

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 REGULAR MEETING ON:

TUESDAY, JULY 8, 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. Approval of Minutes of the January 7, 2014 Regular Meeting.
5. Discussion and action regarding a request by John and Leticia Ravenberg for a variance from Section 20-13 Setback area – Special regulations and uses (A) Setbacks-Area Not To Be Used of the City’s Code of Ordinance. Applicant is requesting to place an aboveground portable spa within the frontyard setback area. (232 W. Hibiscus Street; Lot 33 Block 117 Padre Beach Subdivision, Section VIII)
6. Adjourn

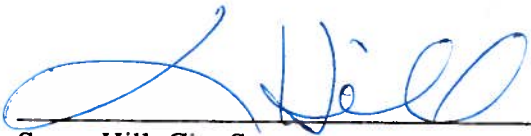
DATED THIS THE 2ND DAY OF JULY 2014



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 **JULY 2, 2014** AT/OR BEFORE **2:30 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.





Susan Hill, 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, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

BOARD OF ADJUSTMENTS & APPEALS (ZONING)
MEETING MINUTES
JANUARY 7, 2014

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, Interim City Manager Darla Jones, and Marta Martinez.

2. Pledge of Allegiance.

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

3. Public comments and Announcements.

None

4. Election of Chair and Vice-Chair

Mr. De los Santos announce the item from the agenda and asked for any nominations for Chairman. Mr. Winholtz made a motion to nominate Mr. De los Santos for Chairman. Mr. Helms seconded the motion. The motion carried unanimously.

Mr. De los Santos then asked for any nominations for Vice Chairman. Mr. Winholtz made a motion to nominate Mr. Fedigan for Vice-Chairman. Mr. Helms seconded the motion. The motion carried unanimously.

5. Approval of Minutes of the December 3, 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 December 3, 2013 regular Meeting Minutes. Mr. Winholtz made a motion to approve as submitted. Mr. Pace seconded the motion. The motion carried unanimously.

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)

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. De los Santos then opened it up discussion by the Board. The Board expressed their comments/concerns. After some discussion Mr. Pace made a motion to approve as submitted. Mr. Winholtz seconded the motion. The motion carried unanimously.

7. **Reviewing the results of the Visioning Session for the City of South Padre Island.** (Dr. Kim, Staff)

Mr. De los Santos announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief summary and provided the Board with a draft document of what was discussed and outcome of the Visioning Session. No action was taken.

8. **Adjourn**

Since the Board had no further business to discuss, Mr. Winholtz made a motion to adjourn the meeting. Mr. Pace seconded the motion. The meeting was adjourned at 9:17 a.m.

Marta Martinez, Secretary

Roy De los Santos, Chairman

**BOARD OF ADJUSTMENT
AGENDA REQUEST FORM**

ITEM: 5

MEETING DATE: July 01, 2014

SPONSOR / ORIGINATOR: Mr. Marc Davis on behalf of Ravenberg family

ITEM DESCRIPTION:

Discussion and action regarding variance review to allow the placement of an aboveground portable spa within the frontyard setback area.

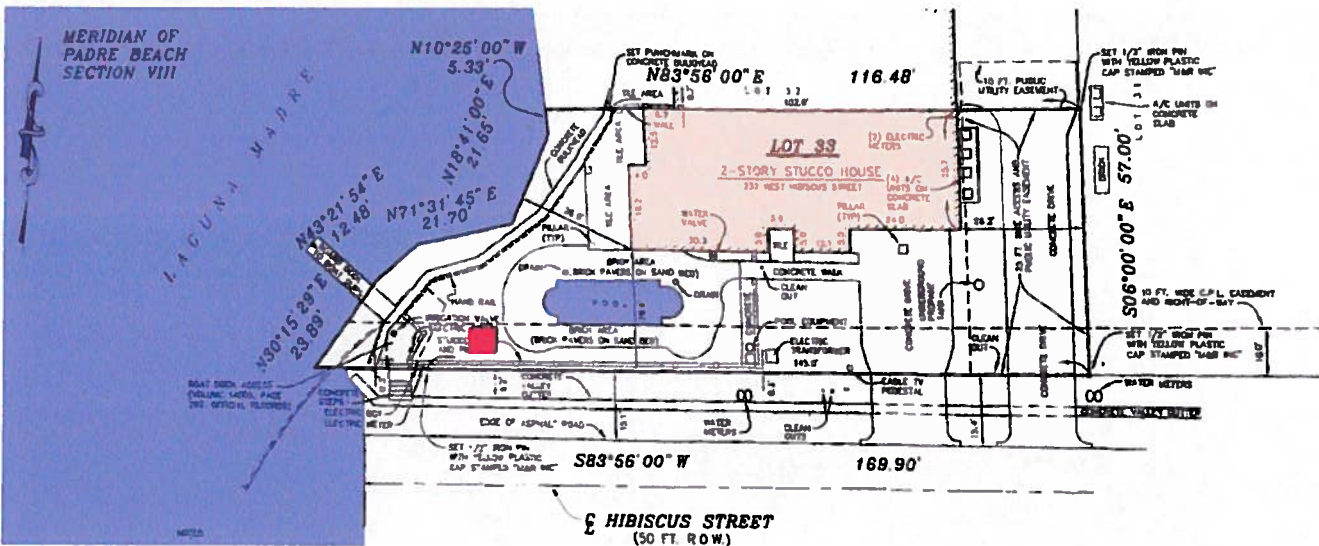
DISCUSSION:

The Location

232 W Hibiscus Street (Lot 33, Block 117, Sec. VIII Padre Beach)

The Request

Ravenberg family wants to place an aboveground portable spa (7'5" X 7'5" X 3'4") 2' away from the existing retaining wall and 9'8" away from the closest edge of the existing pool.



Zoning Ordinance

The property has been zoned for E District, which requires 25' frontyard setback (Sec.20-10(D)(1)).

Within this setback area, no vertical structures or manufacture of any kind, temporary or permanent, or any types of goods, ware or merchandise of any kind, nor other property of any kind, will be placed. (Sec.20-13)

STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Board approve the request. The location is (1) end of dead-end street and (2) on Laguna Madre. Mostly it will not provide any potential nuisances to others due to the existing fence and retaining wall. Although it will be placed on 10' powerline easement, electric transformer is located approximately 30' away to the east and staff do not foresee any major electric repair work on the proposed location of the spa. The fact that the proposed aboveground spa is a portable should also be considered.

**BOARD OF ADJUSTMENT
AGENDA REQUEST FORM**

COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

Fedigan	Helms	De los Santos	Pace	Winholtz	Maheu	Huffman	Burch
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

those required by law or ordinance is made therein. If no structural alterations are made, a non-conforming use of the building may be changed to another non-conforming use of the same or more restricted classification; provided, however, that in the event a non-conforming use of a building is once changed to a non-conforming use of a higher or more restricted classification, it shall not later revert to the former or less restricted classification.

- (D) Continuance of non-conforming use subject to regulations. The right of any non-conforming use to continue shall be subject to such regulations as to maintenance of the premises and conditions of operation as may, in the judgment of the Board of Adjustments, be reasonably required for the protection of adjacent property.
- (E) Restoration of damaged building permitted. Nothing in this order shall be taken to prevent restoration of a building destroyed to the extent of not more than fifty-one percent (51%) of its reasonable value by fire, explosion or other casualty or act of God or public enemy, nor the continued occupancy or use of such building, or part thereof, which existed at the time of such partial destruction.
- (F) Improvements and additions to existing non-conforming uses. The Board of Adjustment may grant the right to improve or make additions to existing non-conforming uses, after a public hearing, and subject to the following limitations and requirements, to wit:
 - (1) Additions or improvements shall only be considered for the same non-conforming use.
 - (2) Any additions or improvements shall not increase the original non-conforming use (being the size of the structure(s) at the time it became a non-conforming use) by more than 100%.
 - (3) All property owners within 200 feet of any application to expand a non-conforming use shall be notified of the hearing before the Board of Adjustment at least 15 days prior to the date of the hearing.
 - (4) Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in the City's official newspaper.
 - (5) The Applicant hereunder shall be responsible for all costs incurred for the hearing and permit process along with a \$100 fee.
 - (6) The Applicant must demonstrate to the Board of Adjustment that the proposed addition or improvements will have no or minimal negative impact upon surrounding properties or upon the character of the neighborhood or the application will be denied."

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 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. [Ord 98-03; Jan 1998]



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

Name MARC DAVIS
Mailing Address P.O. Box 3931
City, State, Zip S. PADRE IS. TX 78597
Phone number 956-371-4185
Fax number 956-948-4615

OWNER INFORMATION

Name JOHN AND LETICIA RAVENBERG
Mailing address 26143 CLAY RD.
City, State, Zip KATY, TX 77493
Phone number 281-433-8753
Fax number

Email Address POOLS @ MARCUS ENTERPRISES .COM Email Address COATINGSYSTEMSJR @ Gmail .com

SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 232 W Hibiscus
Legal Description (Lot / Block / Subdivision): LOT 33 Block 117 Sec. VIII Padre Beach

I hereby request the following from the Board of Adjustment and Appeals: VARIANCE TO ALLOW THE PLACEMENT OF ONE ABOVEGROUND PORTABLE SPA (89" X 89" X 40") IN SIZE, 24 INCHES FROM EXISTING RETAINING WALL + 9'8" FROM CLOSEST EDGE OF POOL.

- 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) MARC DAVIS Owner's Name (Please Print) John Ravenberg
Applicant's Signature: [Signature] Owner's Signature: [Signature]
Date: 6/10/14 Date: 6/10/14

Subject: Request Variance to allow the placement of one above ground portable spa in front yard area on decking next to existing swimming pool.

Spa size is approximately 89" long X 89" wide X 40" tall.

Manufactured by: Sun Wave Spas.

Property Owners: John and Leticia Ravenberg.

Location: 232 W. Hibiscus, South Padre Island

Contractor: Remedy Pool Supply

Requested Spa Location:

57' from the inside East retaining wall to spa

10' from the inside West retaining wall to spa

24" from the inside South retaining wall to spa

13'6" from North Sea wall / Railing to spa

18'3" from edge of street to spa

25'9" from corner of covered patio /house to corner of spa

This owner has virtually no side yard and no back yard area.

See Survey for spa location (Box with X)

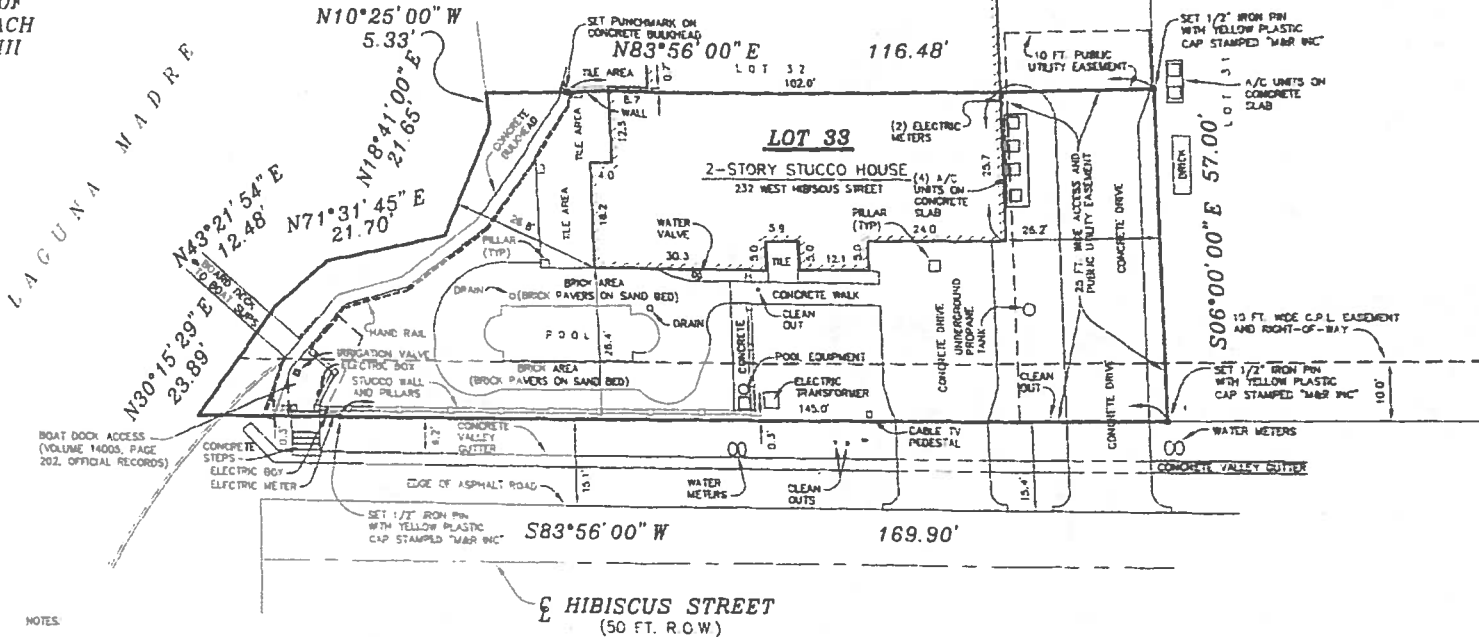
Thank you for your consideration.

Marc Davis,

Sales/Service

Remedy Pool Supply

MERIDIAN OF
PADRE BEACH
SECTION VIII



NOTES

- 1) THIS TRACT LIES IN FLOOD ZONE "A1" (ELEV. 8) PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 00010, EFFECTIVE MARCH 9, 1999.
- 2) MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF HIBISCUS STREET WAS USED AS THE BASIS OF BEARING.
- 3) THIS TRACT IS SUBJECT TO RESTRICTIONS RECORDED IN CABINET I, SLOT 2524-B, MAP RECORDS OF CAMERON COUNTY, TEXAS, VOLUME 14005, PAGE 202 AND VOLUME 15030, PAGE 143, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 4) EASEMENT AND RIGHT-OF-WAY DATED JULY 31, 1998, EXECUTED BY LMG PARTNERSHIP, LTD. TO CENTRAL POWER AND LIGHT COMPANY, A TEXAS CORPORATION, RECORDED IN VOLUME 3976, PAGE 80, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 5) MEMORANDUM OF COMMERCIAL COASTAL EASEMENT FILED MARCH 13, 2006, BY AND BETWEEN STATE OF TEXAS, ACTING BY AND THROUGH THE COMMISSIONER OF THE GENERAL LAND OFFICE AND CHAIRMAN OF THE SCHOOL LAND BOARD, ON BEHALF OF THE PERMANENT SCHOOL FUND AND STEPHEN E. O'NEAL AND BETTY J. O'NEAL, RECORDED IN VOLUME 12352, PAGE 78, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS, AMENDED THEREAFTER BY INSTRUMENT FILED MAY 18, 2011, RECORDED IN VOLUME 17702, PAGE 72, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 6) EASEMENT AND RIGHT-OF-WAY DATED MAY 3, 2006, EXECUTED BY STEPHEN E. O'NEAL AND BETTY J. O'NEAL TO AEP TEXAS CENTRAL COMPANY, A TEXAS CORPORATION, RECORDED IN VOLUME 12778, PAGE 35, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 7) CONVEYANCE OF DOCKS AS SHOWN IN INSTRUMENT DATED JUNE 21, 2007, EXECUTED BY BAYSCAPE DEVELOPERS, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 13999, PAGE 300, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

The undersigned hereby certifies that the survey described hereon was made on the ground on 01-19-12; 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 ERRORS OR ADDITIONS.

E. H. Mejia
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3900



SURVEY OF
LOT NUMBER THIRTY-THREE (33), OF THE REPLAT OF LOTS 29, 30, 31, 32 AND 33, BLOCK NUMBER ONE HUNDRED SEVENTEEN (117), PADRE BEACH SECTION VII, IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET I, SLOT 2524-B, MAP RECORDS OF CAMERON COUNTY, TEXAS.

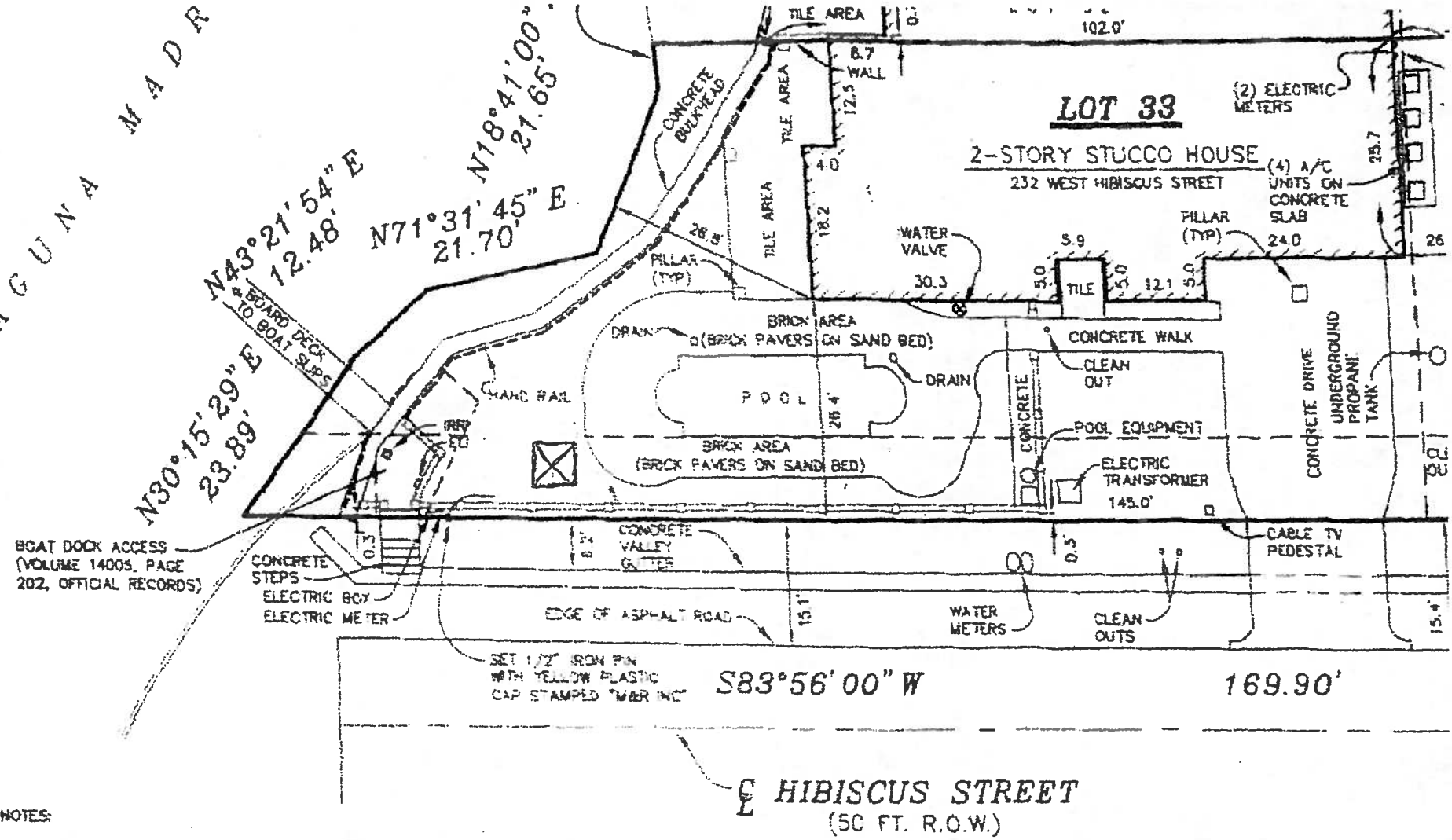
SCALE: 1" = 20'
SURVEYED FOR:

**JOHN RAVENBERG
AND
LETICIA RAVENBERG**

John Ravenberg
Leticia Ravenberg

Mejia & Rose, Incorporated
Engineering Surveying
T.B.P.E. Reg. No. P-2870
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3088
email: mandrinc@engmail.com
G.T. NO. 202079482 JOB NO. 18549

LAGUNA MADR



NOTES:

- 1) THIS TRACT LIES IN FLOOD ZONE "AE" (ELEV. 8) PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0601D, EFFECTIVE MARCH 9, 1999.
- 2) MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF HIBISCUS STREET WAS USED AS THE BASIS OF BEARING.
- 3) THIS TRACT IS SUBJECT TO RESTRICTIONS RECORDED IN CABINET 1, SLOT 2524-B, MAP RECORDS OF CAMERON COUNTY, TEXAS, VOLUME 14005, PAGE 202 AND VOLUME 15930, PAGE 14 RECORDED IN VOLUME 17308, PAGE 199, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (AFFECTS LOT 32)
- 4) EASEMENT AND RIGHT-OF-WAY DATED JULY 31, 1996, EXECUTED BY LMR PARTNERSHIP, LTD. TO CENTRAL POWER AND LIGHT COMPANY, A TEXAS CORPORATION, RECORDED IN VOLUME 2
- 5) MEMORANDUM OF COMMERCIAL COASTAL EASEMENT FILED MARCH 13, 2006, BY AND BETWEEN STATE OF TEXAS, ACTING BY AND THROUGH THE COMMISSIONER OF THE GENERAL LAND OFFICE, PERMANENT SCHOOL FUND AND STEPHEN E. O'NEAL AND BETTY J. O'NEAL, RECORDED IN VOLUME 12352, PAGE 76, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. AMENDED THEREAFTER BY INSTRUMENT FILED MAY 18, 2011, RECORDED IN VOLUME 17702, PAGE 72, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 6) EASEMENT AND RIGHT-OF-WAY DATED MAY 5, 2006, EXECUTED BY STEPHEN E. O'NEAL AND BETTY J. O'NEAL TO AEP TEXAS CENTRAL COMPANY, A TEXAS CORPORATION, RECORDED IN VOLUME 13023, PAGE 139, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.
- 7) CONVEYANCE OF DOCKS AS SHOWN IN INSTRUMENT DATED JUNE 21, 2007, EXECUTED BY BAYSCAPE DEVELOPERS, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN VOLUME 1399

SURVEY OF

LOT NUMBER THIRTY-THREE (33), OF THE REPLAT OF LOTS 29, 30, 31, 32 AND 33, ONE HUNDRED SEVENTEEN (117), PADRE BEACH SECTION VIII, IN THE CITY OF SOUTH CAMERON COUNTY TEXAS ACCORDING TO THE MAP RECORDED IN VOLUME 14005, PAGE 202, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

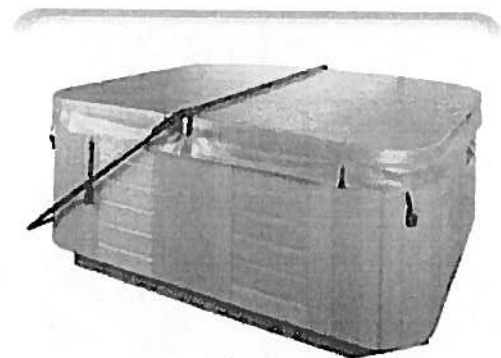
hereby certifies that the survey was made on the ground on [] and that the only improvements



CoverMate Easy

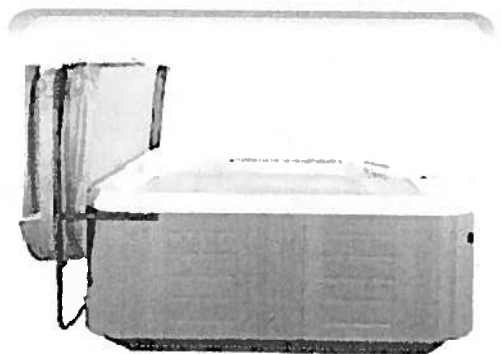
SUPERIOR, STYLISH SIMPLICITY

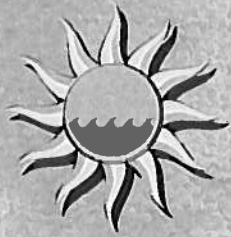
With no moving parts, the CoverMate Easy is a perfect example of "form follows function". This traditional cover lift offers ease-of-use and performance features your customers will love.



FEATURES & SPECS

- Requires just 18 inches clearance behind spa
- This basic lift simply looks better than the competition
- Powdercoated, aluminum tubing with easy-to-install, non-corrosive mounting brackets
- Durable, corrosion-free nylon catch straps provide a more stylish look, as compared to chains
- Comes standard with a TowelMate accessory for hanging up to three towels right where you need them most





SunWave

SW800



The SW800 spa is 89" long, 89" wide, and 40" tall.

51 Stainless Steel Sun Blaster Jets - Includes 2
Downforce Shoulder Massage Jets & 1 Volcano Jet
SmarTouch Digital Controls
Two 5HP Pumps
16 Spot LED System Throughout Spa
One 4-Spot LED Waterfall
Corona Discharge Ozone Injection System

50 Sq Ft Floating Weir Skimmer
5 Individual Air Controls
1 Water Diverter Control Knob
ABS Bottom
Synthetic Underlip Cabinet
4" - 2" Tapered U.L. Safety Hardcover
2 Deluxe Headrests







