

**NOTICE OF PLANNING AND ZONING COMMISSION MEETING  
CITY OF SOUTH PADRE ISLAND**

**THURSDAY, AUGUST 19, 2021**  
3:00 PM 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 Commission relating to agenda or non-agenda items. Speakers are required to address the Commission at the podium and give their name before addressing their concerns. [Note: State law will not permit the Planning and Zoning Commission 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 Planning and Zoning Commission meeting]*

4. Discussion and Action

4.1. Discussion and action to approve Minutes of the July 15, 2021 Regular Meeting.

4.2. PUBLIC HEARING to discuss the request to rezone eighteen (18) feet of Lot 15 Block 155 Padre Beach Subdivision Section X from "E" - Low Density Residential - Single-Family and Townhouse Dwelling District to "B-2" - Residential & Multi-family Dwelling District. (Encartada Inc.)

4.3. DISCUSSION AND ACTION regarding the request to rezone eighteen (18) feet of Lot 15 Block 155 Padre Beach Subdivision Section X from "E" - Low Density Residential - Single-Family and Townhouse Dwelling District to "B-2" - Residential & Multi-family Dwelling District. (Encartada Inc.)

4.4. Discussion and action regarding the proposed replat of "East 18' feet of Lot 15 and all of Lots 16, 17 & 18, Block 155, Padre Beach Subdivision, Section X" to create one large lot: "Lot 18" . (5101 Gulf Blvd)

5. Adjourn

**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.*

DATED THIS THE 13TH DAY OF AUGUST 2021

  
Angelique Soto, City Secretary



I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION 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 AUGUST 13, 2021, 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  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** August 19, 2021

**NAME & TITLE:** Marta Martinez

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

**ITEM**

Discussion and action to approve Minutes of the July 15, 2021 Regular Meeting.

**ITEM BACKGROUND**

Approve July 15, 2021 Minutes.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**MEETING MINUTES  
CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION REGULAR MEETING**

**THURSDAY, JULY 15, 2021**

**1. CALL TO ORDER**

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Meeting on Thursday, July 15, 2021 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Gary Olle called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Howard Avery, Gordon Garlock, Norris Fletcher, Chris Huffman, Joseph Praster, and Dina Rich.

City staff members present were: Public Works Director C. Alejandro Sanchez and Planning Coordinator Marta Martinez. Also present was Council Member Joe Ricco.

**2. PLEDGE OF ALLEGIANCE**

Chairman Olle led the Pledge of Allegiance.

**3. PUBLIC COMMENTS AND ANNOUNCEMENTS**

None

**4. DISCUSSION AND ACTION.**

**4.1 APPROVE MINUTES OF JUNE 17, 2021 REGULAR MEETING.**

Commissioner Garlock made a motion, seconded by Commissioner Fletcher to approve the June 17, 2021 regular meeting minutes as submitted. Motion passed with a 6:0:1 vote. Commission Praster abstained.

**4.2 PUBLIC HEARING TO DISCUSS THE REQUEST TO REZONE LOT 3 BLOCK 202, FIESTA ISLES SUBDIVISION (PADRE BEACH, SECTION XII) FROM DISTRICT “E” – LOW DENSITY RESIDENTIAL – SINGLE-FAMILY AND TOWNHOUSE DWELLING DISTRICT TO “NC” NEIGHBORHOOD CROSSING CHARACTER ZONE. (YEHUDA AZOULAY, OWNER)**

Chairman Olle announced the item from the agenda and opened the public hearing at 3:01 p.m. and asked if anyone wish to speak in favor or against the agenda item. Yehuda Azoulay spoke in favor of the agenda item. Chairman Olle then closed the public hearing at 3:03 p.m.

**4.3 DISCUSSION AND ACTION REGARDING THE REQUEST TO REZONE LOT 3 BLOCK 202, FIESTA ISLES SUBDIVISION (PADRE BEACH, SECTION XII) FROM DISTRICT “E” – LOW DENSITY RESIDENTIAL – SINGLE-FAMILY AND TOWNHOUSE DWELLING DISTRICT TO “NC” NEIGHBORHOOD CROSSING CHARACTER ZONE. (YEHUDA AZOULAY, OWNER)**

Chairman Olle opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding the Rezoning. After much discussion Commissioner Garlock made a motion, seconded by Commissioner Avery to deny the Rezoning request. Motion failed with a 3:4 vote. Commissioners Olle, Huffman, Rich, and Praster voted against.

After further and much more discussion Commissioner Huffman made a motion, seconded by Commissioner Fletcher to approve the rezoning of Lot 3 Block 202 Fiesta Isles Subdivision from District “E” Low Density Residential Single-Family and Townhouse Dwelling District to “NC” Neighborhood Crossing Character Zone. The motion passed with a 4:3 vote. Commissioners Garlock, Avery, and Praster voted against.

**5. ADJOURN**

There being no further business to discussion; Chairman Olle adjourned the meeting at 3:30 p.m.

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Marta Martinez, Planning Coordinator

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Gary Olle, Chairman

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** August 19, 2021

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

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

**ITEM**

PUBLIC HEARING to discuss the request to rezone eighteen (18) feet of Lot 15 Block 155 Padre Beach Subdivision Section X from "E" - Low Density Residential - Single-Family and Townhouse Dwelling District to "B-2" - Residential & Multi-family Dwelling District. ( Encartada Inc.)

**ITEM BACKGROUND**

Staff has received an application for a request to rezone the property mentioned above from the "E" Zoning District to "B-2" District. The subject property is located south side of E. Polaris Street.

As per State law a Notice of Public Hearing was placed in the Port Isabel/South Padre Island Press that ran on Thursday, August 5, 2021, and notices to property owners within two-hundred feet of the subject property were mailed on Monday, August 2, 2021 informing them of this request.

The following is the public hearing outline form:

- A. The Commission Chairman opens the public hearing.
- B. Staff presents information regarding the proposed amendment.
- C. Presentations and/or comments from the public.
- D. The Commission Chairman closes the public hearing and moves to the next item on the agenda.

Please keep in mind that the purpose of a public hearing is to allow the public to have input on the agenda item. Discussion and action by the Commission will be addressed under the next item on the agenda. Therefore, the Commission should refrain from treating the public hearing as a period for Planning Commission discussion.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** August 19, 2021

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

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

**ITEM**

DISCUSSION AND ACTION regarding the request to rezone eighteen (18) feet of Lot 15 Block 155 Padre Beach Subdivision Section X from "E" - Low Density Residential - Single-Family and Townhouse Dwelling District to "B-2" - Residential & Multi-family Dwelling District. ( Encartada Inc.)

**ITEM BACKGROUND**

Staff has received an application request to rezone the property mentioned above from the “E” Zoning District to “B-2” Zoning District. Attached is an enlarged map as is an enlarged ariel photo of the area. The subject property is located south side of E. Polaris Street.

The Zoning Ordinance use regulations for each of these districts is attached.

To consider rezoning various criteria should be considered:

- 1) Consistent with the Comprehensive Plan
2. Consistent with surrounding area
- 3) Reasonable change
- 4) Public Input

The Commission has the following options:

- 1) To recommend to the City Council that this property be rezoned to “B-2” Zoning District.
- 2) To recommend to the City Council that this property NOT be rezoned to “B-2” Zoning District.
- 3) To table this matter to a specified date and time, for further discussion and/or deliberation.

Staff has no recommendations approval.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

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**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 front yard 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 front yard setback along both streets, with the exception of corner lots on Laguna and Gulf Boulevards. The front yard setback for both the Laguna and Gulf Boulevard frontages or corner lots shall be ten (10) feet.
  - (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.

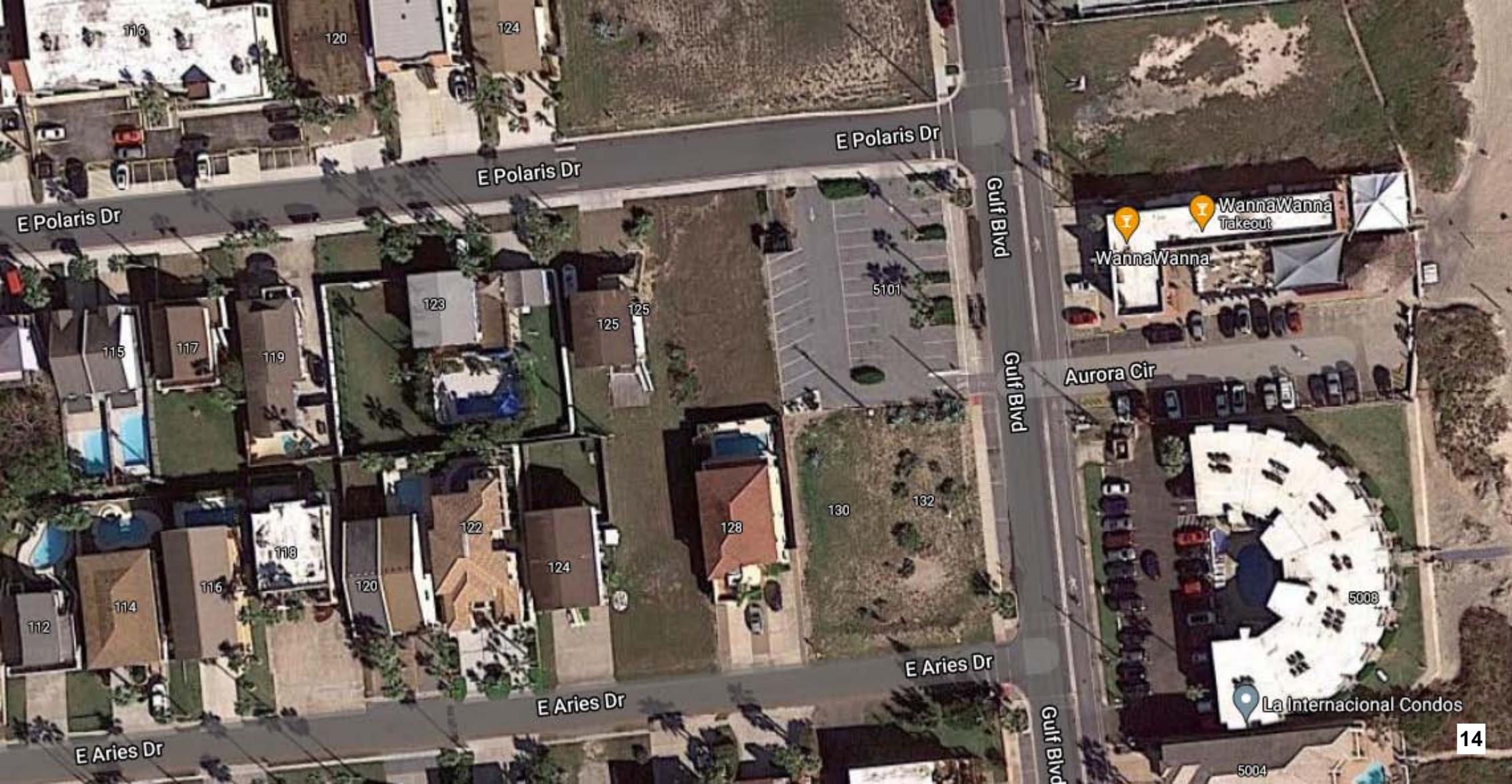
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- (c) Where canals, bay front, beach front, and/or yacht basins occur at the side of lots, buildings may extend to the bulkhead abutting such canals, bay front, beach front, and/or yacht basins.
- (3) *Rear yards.* Same as District "A" (minimum of 20 feet), except:
- (a) 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 enclosures thereabouts as may be required as a good building practice. Any open deck or patio that undertakes to extend beyond the twenty (20) feet rear yard setback within ten (10) feet of the rear property line as provided for herein, shall be erected or placed in such a manner after a permit specifically therefore 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) Where canals, bay front, beach front, and/or yacht basins occur at the rear of lots, buildings may extend to the bulkhead abutting such canals, bay front, beach front, and/or yacht basins.
- (4) *Area of lot:*
- (a) For a single-family dwellings the minimum area of a lot shall be 5,000 square feet, or as recorded in the County Courthouse as of November 7, 1979.
  - (b) For attached single-family Townhouse dwellings, the minimum area of a lot shall be 2,500 square feet per dwelling unit.
- (5) *Width of lot:*
- (a) For a single-family dwelling, the minimum width of a lot shall be fifty (50) feet.
  - (b) For attached single-family Townhouse dwellings, the minimum width of a lot shall be twenty-five (25) feet.
- (6) *Depth of lot.* The minimum depth of a lot shall be one hundred (100) feet.
- (7) *Sanitation.* There shall be no sewage disposal without water carriage. Chemical toilets may be erected on a temporary basis during construction only.
- (8) *Special Area Requirements.* In no instance shall more than four (4) single-family attached Townhouses be connected as a single unit.
- (9) *Driveways.* All driveways shall be limited to a maximum of twenty-six (26) lineal feet in width. No driveway shall extend beyond the required five (5) foot side yard setback on either side of the residence. For Townhouse uses, an additional minimum open space area of one (1) foot on each Townhouse lot shall be required between the driveways of each adjoining Townhouse along the length of the common, interior property line for the length of the driveway.
- (10) Reserved.
- (11) Any condominium building which existed on August 3, 1994 that does not conform to the height limitations of this District shall be deemed a conforming structure and may re-build to the same size and height that it was on August 3, 1994.
- (12) Any structure which exists on August 3, 1994 that does not conform to the standards of this District shall be deemed a conforming structure and may re-build to the same size and height that it was on August 3, 1994.

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- (13) Any land use that exists on August 3, 1994 that does not conform to the standards of the District "E" shall be deemed a conforming use and may continue the use as it was on August 3, 1994.

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## Sec. 20-7.1. District "B-2"—Residential & Multi-family Dwelling 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-2", 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, condominiums and Townhomes.
  - (2) 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. 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.
  - (3) Special Exceptions: Public Service Facility.
  - (4) Specific Use Permit: Off-site parking spaces in excess of required spaces from a different zoning district.
- (C) Height regulations. No building shall exceed three stories. The height shall be restricted to fifty (50) feet above the FEMA Base Flood Elevation.
- (D) Area regulations:
  - (1) *Front yards.* Same as District "A" (minimum of 25 feet), except that all lots fronting the west side right-of-way line of Gulf Boulevard may have a front yard setback of ten (10) feet from the property line abutting the west Gulf Boulevard right-of-way line.
  - (2) *Side Yards.* Same as District "A" (minimum of 5 feet).
  - (3) *Rear yards.* 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 therefore 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.
  - (4) *Size of structure.* The minimum size of structure is twelve hundred (1,200) square feet.
- (E) Any condominium building which exists on Feb 1, 2010 that does not conform to the height limitations of this District shall be deemed a conforming structure and may re-build to the same size and height that it was on Feb 1, 2010.
- (F) Any structure which exists on Feb 1, 2010 that does not conform to the standards of this District shall be deemed a conforming structure and may re-build to the same size and height that it was on Feb 1, 2010.
- (G) Any land use that exists on Feb 1, 2010 that does not conform to the standards of the B-2 District shall be deemed a conforming use and may continue the use as it was on Feb 1, 2010.



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120

124

E Polaris Dr

E Polaris Dr

Gulf Blvd

WannaWanna  
Takeout

E Polaris Dr

5101

123

125

1115

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E Aries Dr

E Aries Dr

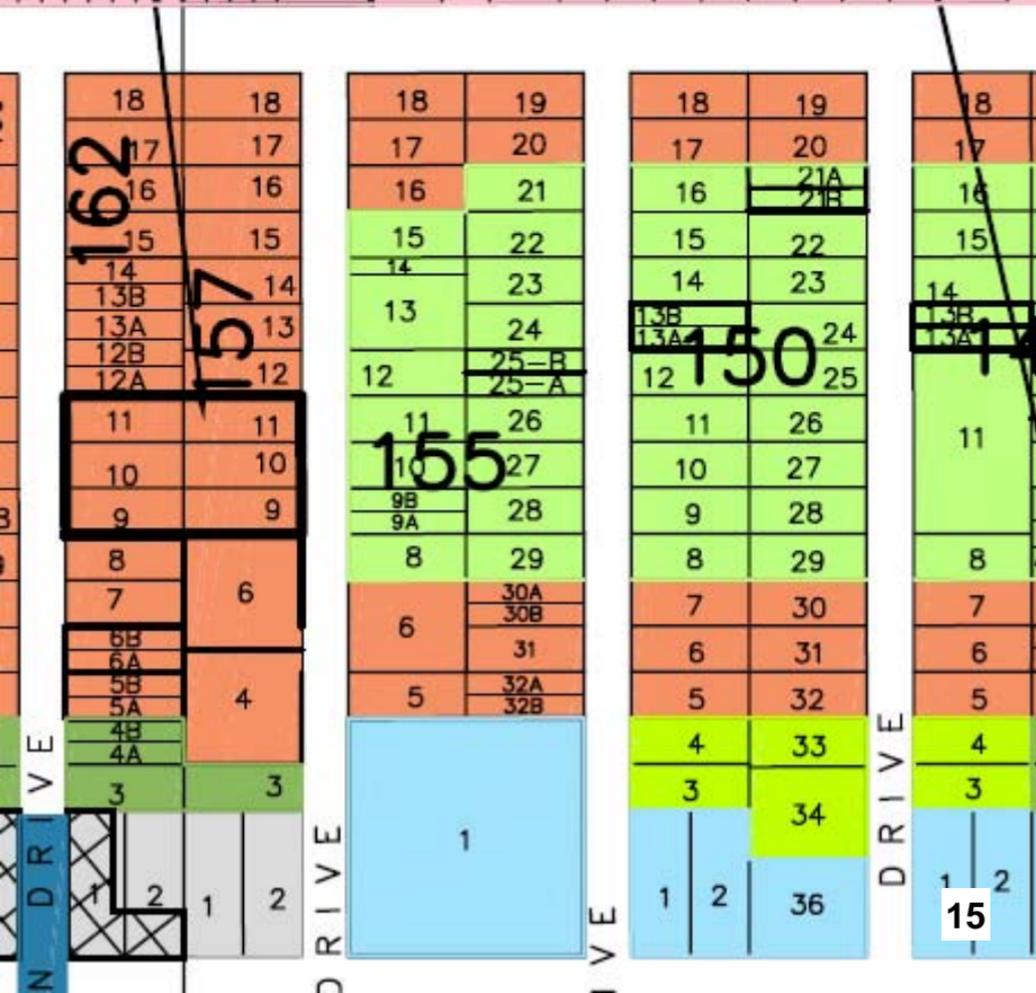
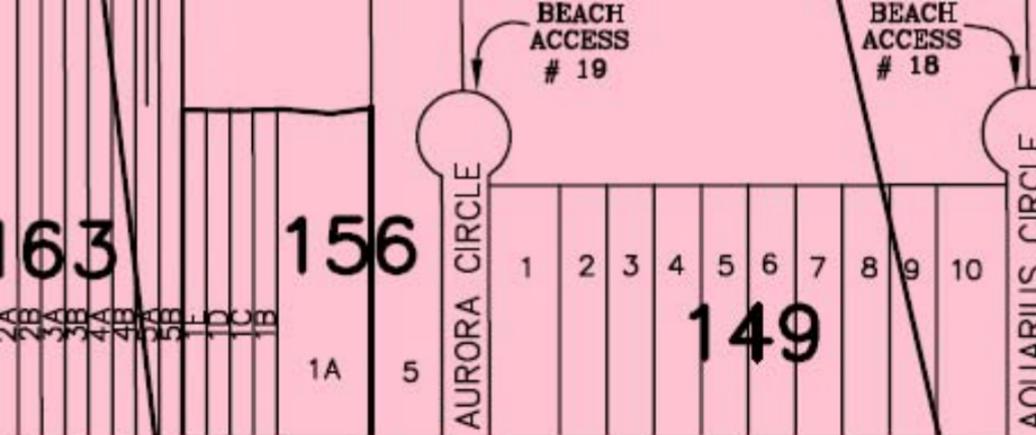
Gulf Blvd

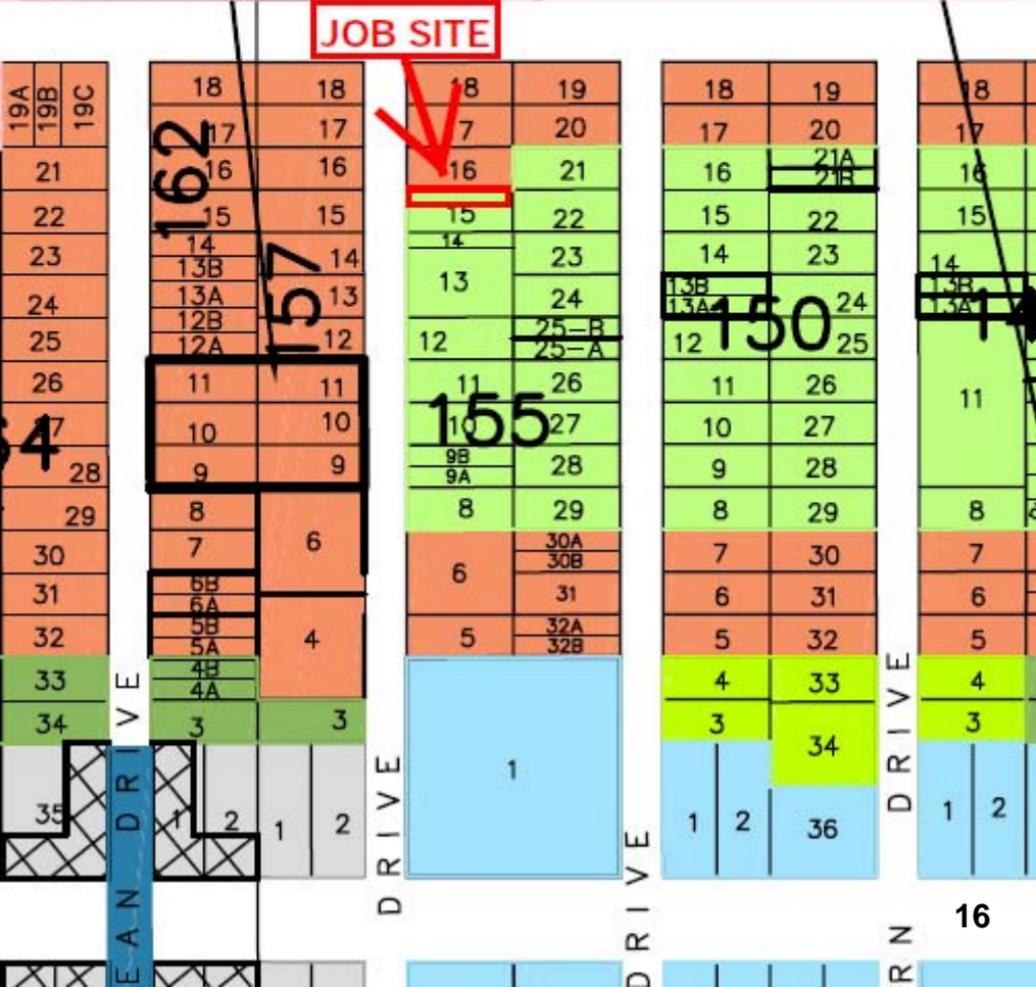
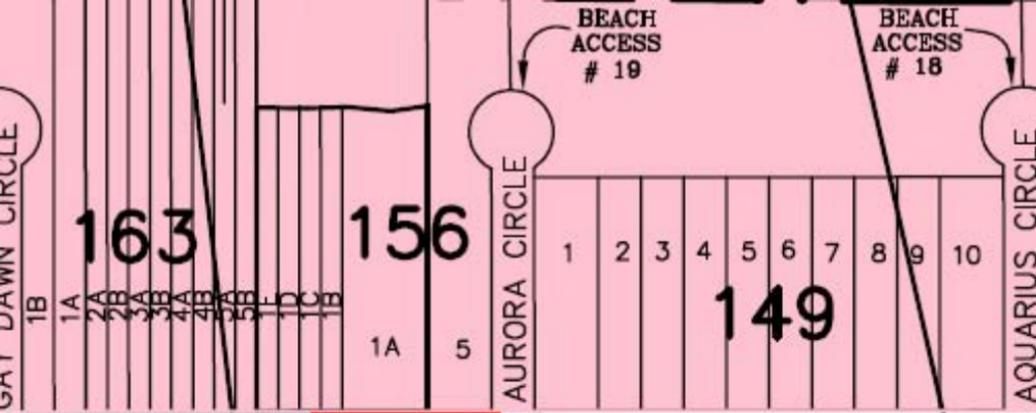
5008

La Internacional Condos

E Aries Dr

5004





**CITY OF SOUTH PADRE ISLAND  
PLANNING AND ZONING COMMISSION  
AGENDA REQUEST FORM**

**MEETING DATE:** August 19, 2021

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

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

**ITEM**

Discussion and action regarding the proposed replat of "East 18' feet of Lot 15 and all of Lots 16, 17 & 18, Block 155, Padre Beach Subdivision, Section X" to create one large lot: "Lot 18". (5101 Gulf Blvd)

**ITEM BACKGROUND**

Encartada Inc is requesting to replat East 18' feet of Lot 15 and all of Lots 16, 17 & 18, Block 155, Padre Beach Subdivision, Section X to create one large lot: Lot 18 Block 155 Padre Beach Subdivision, Section X. The subject properties (East 18' feet of Lot 15 and all of Lots 16 & 17) are located on the south side of E. Polaris Street and Lot 18 is located on the corner of E. Polaris Street and Gulf Boulevard. The East 18' feet of Lot 15 is zoned District "E"—Low Density Residential—Single-Family and Townhouse Dwelling District and Lots 16, 17 & 18 are zoned District "B-2"—Residential & Multi-family Dwelling District. The proposed lot meets the City's minimum requirements.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

