

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

TUESDAY, OCTOBER 12, 2021

9:00 AM AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to Order

2. Pledge of Allegiance

3. Public Comments and Announcements

This is an opportunity for citizens to speak to the Board relating to agenda or non-agenda items. Speakers are required to address the Board at the podium and give their name before addressing their concerns. [Note: State law will not permit the Board of Adjustments and Appeal (Zoning) to discuss, debate or consider items that are not on the agenda. Citizen comments may be referred to City Staff or may be placed on the agenda of a future Board of Adjustments and Appeal (Zoning) meeting]

4. Regular Agenda

4.1. Discussion and action to approve the Minutes of the September 7, 2021 Regular Meeting.

4.2. PUBLIC HEARING regarding a request by Claudio H. Fasci for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Neighborhood Transition Character Zone" Zoning District to allow a Single - Family Home and to allow two (2) separate driveways on the lot located at 105A & 105B E Constellation Drive. (Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X)

4.3. DISCUSSION AND ACTION regarding a request by Claudio H. Fasci for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Neighborhood Transition Character Zone" Zoning District to allow:

a. Single - Family Home

b. Two (2) separate driveways on the lot located at 105A & 105B E Constellation Drive.
(Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X)

5. Adjourn

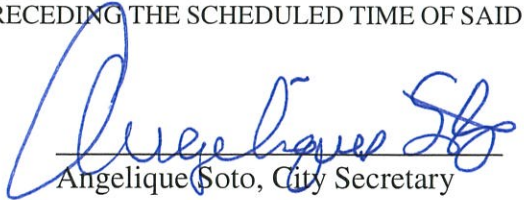
One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

DATED THIS THE 6TH DAY OF OCTOBER 2021




Angelique Soto, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE BOARD OF ADJUSTMENTS AND APPEALS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **OCTOBER 6, 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
BOARD OF ADJUSTMENTS AND APPEALS
AGENDA REQUEST FORM**

MEETING DATE: October 12, 2021

NAME & TITLE: Marta Martinez

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

Discussion and action to approve the Minutes of the September 7, 2021 Regular Meeting.

ITEM BACKGROUND

Approve September 7, 2021 Meeting Minutes.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal: No

Approved by Legal: No

RECOMMENDATIONS/COMMENTS:

<p style="text-align: center;">MEETING MINUTES CITY OF SOUTH PADRE ISLAND BOARD OF ADJUSTMENTS & APPEALS (ZONING)</p>
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TUESDAY, SEPTEMBER 7, 2021

1. CALL TO ORDER

The Board of Adjustments & Appeals (Zoning) of the City of South Padre Island, Texas held a Regular Meeting on Tuesday, September 7, 2021 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Paul Fedigan called the meeting to order at 9:00 a.m. A quorum was present: Board Members Joseph Praster, Chris Huffman, Cain Mahan, and Gordon Garlock.

City staff Members present were City Manager Randy Smith, Director of Operations Wendi Delgado, Police Chief Claudine O'Carroll, Building Official George Martinez, Public Works Director C. Alejandro Sanchez, and Planning Coordinator Marta Martinez.

2. PLEDGE OF ALLEGIANCE

Chairman Paul Fedigan led those present in the Pledge of Allegiance.

3. PUBLIC COMMENTS AND ANNOUNCEMENTS.

None.

4. REGULAR AGENDA

4.1 DISCUSSION AND ACTION TO APPROVE THE MINUTES OF THE JULY 6, 2021 REGULAR MEETING.

Board Member Praster made a motion, seconded by Board Member Huffman to approve the July 6, 2021 regular meeting minutes with corrections. The motion carried unanimously.

4.2 DISCUSSION AND ACTION REGARDING AN APPEAL CONCERNING THE ISSUANCE OF A BUILDING PERMIT BY THE BUILDING DEPARTMENT REGARDING 116 E MARS LANE. (LOT 10, BLOCK 140, PADRE BEACH SUBDIVISION, SECTION IX)

Chairman announced the item from the agenda and asked if anyone wish to speak regarding this agenda item. David Irwin Attorney for Irv Downing questioned Irv

Downing regarding this matter. Mr. Downing then gave a brief history about his background and his concerns regarding this agenda item. City Attorney Edmund Cyganiewicz advised the Board of the procedure of the meeting and gave guidance. Carole Boyd Attorney for Erez Weinstein stated her issues regarding this matter. Mr. Weinstein then gave a brief history of his project. Randy Caster resides at 115 E Mars Lane, Rogelio & Annie Magana Jr. resides at 127 E Mars Lane, and Richard Ehrlich resides at 118 E Mars expressed their concerns regarding this matter. Chairman Fedigan then opened it up for discussion by the Board. Board Members expressed their comments/concerns regarding this matter. City Attorney Mr. Cyganiewicz then answered the Board questions/concerns regarding the appeal. After much discussion Board Member Praster made a motion, seconded by Board Member Garlock to deny the appeal of the issuance of a Building Permit. The motion carried unanimously.

5. ADJOURN

There being no further business, Chairman Fedigan adjourned the meeting at 10:06 p.m.

Marta Martinez, Planning Coordinator

Paul Fedigan, Chairman

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

MEETING DATE: October 12, 2021

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

PUBLIC HEARING regarding a request by Claudio H. Fasci for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Neighborhood Transition Character Zone" Zoning District to allow a Single - Family Home AND to allow two (2) separate driveways, one on each lot located at 105A & 105B E Constellation Drive. (Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X)

ITEM BACKGROUND

1. The Chairman opens the Public Hearing by reading the caption from the Board's agenda.
2. The Chairman asks if anyone is present to speak in favor of agenda item.
3. Once everyone in favor has spoken, the Chairman then asks if anyone is present to speak in opposition of agenda item.
4. Once everyone in opposition has had an opportunity to speak, the Chairman will then close the Public Hearing.

Please keep in mind that the Board will normally have discussion and action during the next item on the agenda. The Public Hearing is for the purpose of receiving comments from the public. It is not necessary for the Board Members to respond to the public at this time. If a member of the public raises a question, the members of the Board should make note of it to address during the next discussion and action item aft the Public Hearing has been closed.

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
BOARD OF ADJUSTMENTS AND APPEALS
AGENDA REQUEST FORM**

MEETING DATE: October 12, 2021

NAME & TITLE: Alex Sanchez, Public Works Director

DEPARTMENT: Planning/Parks & Rec. Department

ITEM

DISCUSSION AND ACTION regarding a request by Claudio H. Fasci for a Special Exception in accordance with Table 5.1 (Permitted Uses) of PBED Form Based Code. Applicant is requesting a Special Exception to Sec. 20-8.1 Appendix "Z" Padre Boulevard and Entertainment District Code - "Neighborhood Transition Character Zone" Zoning District to allow a Single - Family Home AND to allow two (2) separate driveways, one on each lot located at 105A & 105B E Constellation Drive. (Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X)

ITEM BACKGROUND

The applicant seeks a Special Exception to the Padre Blvd Neighborhood Transition Character Zone to allow a Single Family Home AND to allow two (2) separate driveways, one on each lot located at 105A & 105B E. Constellation, Drive Lots 4A & 4B Block 143, Padre Beach Subdivision, Section X. The subject properties are located on the south side of E Constellation Drive and are zoned Neighborhood Transition Character Zone.

The Board will need to determine if the application has adequately demonstrated the suitability a hard ship, of the proposed use in order to justify the exception. Notice of this request and the hearing were given to the public in accordance with Section 20-16.1 and staff has received no feedback from the public. Please remember to stated for the record your reason(s) for approval and/or denial.

Sec. 20-16.3. Special Exceptions.

- (A) Purpose and Intent. A special exception is a permitted land use that is allowed in a zoning district if listed as a special exception use, subject to specific conditions that may be imposed by the Board of Adjustment.
- (B) Procedure.
 - (1) The application shall first be reviewed by City staff for compliance with City codes, regulations, and policies.
 - (2) After reviewing any foreseeable impacts and/or concerns raised at the hearing on the application, the Board of Adjustment may:
 - (a) Grant the application without conditions. In this case, the Board of Adjustment shall determine and state that there is no negative impact on public health, safety and general welfare on the applicable zoning district;
 - (b) Accept the application with conditions; or

(c) Deny the application. In this case, the Board of Adjustment shall determine and state that there are negative impacts on public health, safety and general welfare on the applicable zoning district, and those negative impacts cannot be resolved by any conditions.

BUDGET/FINANCIAL SUMMARY

N/A

COMPREHENSIVE PLAN GOAL

N/A

LEGAL REVIEW

Sent to Legal: No

Approved by Legal: No

RECOMMENDATIONS/COMMENTS:

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

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

- Building Form and Development Standards in Section 6.2 of this PBED Code.
- 4.2.2 Entertainment District Core – The Entertainment District Core Zone is intended to encourage the development of the area consistent with the vision for the Entertainment District that connects to the Bayfront to Padre Boulevard. The Entertainment District is intended to have the highest intensity of retail, restaurant, residential, and destination entertainment uses. Development standards will emphasize a pedestrian orientation along Laguna Blvd and key east-west streets such as Amberjacks, Ling and Marlin Streets. Development within the Entertainment District Core Zone shall meet the Building Form and Development Standards in Section 6.3 of this PBED Code.
- 4.2.3 Neighborhood Crossing – The Neighborhood Crossing Zone is intended to encourage the development of activity nodes with a range of commercial and residential uses at key locations along Padre Boulevard that provide bay to beach connectivity. The Neighborhood Crossing Zone shall meet the Building Form and Development Standards in Section 6.4 of this PBED Code.
- 4.2.4 Town Center Crossing – The Town Center Crossing Zone is intended to create a development node centered on major civic and public uses. Development standards will emphasize the creation and preservation of a strong public/civic identity at this crossing. Development within the Town Center Crossing Zone shall meet the Building Form and Development Standards in Section 6.4 of this PBED Code.
- 4.2.5 Padre Boulevard North – The Padre Boulevard North Zone is intended to provide for more flexible, market based development vision that balances pedestrian orientation with auto-oriented development. Development standards will focus on establishing specific criteria under which developers could propose alternative/unique standards to implement a more market responsive project. Development within the Padre Boulevard North Zone shall meet the Building Form and Development Standards in Section 6.5 of this PBED Code.
- 4.2.6 Padre Boulevard Central – The Padre Boulevard Central Zone is intended to establish consistent site development standards along Padre Boulevard that creates a more continuous pedestrian realm. Development within the Padre Boulevard Central Zone shall meet the Building Form and Development Standards in Section 6.6 of this PBED Code.
- 4.2.7 Padre Blvd South – The Padre Blvd South Zone is intended to encourage the redevelopment of the southern portion of Padre Boulevard as a true gateway to the Island. It is also intended to ensure that development along the Boulevard connects the Entertainment District to the beach. Development within the Padre Boulevard South Zone shall meet the Building Form and Development Standards in Section 6.6 of this PBED Code.
- 4.2.8 Neighborhood Transition – The Neighborhood Transition Zone is intended to provide for a range of smaller scale commercial (retail, office, and live-work) and residential transitions between Padre Boulevard and the neighborhoods to the east and west of the boulevard. Development standards will emphasize keeping a smaller building scale to be compatible with

adjoining neighborhoods. Development within the Neighborhood Transition Zone shall meet the Building Form and Development Standards in Section 6.7 of this PBED Code.

4.2.9 Northern Resort District – The Northern Resort District Character Zone building form and development standards are intended to provide for the implementation of a flexible, multi-use, market-based concept which establishes the relationship and character of both Gulf beachfront properties on the east of SPH 1000 (Padre Boulevard extension) and the properties on the west of SPH 100 (Padre Boulevard extension) fronting on to the Laguna Madre. The standards are intended to allow individual developers to establish unique and site specific criteria for their individual properties in a way which contributes to and enhances the general seaside resort character of the district. The Northern Resort District Character Zone as a whole may accommodate a wide range of the land uses in response to appropriate market demand. The uses would include but not be limited to commercial, residential, entertainment, recreation, hospitality and other tourism related activities.

4.3 Special Frontage Standards – Special Frontage Standards establish exceptions and special conditions for all buildings along designated street edges. Special Frontage Standards shall apply in addition to the underlying Character Zone standards. The following Special Frontage Standards as established in the Regulating Plan shall apply:

4.3.1 Main Street Frontage:

- (i) Ground floors of all buildings designated as Main Street Frontage on the Regulating Plan shall not be occupied by residential units and/or lodging

rooms in hotels to a minimum depth of 30 feet as measured from the front building facade line.

4.4 Street Designations – The following Street Designations shall be established for all streets within the Island:

4.4.1 Pedestrian Priority Streets Established – Pedestrian Priority Streets are intended to provide the most pedestrian friendly development context. Buildings along these streets shall be held to the highest standard of pedestrian-oriented design. The Pedestrian Priority Streets are mainly the street sections that are critical neighborhood connectors as identified in the Regulating Plan.

4.4.2 Boulevard Established – The Boulevard designation is intended to balance pedestrian orientation with automobile accommodation. Typically, the Boulevard shall be a hybrid street that has a more pedestrian friendly development context at street intersections and accommodates auto-related functions and surface parking in the middle of the block. Surface parking shall be screened from the roadway with a street or living fence. Padre Boulevard shall be the designated Boulevard within the Corridor.

4.4.3 General Streets Established – General Streets are intended to accommodate a more auto-oriented uses, surface parking, and service functions on a site with automobile orientation. The General Streets are as identified in the Regulating Plan.

4.5 Open Space – The Regulating Plan indicates Required and Recommended Open Spaces including Paseos and Plazas. The specific standards for Public and Private Open Space are established in the Form-Based Code Design Guidelines.

V. Schedule of Permitted Uses

- 5.1 Permitted Uses.** Due to the emphasis on urban form over land uses in the District, general use categories have been identified by Character Zone. Uses not listed in the following schedule (Table 5.1), but are substantially similar, may be permitted upon approval of the City Manager or designee, subject to City Council appeal.

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Schools, libraries, and community halls	P	P	P	P	P	P	NP	P
Universities and Colleges	P	P	P	P	P	P	NP	P
Technical, trade, and specialty schools	P	P	P	P	P	P	NP	P
Hospitals (General and Special), primary care office, urgent care centers, and dental clinics	NP	NP	P	P	P	P	NP	P
Nursing, supervision, and other rehabilitation services (including Substance Abuse Clinics)	NP	NP	P/SUP	P/SUP	P/SUP	P/SUP	NP	P/SUP
Civic uses	P	P	P	P	P	P	NP	P
Social and fraternal organizations	P	P	P	P	P	P	NP	P
Social services and philanthropic organizations	P	P	P	P	P	P	NP	P
Public administration uses (including government uses, public safety, health and human services)	P	P	P	P	P	P	NP	P
Religious Institutions	P	P	P	P	P	P	P	P
Funeral homes	P	P	P	P	P	P	NP	P
Residential Uses								
Home Occupations such as a dressmaker, physician/surgeon/dentist offices, a musician/artist studio etc.	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Single family	SE	SE	SE	SE	SE	SE	SE	P
Multi-family residential (including apartment and condominiums)								
Ground floor	P/C	P/C	P/C	P/C	P/C	P/C	P	P
Upper floors	P	P	P	P	P	P	P	P
Residential Lofts	P	P	P	P	P	P	P	P
Weekend cottages	NP	NP	NP	NP	NP	NP	NP	P
Single-family residential attached dwelling unit (Townhomes)	SE	SE	P	P	P	P	P	P
Accessory residential unit (accessory building not exceed 50% of the floor area of the principal structure)	SE	SE	P/A	P/A	P/A	P/A	P/A	P/A
Residential accessory uses in a vacant lot that is contiguous with a residential single family lot having a principal building under common ownership	NA	NA	NA	NA	NA	NA	NA	NA
Short-term (less than 30 days) rentals	P	P	P	P	P	P	P	P
Mixed use structure (with uses allowed in the district)	P	P	P	P	P	P	P	P
Trailer parks (travel trailers)	NP	NP	NP	NP	NP	NP	NP	NP
Live-work unit	P	P	P	P	P	P	P	P
Other Uses								
Accessory uses (the sum of all accessory uses shall not constitute a total area larger than twenty (20) percent of the total building area of the principal use)	NP	NP	NP	NP	NP	NP	NP	P
Publishing (newspaper, books, periodicals, software)	P/C	P/C	P	P	P	P	NP	P
Motion picture and sound recording	P/C	P/C	P	P	P	P	NP	P
Telecommunications and broadcasting	P/C	P/C	P	P	P	P	NP	P
Information services and data processing	P/C	P/C	P	P	P	P	NP	P
Model homes or field offices for sales and promotion (until all the homes are sold; building permit is required and shall be valid for a one (1) year period; renewable if sales are still active)	P	P	P	P	P	P	P	P
Bed and Breakfast Establishments	NP	NP	NP	NP	P	P	P	P
Hotels and motels	P	P	P	P	P	P	NP	P
Hotels, motels and condominiums with more than twelve (12) units may include within the premises such businesses as bars, food establishments, barber shops, beauty parlors and other similar businesses	P	P	P	P	P	P	NP	P
Commercial parking	P/C	P/C	P/C	P/C	P/C	P/C	NP	P/C
Temporary commercial parking*	P	P	P	P	P	P	NP	P

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Parking, surface (primary use of property)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Parking, surface (accessory use of property)	P	P	P	P	P	P	P	P
Parking, structured	P	P	P	P	P	P	NP	P
Private attached garage	P/A	P/A	NP	NP	NP	NP	P/A	P/A
Private detached garage	P/A	P/A	NP	NP	NP	NP	P/A	P/A
Impound lot	NP	NP	NP	NP	NP	NP	NP	NP
Outdoor storage	NP	NP	NP	NP	NP	NP	NP	NP
Heliport landing/take-off pads	NP	NP	NP	NP	NP	NP	NP	NP
Community garden	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Antennas including cell, accessory, and mounted on top of buildings.	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Utility equipment (includes electrical transformers, gas meters, etc)	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Wind energy equipment	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Rain harvesting equipment	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Solar energy equipment	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Special Event	P/SUP	P/SUP	P/SUP	P/SUP	P/SUP	P/SUP	NP	P/SUP
Temporary buildings for construction (shall be removed upon completion or abandonment of construction work)	P	P	P	P	P	P	P	P

P: Permitted by right

P/C: Permitted with design criteria per Table 5.2

P/A: Permitted accessory use

P/A/C: Permitted as an accessory use with design criteria per Table 5.2

P/SUP: Permitted with a Specific Use Permit

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

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

SE: Special Exception

NA: Not applicable

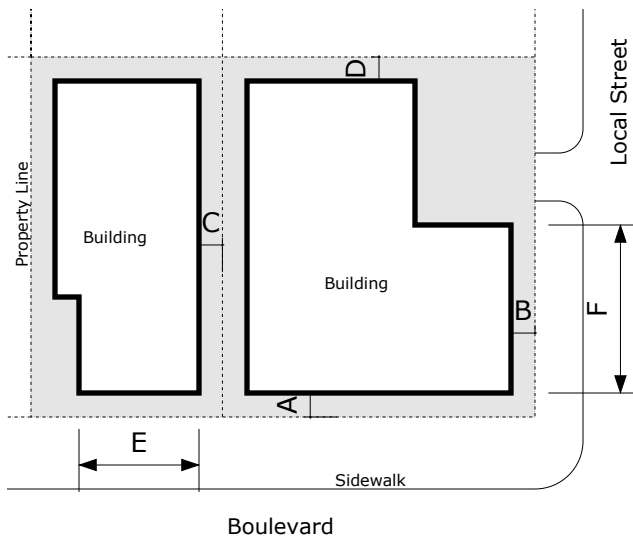
NP: Not permitted

*All parking and maneuvering areas on a non-residential lot shall have dustproof paving or vegetative coverage. (Usage of Caliche or similar materials that may cause clogs in drainage system or create dust in the area are not allowed.)

PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE

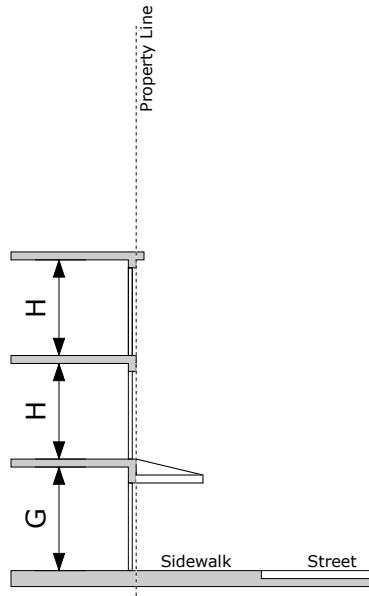
6.7 NEIGHBORHOOD TRANSITION CHARACTER ZONE

6.7.1 Building Placement



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

6.7.2 Building Height



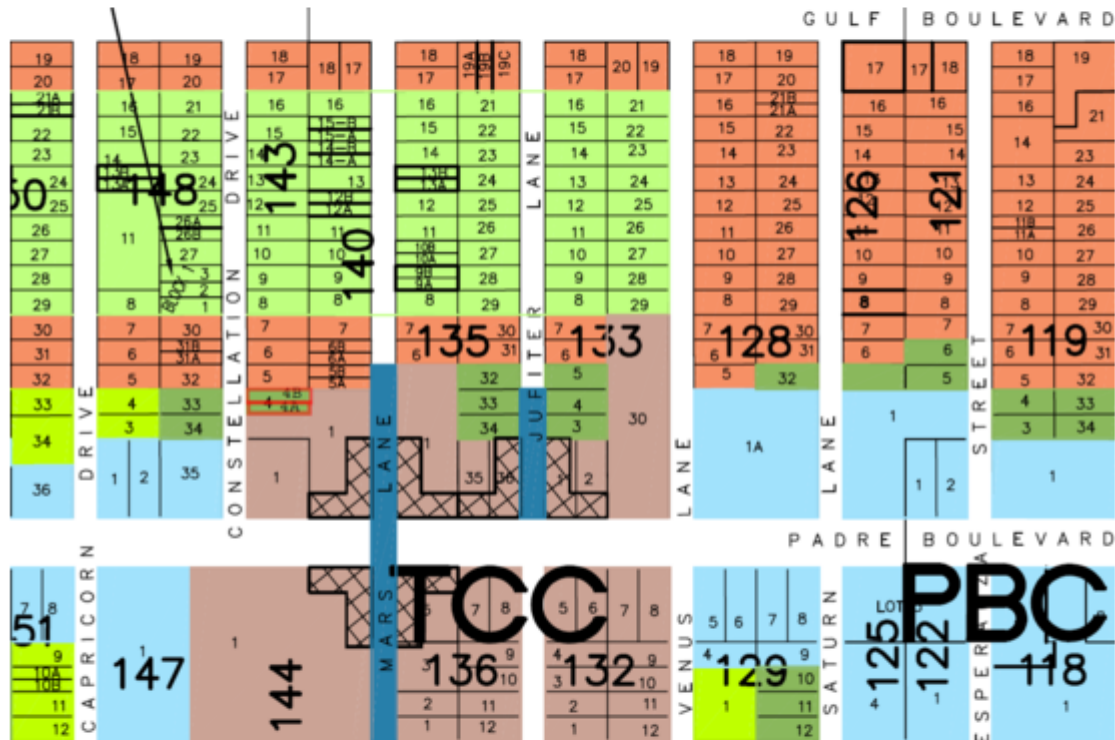
- (i) Max. Building Height 3 stories
- (ii) 1st Floor Ceiling Height 12' min. G
- (iii) Upper Floor(s) Ceiling Height 8' min. H
- (iv) Canopies, signs, awnings, balconies and similar overhang may be allowed over any required setbacks or the sidewalk if the vertical clearance meets a min. of 8 feet.
-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

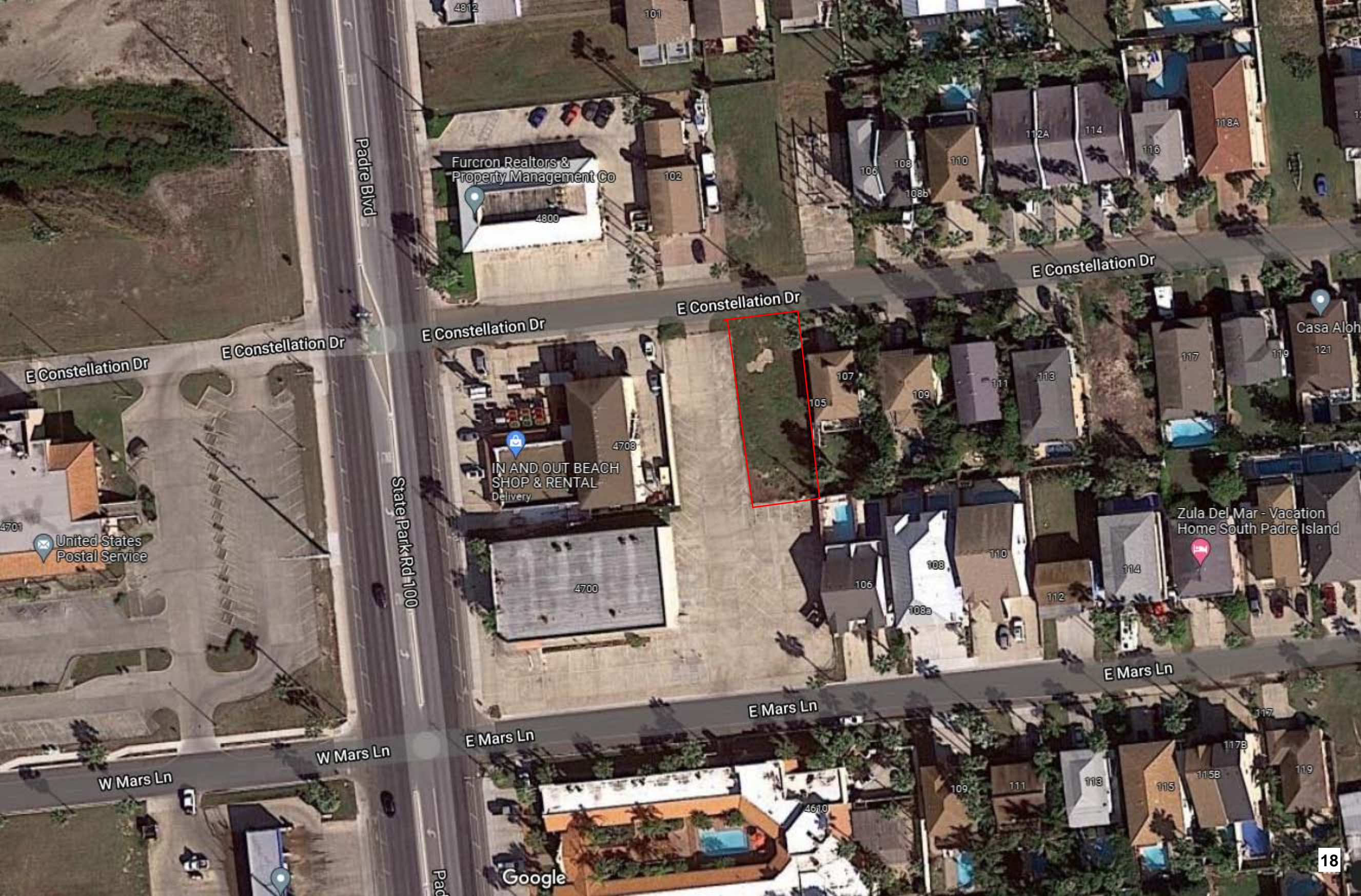
6.7.3 Parking

- (i) Location Priority
1. Behind a building;
 2. Next to a building;
 3. Front parking; and
 4. Shared parking lot or parking building
 - Within 1,200 feet from the lot with the principal building.
 - The approval by the City Manager or designee required;
 - Shared parking agreement is required;
- (ii) Design Criteria
1. Min. 3 feet behind the property line.
 2. No side/rear setback for parking;
 3. Non-residential uses
 - Min. 1 space/500 SF (gross)
 4. Residential uses
 - Min. 1.5 space/unit
 5. Lodging uses
 - 0.75 spaces/lodging room
 6. Floor to floor heights shall not apply to parking floors.
 7. All parking/service areas shall be defined from the street by a 4' high screen (either the same building material with the principal structure or masonry or a vegetation) within the property line.
- (iii) Alternative Parking Measures
- All development shall either meet the requirement for the number of parking or shall pay an equivalent fee-in-lieu as established by the City Council.

(iv) Service Access

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





Furcron Realtors &
Property Management Co

4800

102

E Constellation Dr

E Constellation Dr

E Constellation Dr

E Constellation Dr

State Park Rd 100

IN AND OUT BEACH
SHOP & RENTAL
Delivery

4708

4700

E Mars Ln

E Mars Ln

W Mars Ln

W Mars Ln

E Constellation Dr

Casa Aloha

Zula Del Mar - Vacation
Home South Padre Island

Google



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

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

APPLICANT INFORMATION

Name Claudio H. Fasci
Mailing Address 105-A East Verna Jean Dr.
City, State, Zip South Padre Island.
Phone number 808 436 3913
Fax number _____

OWNER INFORMATION

Name Claudio H. Fasci
Mailing address 105-a East Verna Jean Dr.
City, State, Zip South Padre Island.
Phone number 808 436 3913
Fax number _____
E-mail Address claudio.h.fasci@gmail.com

SITE LOCATION FOR REQUEST:

a and b

Physical Address (Street Name & Number):

105 East Constellation

Legal Description (Lot / Block / Subdivision): _____

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

- Drive way variance requesting 2 separate driveways
- Single family home

In addition, the application requires the submission of the following:

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

For Internal use only:

Amount Paid: _____

Paid Cash or Check No. _____

Date Received: _____

Note: Applicants are required to fully disclose in the application all information that is necessary for the various bodies to make their determination prior to issuance of any permit. At a minimum, an application for a variance or Special Exception shall contain ten (10) copies of the information outlined above. All information must be submitted no later than twenty (20) days prior to the meeting date. **All fees must be paid prior to the Board reviewing the application.**

If Staff determines that the application is incorrect, incomplete, illegible, or in any way inadequate to insure the complete understanding of the variance or special exception, staff shall return the application to the applicant.

Applicant's Name (Please Print) Claudio H. Fasci

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

Applicant's Signature: Claudio H. Fasci

Owner's Signature: Claudio H. Fasci

Date: 9/23/2021

Date: 9/23/2021

METES AND BOUNDS DESCRIPTION
 0.143 ACRE (6,250 SQ. FT.) OF LAND, BEING ALL OF LOT FOUR (4), BLOCK NUMBER ONE HUNDRED FORTY-THREE (143), PADRE BEACH SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 15, PAGE 40, MAP RECORDS OF CAMERON COUNTY, TEXAS; SAID 0.143 ACRE BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A ONE-HALF INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID LOT 4 AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF CONSTELLATION DRIVE (50 FT. R.O.W.), FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID CONSTELLATION DRIVE, SOUTH 08 DEG. 04 MIN. EAST, A DISTANCE OF 125.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE SOUTHEAST CORNER OF SAID LOT 4, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 4, SOUTH 83 DEG. 56 MIN. WEST, A DISTANCE OF 50.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE SOUTHWEST CORNER OF SAID LOT 4, FOR THE SOUTHWEST CORNER OF THIS TRACT;

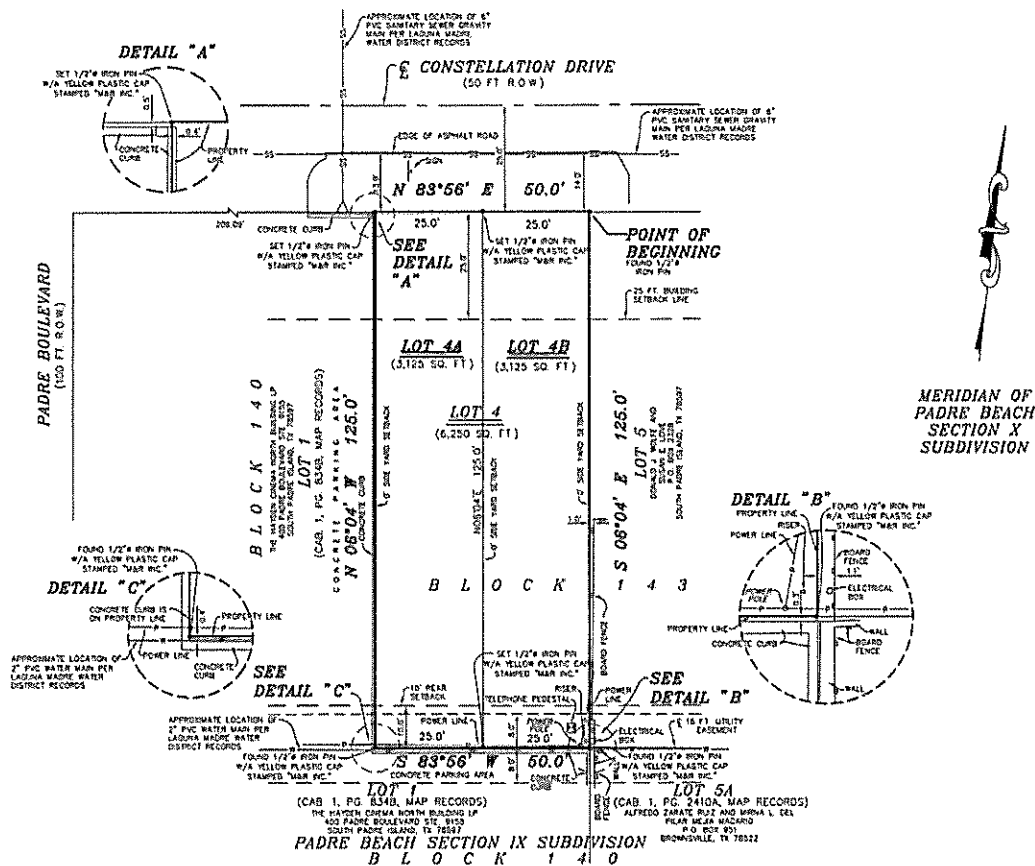
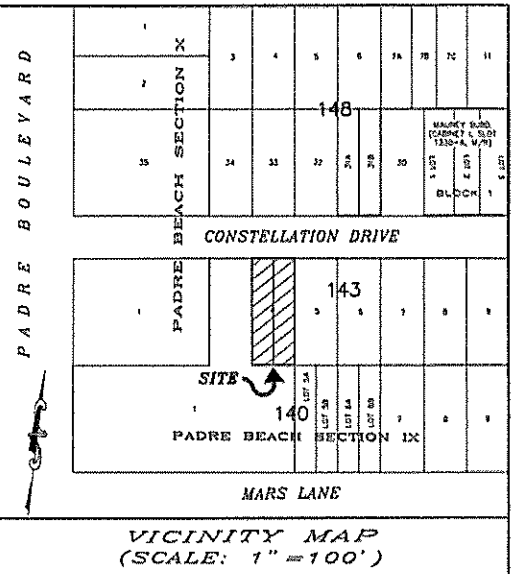
THENCE, ALONG THE WEST BOUNDARY LINE OF SAID LOT 4, NORTH 08 DEG. 04 MIN. WEST, A DISTANCE OF 125.0 FEET TO A ONE-HALF INCH IRON PIN SET AT THE NORTHWEST CORNER OF SAID LOT 4 AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID CONSTELLATION DRIVE, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CONSTELLATION DRIVE, NORTH 83 DEG. 56 MIN. EAST, A DISTANCE OF 50.0 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.143 ACRE OF LAND, MORE OR LESS.

NOTES:

1. MONUMENTATION FOUND ALONG THE SOUTH RIGHT-OF-WAY LINE OF CONSTELLATION DRIVE WAS HELD FOR BASIS OF BEARING.
2. THIS TRACT LIES IN FLOOD ZONE "AE" (ELEV. 6) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0510-F, EFFECTIVE FEBRUARY 16, 2018.
3. THESE LOTS ARE HEREBY DEDICATED AS TOWNHOME LOTS.
4. THIS TRACT LIES IN ZONING CLASSIFICATION "NT" NEIGHBORHOOD TRANSITION CHARACTER ZONE OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODE.
5. PER SECTION 6.71 OF THE PADRE BOULEVARD AND ENTERTAINMENT DISTRICT FORM-BASED CODE:
 0' SIDE YARD SETBACK
 10' REAR SETBACK TOWARD A SINGLE FAMILY RESIDENTIAL LOT



**PRELIMINARY PLAT
 OF
 "LOTS 4A AND 4B, BLOCK 143, PADRE BEACH SECTION X"
 BEING A REPLAT
 OF**

LOT NUMBER FOUR (4), BLOCK NUMBER ONE HUNDRED FORTY-THREE (143), PADRE BEACH SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO MAP RECORDED IN VOLUME 15, PAGE 40, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 20'
 SURVEYED FOR:

FRANCISCA A. LOZANO DE FASCI

OWNER:
 FRANCISCA A. LOZANO DE FASCI
 P.O. BOX 2335
 SOUTH PADRE ISLAND, TX 78597

Mejia & Rose, Incorporated

Engineering Surveying
 T.B.P.E. Reg. No. F-002670
 T.B.P.L.S. Reg. No. 10023900
 1643 West Price Road (956) 544-3022
 P.O. Box 3761 Brownsville, Texas 78520
 Fax (956) 544-3068
 email: mandrinc@engmail.com

The undersigned hereby certifies that the survey described hereon was made on the ground on DECEMBER 9, 2020 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 THIS DRAWING CONTAINS NO ERASURES OR ADDITIONS.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3900

G.P. NO. N/A JOB NO. 21298
 21298.DWG KFLA ROSADA







