as well as providing additional personnel and equipment to respond to the increased calls for service.
- Increased and improved distribution of fire hydrants have been adequately placed throughout the City.
- Communications equipments have been updated throughout the fire department. The department has shared a "state of the art" communications system with all of the emergency services on the island. This includes radio communications as well as a Computer Aided Dispatch system. This system allowws all fire equipment to have real time access to maps, fire hydrant locations, pre-fire plans, hazards and fire system information. Dispatch information and fire apparatus response have beed relayed via computer decreasing the amount of radio traffic on the emergency channels.
- The department has seen increased personnel in the fire prevention division. This division educates residents, visitors and students throughout the area on fire and home safety, safety evacuation practices and fire inspections. The Division have a "Fire Safety House" trailer to actually demonstrate fire safety in the home to elementary students at schools in the area as well as at appropriate events on the island.
- The department also have a fire command vehicle that is equipped with firefighter tracking GPS capability. This allows the incident commander to locate all firefighters inside a building during an emergency to decrease the time necessary to assist in victim rescue as well as downed firefighter rescue. The vehicle also have the capability to track the amount of air left in the firefighters air pack. This ability allowed the IC to determine when firefighters needed to have replacement personnel ready to enter the structure to replace the firefighters fighting the fire. The vehicle have scene lighting and audio, video and thermal imaging capability to assist with the management and safety of the emergency scene.
- Beach Patrol/Rescue increased its capability as the area requiring coverage and the number of visitors increase. The number of life guards and life guard towers have been increased to meet the maximum safety standards for beach safety. The beach patrol vehicles are staffed by paramedics with all of the necessary medical supplies and equipment. This provides immediate, onsite medical intervention when necessary to improve the outcome of medical emergency victims on the beach.

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• The department has grown to provide region-wide fire response in years. <u>POLICE</u>

- In an effort to enhance the quality of life for all stakeholders, community members have been involved positively with the police operations and crime rates have been decreasing over the 25 years.
- The police service has become strengthened and successfully provided educational sessions, satellite monitoring, and prompt response to citizen complaints.
- As the general population increases, the police department personnel, equipment and facilities have been built to provide professional and effective police services, with the best effort directed towards protecting lives and safeguarding property.
- An important component of this agency's ability to achieve and maintain certified through the Texas Police Chief's Association of recognized cities, is an annual evaluation of police employee staffing and services offered to determine overall suitability, as it recounts our perpetually changing environment.

EMERGENCY MANAGEMENT

- Emergency preparedness, response, recovery and mitigation have been best accomplished through continued outreach programs, planning and training during the 25 years.
- Emergency managers equip state-of-art information technology, and can take preventive and preparatory measures to build SPI a disaster-resistant community by anticipating future disasters
- Emergency managers achieved the highest possible degree of united efforts among all levels of government and all elements of a community.
- Restoration and continuity of city services have been guaranteed within a reasonable time.

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