



**City of Rockport**  
**ZONING BOARD OF ADJUSTMENT AGENDA**  
**THURSDAY, MAY 28, 2026 - 5:30 PM**  
**CITY HALL**  
**212 N. LIVE OAK**  
**ROCKPORT, TEXAS 78382**

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Notice is hereby given that Rockport Zoning Board of Adjustment will hold a on Thursday, May 28, 2026, at 5:30 PM. The meeting will be held in person in the Council Chambers in City Hall, 212 N. Live Oak, Rockport, Texas 78382. The live stream link to view the meeting is <https://rockporttx.portal.civicclerk.com/>.

The Zoning Board of Adjustments welcomes citizen participation and comments at all meetings on an Agenda item or any subject matter.

**Written comments submitted by 2:30 p.m. on the day of the meeting.**

- Complete the Speaker Card - locate the card online (<https://rockporttx.gov/FormCenter/Citizen-Participation-Form-7/Citizen-Participation-Form-52>)
- Written Comments received by the deadline will be read.

**Sign up in person.**

- Speaker's cards are located at the entrance of the meeting room and must be delivered to the Clerk before the meeting begins.
- Any citizen with handouts should provide them to the Clerk before the meeting. If you wish the Zoning Board of Adjustments to receive your handouts for the meeting, please provide 10 copies; if not, the Zoning Board of Adjustments will receive your handouts the following day.

**Rules for Citizen Participation.**

- Speakers will be limited to three minutes.
- While civic public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

**NOTE:** The Zoning Board of Adjustments may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for discussion. An announcement will be made based on the Executive Session discussion. The Zoning Board of Adjustments may also publicly discuss any item listed on the agenda for the Executive Session.

Notice is hereby given that other elected or appointed officials may attend the Meeting at the date and time above in numbers that may constitute a quorum. No action or minutes will be taken by such in attendance.

This facility is wheelchair-accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours before this meeting. Please get in touch with the City Secretary's office at (361) 729-2213, ext. 225, or FAX (361) 790-5966 or email [sgoodwin@rockporttx.gov](mailto:sgoodwin@rockporttx.gov) for further information. Braille is not available.

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**I. CALL TO ORDER AND ROLL CALL**

## II. CITIZENS TO BE HEARD

Speaker participation instructions are provided in writing at the beginning of the agenda. NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting, and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042 has not been posted on the agenda.

## III. APPROVAL OF MINUTES

1. Deliberate and act on the approval of the Zoning Board of Adjustments regular meeting minutes of March 5, 2026 (Stacy Cantu, Building & Development Planning Tech.)

## IV. PUBLIC HEARING AND RELATED ACTIONS

2. Consider a request for relief from the Zoning Ordinance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, otherwise known as CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.
  - i. Staff Report.
  - ii. Applicant Presentation.
  - iii. Consider the recommendation for approval or denial of the request for 618 N Moline. (Robert Decker, Chief Building Official)
3. Consider a request for relief from the Zoning Ordinance for the front setback be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6.
  - i. Staff Report.
  - ii. Applicant Presentation.
  - iii. Consider the recommendation for approval or denial of the request for 15 Luau Ln. (Robert Decker, Chief Building Official)
4. Consider a request for relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) be reduced from 10 ft to 6 ft, at the property located at 905 Patton, otherwise known as GIMLER TOLLE SUBDIVISION, BLK 1, LOT 4-R, 0.4497 Acres.
  - i. Staff Report.
  - ii. Applicant Presentation.
  - iii. Consider the recommendation for approval or denial of the request for 905 Patton. (Robert Decker, Chief Building Official)

## V. ADJOURN

### CERTIFICATION

This is to certify that I, Stacy Cantu, posted this Agenda at 5 p.m. on May 21, 2026, on the bulletin board of the City Hall, 212 N Live Oak St Rockport, Texas 78382.



Stacy Cantu  
Development Department - Planning Technician



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## **ZONING BOARD OF ADJUSTMENTS MINUTES**

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On the 5<sup>th</sup> day of March 2026, the Zoning Board of Adjustments held a Meeting at 5:30 p.m., at Rockport City Hall 212 N Live Oak, Rockport. Texas. Notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

### **Members Present**

### **Members Absent**

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Warren Hassinger, Chair  
Rocky Gudim  
Pamela Dixon  
Patt Bemrose  
  
Brandi Picton

### **Staff Members Present**

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Robert Decker, Assistant Director of Building & Development / Building Official  
Belinda Garcia, Administrator Coordinator  
Stacy Cantu, Building & Development Planning Technician

### **Guest(s) Present – One (1)**

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Bruce Hood, 474 Augusta Dr.

### **I. CALL TO ORDER AND ROLL CALL**

Chair, W. Hassinger, called the Zoning Board of Adjustments meeting to order at 5:30 p.m. with the acknowledgement of a quorum being present.

### **II. CITIZENS TO BE HEARD**

No citizens were present and no submission was present for citizens to be heard.

### **III. APPROVAL OF MINUTES**

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**1. Deliberate and act on approval of the Zoning Board of Adjustments regular meeting minutes of February 5, 2026.**

**Motion:** Member, P. Dixon motioned to approve February 5, 2026, regular meeting minutes as presented. Member P. Bemrose seconded the motion. **Motion passed unanimously.**

### **IV. PUBLIC HEARING AND RELATED ACTIONS**

**2. Consider a request for relief from the Zoning Ordinance for the setbacks required for a pool installation on the property located at 474 Augusta Dr., otherwise known as ROCKPORT COUNTRY CLUB #2, BLOCK 26, LOT 25.**

**i. Staff Report.**

**ii. Applicant Presentation.**

**iii. Consider the recommendation for approval or denial of the request.**

Building Official, R. Decker, stated the variance request was postponed at the prior meeting, of February 5, 2026, to allow the applicant to request a letter from the RCC Board. Since that time, the applicant has revised the proposal, reducing the pool width from 15 feet to 12 feet 7 inches. This modification provides a five-foot separation between the foundation and the pool edge to address fire safety concerns and a two-foot separation from the property line. Mr. Hood has submitted an updated site drawing reflecting these changes, along with a letter from the RCC Board, as requested by the committee at the previous meeting. Staff stated that the record does not reflect evidence of a unique or property-specific hardship necessary to justify approval of the variance from city code.

It was stated that the engineer letter stating the pool would not affect the foundation of the home is required. And would be needed to submit for the pool permit and begin work.

**Motion:** Member R. Gudim made a motion to approve the variance requested for the pool at 474 Augusta Dr, as long as the engineered letter would be submitted before the pool permit is issued; Member P. Bemrose seconded the motion.

**Motion passed unanimously. Finding of Facts were all answered in “favor” by all members.**

### **3. Discussion of upcoming educational opportunity.**

Planning Technician, Stacy Cantu, spoke on the educational webinar happening on Wednesday, May 27, 2026, at 11:15 a.m. in the general assembly room at City Hall. The training would be open to the public but is recommended that all of the ZBA Board Members attend. Reminders would be sent out before the scheduled webinar.

## **V. ADJOURN**

**Motion:** Member R. Gudim made a motion to adjourn. Member B. Picton seconded the motion.  
**Motion passed unanimously.** Zoning Board of Adjustments meeting adjourned at 5:47 p.m.

Prepared By:

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Stacy Cantu, Building & Development Planning Technician

Approved By:

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Warren Hassinger, Chairman



# AGENDA MEMO

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**DEPARTMENT:** Development Services

**TO:** Zoning Board of Adjustments Commissioners

**FROM:** Robert Decker, Chief Building Official

**MEETING DATE:** May 28, 2026

**CATEGORY:** Action Item

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**CAPTION:**

Consider a request for relief from the Zoning Ordinance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, otherwise known as CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.

i. Staff Report.

ii. Applicant Presentation.

iii. Consider the recommendation for approval or denial of the request for 618 N Moline.

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**SUMMARY:**

Property Owner, Kenneth McKinney, is requesting relief from the Zoning Ordinance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, otherwise known as CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.

**BACKGROUND:**

The property owner came to us for a Pre-Development Meeting on April 15th, 2026 to discuss building on his property. His lot is 60' x 40' and zoned R-2 (2nd Single Family Dwelling District). Mr. McKinney would like to rebuild a home that had been demolished. He wants to rebuild a house for his mom, with one off-street parking spot. The proposed house is 576 sq ft. The proposed front setback is 11 ft. and the proposed rear is 5 ft.

The minimum lot width in this zoned district is 50 ft and the minimum lot size is 5,000 sq ft. The minimum dwelling size is 600 sq ft. Also, two off-street parking spots are required for single family dwellings. The required front setback is 25 ft and the required rear setback is 20 ft.

The public hearing notice was published in the Corpus Christi Caller Times on Thursday, May 14, 2026. Eighteen public notices were mailed out on Thursday, May 14, 2026. At the time of agenda posting, we have received no notices/comments back.

This lot is a non-conforming, pre-existing lot of record that is smaller than the prescribed zoning requirements within R-2 2nd Single Family Dwelling District. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request meets the standard for a hardship.

**FUNDING SOURCE:**

**FUNDING IMPACT:**

**STAFF RECOMMENDATION:**

Staff recommends approval on a variance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline.

**STRATEGIC INITIATIVES:**

Action Item

**ATTACHMENTS:**

1. PH - 618 N. Moline
2. Variance Application\_618 N Moline
3. Site Plan\_618 N Moline
4. Pictometry\_618 N Moline
5. Zoning Map\_618 N Moline
6. Future Land Use Map\_618 N Moline
7. Mail Outs (618 N Moline)
8. Public Mailout
9. ZBA Findings of Fact \_618 N Moline

**APPROVAL/REVIEW:**

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Amanda Torres, Director of Building & Development

Date: May 21, 2026



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## PUBLIC HEARING

### Zoning Board of Adjustment

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**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday May 28, 2026, at 5:30 p.m., at the **City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382**, to consider a request for relief from the Zoning Ordinance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, otherwise known as CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the Development Services Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail [sgoodwin@rockporttx.gov](mailto:sgoodwin@rockporttx.gov) for further information. Braille is not available.

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**POSTED:** this the 14<sup>th</sup> of May 2026, on the City of Rockport website @ [www.rockporttx.gov](http://www.rockporttx.gov) .

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**PUBLISHED:** in the *Corpus Christi Caller Times* in the Thursday, May 14, 2026, Edition, in accordance with the City of Rockport - Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

A handwritten signature in black ink, appearing to read "A2", is written over a light blue rectangular background.

Amanda Torres,  
Development Services Department  
Director/Community Planner



# City of Rockport

Building & Development – 2751 SH 35 Bypass, Rockport, TX 78382 • (361) 790-1125 • FAX (361) 729-6476  
www.cityofrockport.com

## VARIANCE APPLICATION

A separate variance application for each (non-compliant) condition within a single building or facility must be submitted by the owner (or owner's designated agent) and must include a \$150.00 **non-refundable application fee**.

In addition, the application must be accompanied by plans (site and/or architectural) of all affected areas and any supporting documentation that provides adequate proof to the Zoning Board of Adjustment that compliance with the City of Rockport's Code of Ordinances is impractical or irrelevant to the nature, use, or function of the building or facility.

### \*\* IMPORTANT INFORMATION \*\*

The appeal shall be made within 10 business days after the decision of the administrative official is made, by filing with the administrative official a completed application for appeal and filing fee. Incomplete applications and applications received without the required fee(s) will not be processed.

#### FORM MUST BE COMPLETED IN FULL

PLEASE PRINT OR TYPE

1. Has this project been reviewed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. If yes, name of reviewer: <i>at pre development meeting on 4/15/26</i>
3. Has this project been inspected? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4. If yes, name of inspector & date of inspection:

5. Project Name: <i>618 N. Moline</i>			
6. Building/Facility Name:			
7. Address: <i>618 N. Moline</i>	Suite #:	City: <i>Rockport</i>	Zip Code: <i>78382</i>

8. Description: Indicate the type of project: <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Alteration	9. Scope of Work (Describe the construction activities): <i>Build a completely new 576 sq. ft. single family residence 1 bed / 1 bath</i>
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10. Square Footage of Building: <i>576</i>	11. Square Footage Per Floor: <i>576</i>
12. Is this building a qualified historic building: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, a copy of the determination of effect letter from the Texas Historical Commission (THC) must accompany this application.	13. State the specific location of the violation within the building or site: <i>- Lot size - Setbacks - Parking requirements - Lot width - Min. Sq. Footage</i>

14. Intent to Apply: I hereby apply for a variance from the City of Rockport Zoning Board of Adjustment. (Check one) I am the  Owner  Owner's Agent

15. Name: <i>Kenneth McKinney</i>		16. Company/Firm:	
17. Address: <i>618 N. Moline</i>	18. City: <i>Rockport</i>	19. State: <i>TX</i>	20. Zip Code: <i>78382</i>
21. Phone #: <i>(361) 229-0013</i>	22. Fax #:	23. E-mail: <i>stampman71@gmail.com</i>	
24. Signature: <i>[Signature]</i>		25. Date: <i>4/17/26</i>	

EXHIBIT A

**City of Rockport  
Variance Application**

**OWNER'S AFFIDAVIT**

I, Kenneth McKinney, being first duly sworn, depose and say that I am the OWNER of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

Kenneth McKinney  
Printed Name of Owner

[Signature]  
Signature of Owner

618 N. Moline  
Physical Address

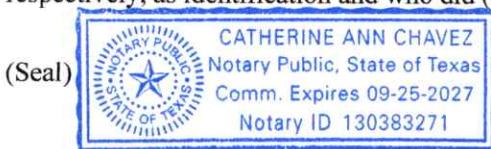
Box 195  
Mailing Address

Rockport TX. 78382  
City/State/Zip Code

Fulton, TX. 78358  
City/State/Zip Code

STATE OF TEXAS §  
COUNTY OF Aransas §

The foregoing instrument was acknowledged before me on this 17, day of April, 2026, by Kenneth McKinney and n/a who are personally known by me or who has produced Tx- DL and n/a respectively, as identification and who did (did not) take an oath:



Catherine Ann Chavez  
Notary Public Signature  
Catherine Ann Chavez  
Printed Name

My Commission Expires: \_\_\_\_\_

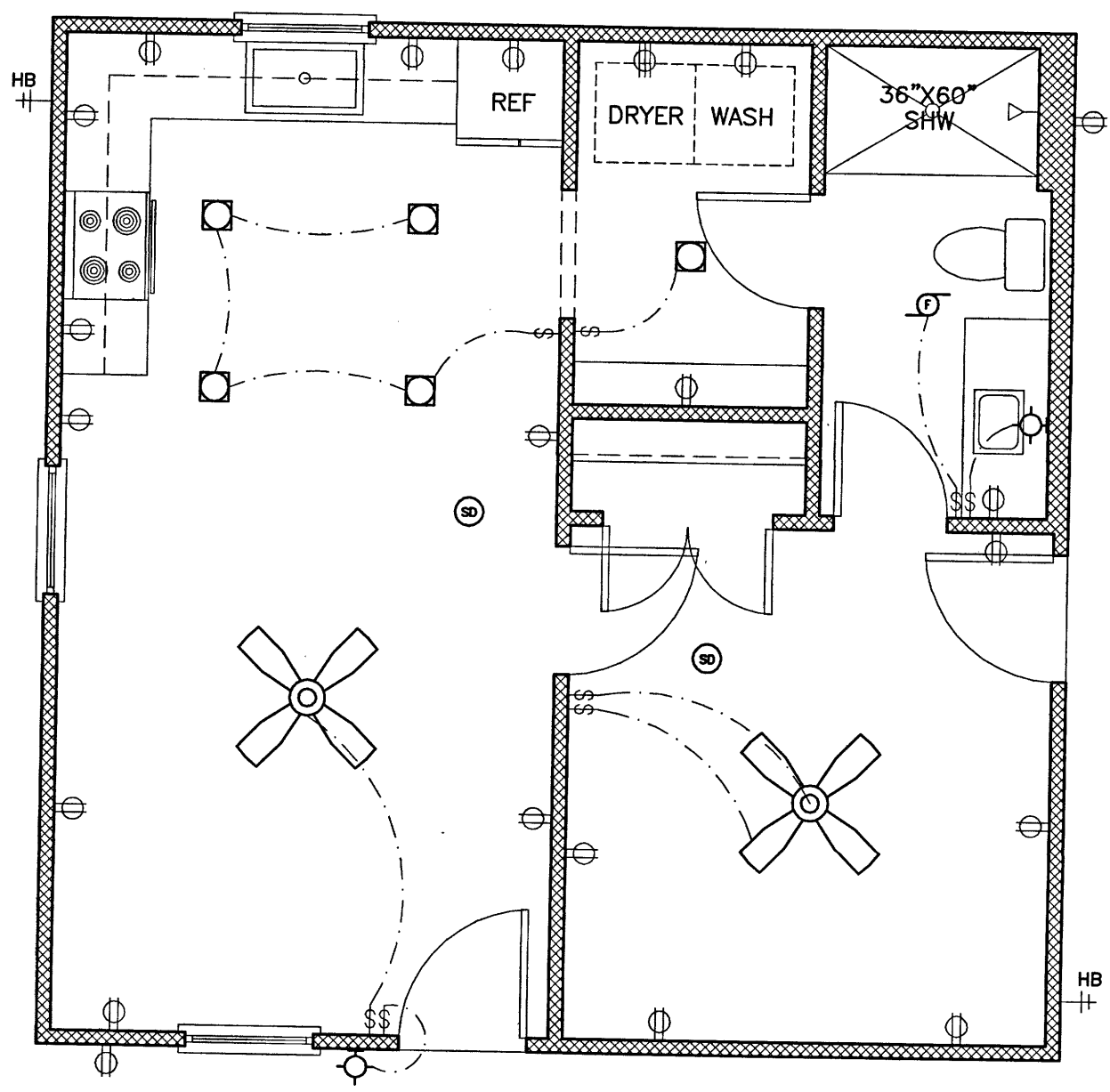
**GENERAL NOTES**

1. THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF THE DESIGN CONCEPT. AS SCOPE DOCUMENTS, THESE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE PROJECT. ON THE BASIS OF THE GENERAL SCOPE INDICATED, DESCRIBED, OR IMPLIED, THE CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND TIMELY COMPLETION OF THE WORK.
2. THESE SCOPE DOCUMENTS REPRESENT FINISHED DESIGN ONLY. THEY DO NOT INDICATE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO PROTECT THE STRUCTURE AND PERSONNEL DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE BUT NOT BE LIMITED TO BRACING, SHORING OF LOADS DUE TO CONSTRUCTION EQUIPMENT, EXCAVATION PROTECTION, SCAFFOLDING, JOB SITE SAFETY, ETC. OBSERVATION VISITS BY THE OWNER OR ENGINEER SHALL NOT INCLUDE INSPECTION OF THE ABOVE ITEMS.
3. ALL WORK SHALL BE PERFORMED AND COMPLETED IN STRICT COMPLIANCE WITH ALL APPLICABLE CODES AND/OR REGULATIONS HAVING JURISDICTION OVER THE WORK AND SHALL BE PERFORMED IN A GOOD WORKMANSHIP LIKE MANNER IN ACCORDANCE WITH ACCEPTED TRADE STANDARDS BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR RESPECTIVE TRADES.
4. ALL PLANS DESIGNED FOR THE CONSTRUCTION OF THIS BUILDING SHOULD BE REVIEWED BEFORE ANY CONSTRUCTION BEGINS. IN THE EVENT OF ANY CONFLICTS OR INCONSISTENCIES IN THE PLANS, SMITH NGUYEN SHOULD BE CONTACTED IMMEDIATELY. IF NO SUCH CONTACT IS MADE, THEN THE CONTRACTOR AND SUBCONTRACTORS, THEIR AGENTS AND EMPLOYEES, ASSUME ALL LIABILITY ASSOCIATED WITH SUCH CONFLICTS OR INCONSISTENCIES.

**SYMBOLS LEGEND**

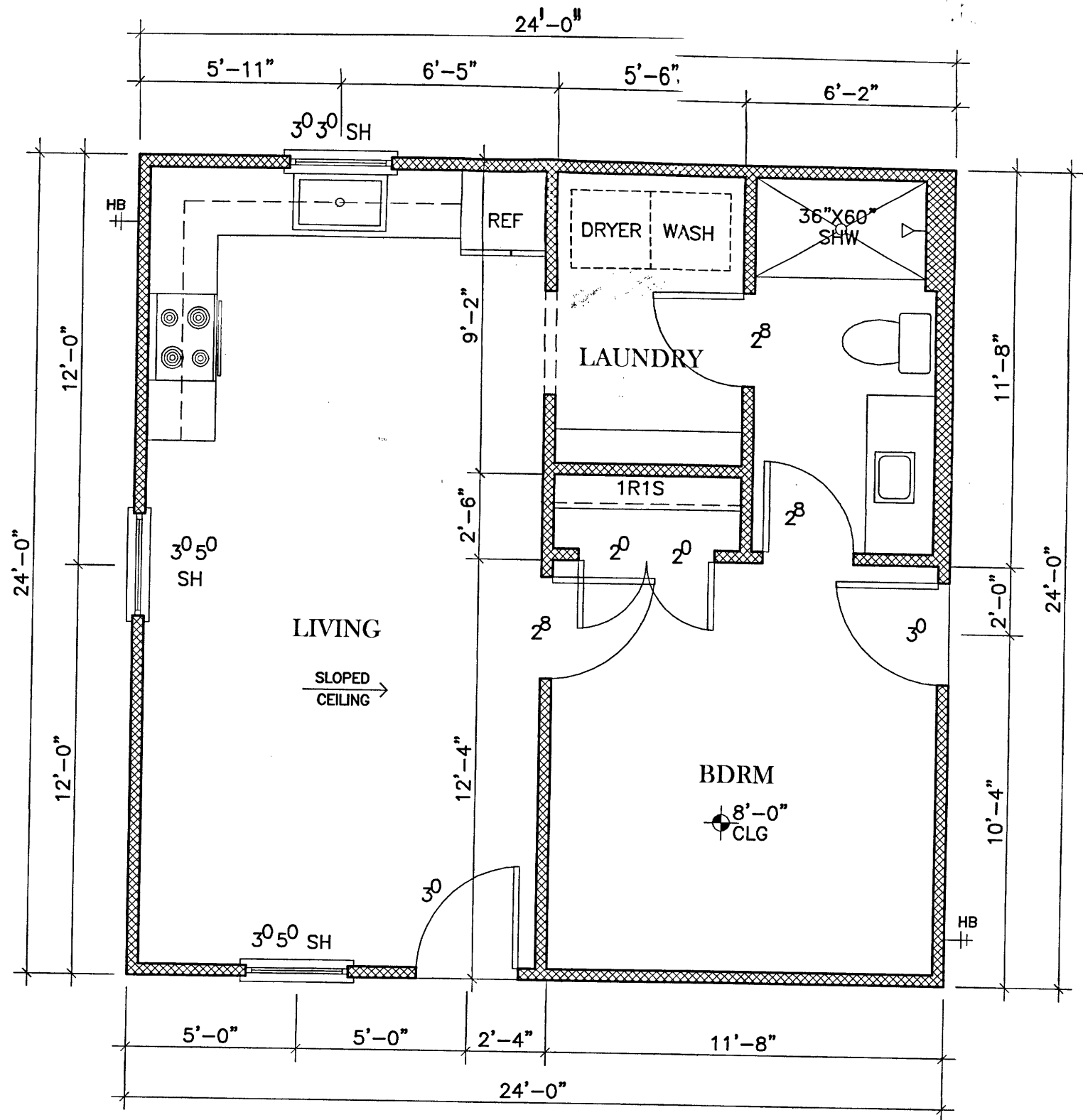
	CEILING MOUNTED FIXTURE
	RECESSED CAN FIXTURE
	WALL MOUNTED FIXTURE
	FLUORESCENT LIGHT FIXTURE
	EXHAUST FAN
	EXHAUST FAN/LIGHT
	SMOKE DETECTOR
	CEILING FAN W/LIGHT
	DOOR BELL
	DOOR CHIME
	TELEVISION/CABLE OUTLET
	TELEPHONE OUTLET
	SINGLE POLE SWITCH
	3 WAY SWITCH
	110V OUTLET
	220V OUTLET
	HOSE BIB
	GAS
	FLOOD LIGHT

THE ELECTRICAL PLAN(S) ARE INCLUDED HEREIN TO BE USED AS A GUIDE FOR PLACEMENT OF ELECTRICAL APPARATUS ONLY (I.E. LIGHT FIXTURES, SWITCHES, DETECTORS, OUTLETS, PANELS, ETC.) AND DO NOT NECESSARILY REFLECT A KNOWLEDGE OF THE REQUIRED CIRCUITRY, INSTALLATION PRACTICES OR ELECTRICAL CODE REQUIREMENTS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THE ELECTRICAL POWER DISTRIBUTION AND LIGHTING DESIGN MEETS ALL APPLICABLE CODES.



**ELECTRICAL LAYOUT PLAN**

SCALE: 0 4'-0"

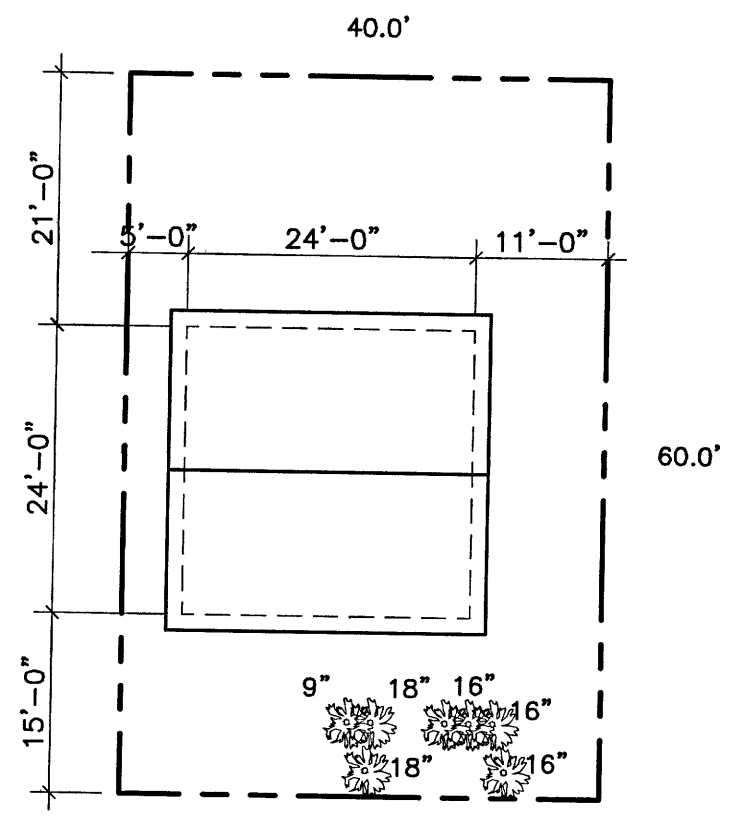


**FLOOR PLAN**

576 SQ.FT.

SCALE: 0 4'-0"

NOTE: 2X4 EXTERIOR WALLS  
NOTE: ALL DOOR AND WINDOW HEADER HEIGHTS @ 6'-8" UNLESS NOTED OTHERWISE.  
(VERIFY ALL ROUGH OPENINGS)

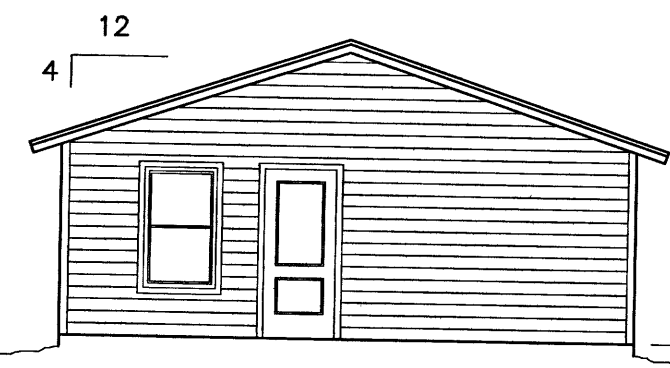


**SITE/ROOF PLAN**

SCALE: 0 16'-0"

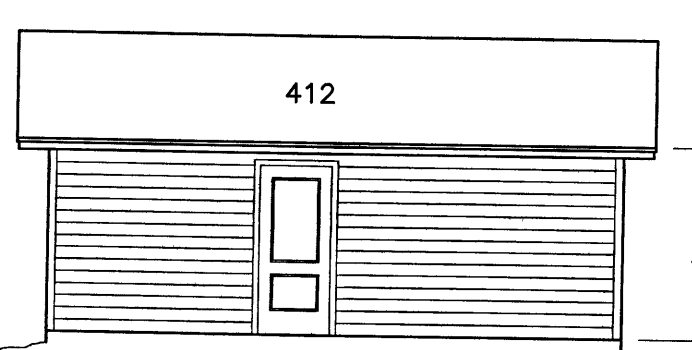
NOTE: VERIFY ALL SITE DIMENSION, SETBACK AND EASEMENTS WITH ORIGINAL PLAT.

MOLINE STREET



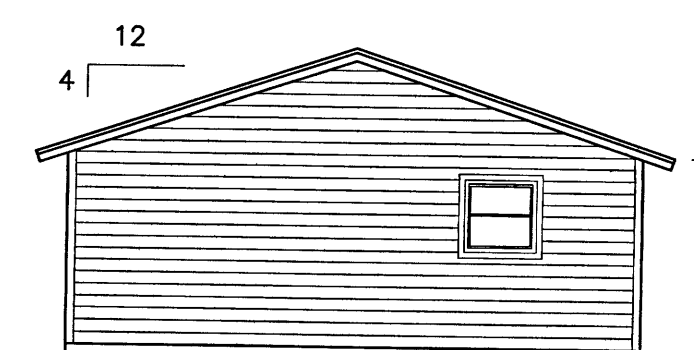
**FRONT ELEVATION**

SCALE: 0 8'-0"



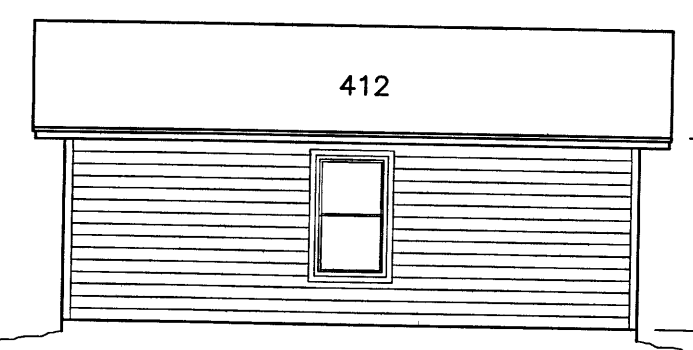
**RIGHT SIDE ELEVATION**

SCALE: 0 8'-0"



**REAR ELEVATION**

SCALE: 0 8'-0"



**LEFT SIDE ELEVATION**

SCALE: 0 8'-0"

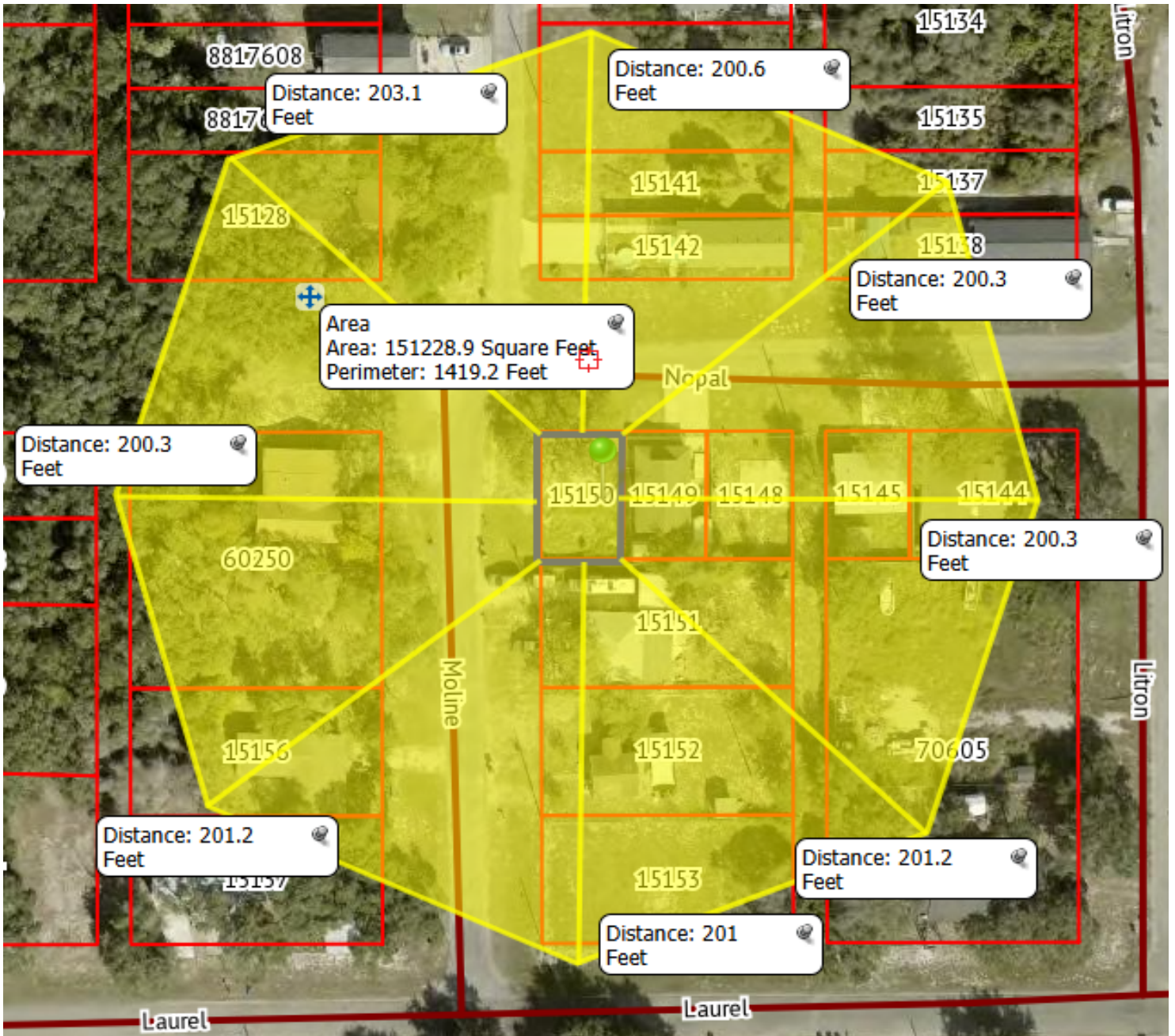
**618 N. MOLINE**

ROCKPORT, TEXAS

**smithnguyen**  
DRAFTING & DESIGN  
260 INVERRARY  
ROCKPORT, TX 78382

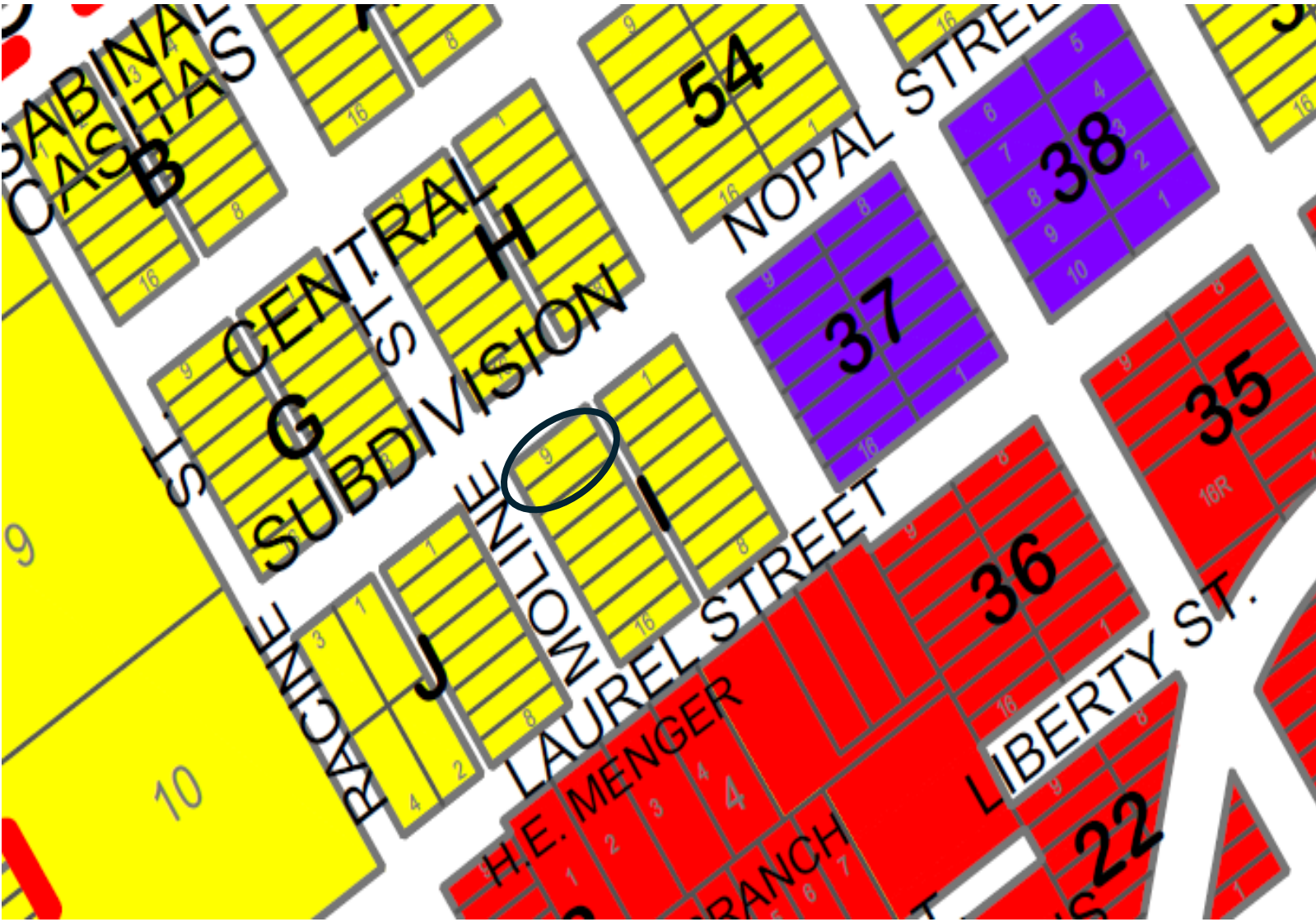
SMITH NGUYEN OFFERS DESIGN AND DRAFTING SERVICES. HE IS NOT AN ENGINEER. HE DOES NOT QUALIFY TO BE ONE NOR IS HE LICENSED TO DESIGN STRUCTURAL FRAMING, WINDBRACING, OR FOUNDATIONS. A LICENSED PROFESSIONAL ENGINEER SHOULD BE CONTRACTED AND CONSULTED REGARDING FRAMING, WINDBRACING, AND FOUNDATION DESIGNS.

# 618 N Moline





**Future Land Use Map – 618 N Moline**  
**CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH**





**NOTICE OF PUBLIC HEARING**  
**Rockport Zoning Board of Adjustments**

**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, May 28, 2026, at 5:30 p.m., City of Rockport City Hall, 212 N Live Oak, Rockport, Texas, to consider a request for relief from the Zoning Ordinance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, otherwise known as CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.

Public participation is valued and citizens wishing to express their views during the Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>, or if attending the meeting in person register at the meeting before the meeting begins. Using the same form, citizens can also provide written comments to the City Planner by 3:00 p.m. on the day of the Zoning Board of Adjustments meeting. The comments will be read and summarized in the minutes of the meeting.

The City encourages citizens to participate and make their views known at the Public Hearings. For further information on this request, please contact the Development Services Department at (361) 790-1125.

**CITY OF ROCKPORT, TEXAS**  
/s/ Shelley Goodwin, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_

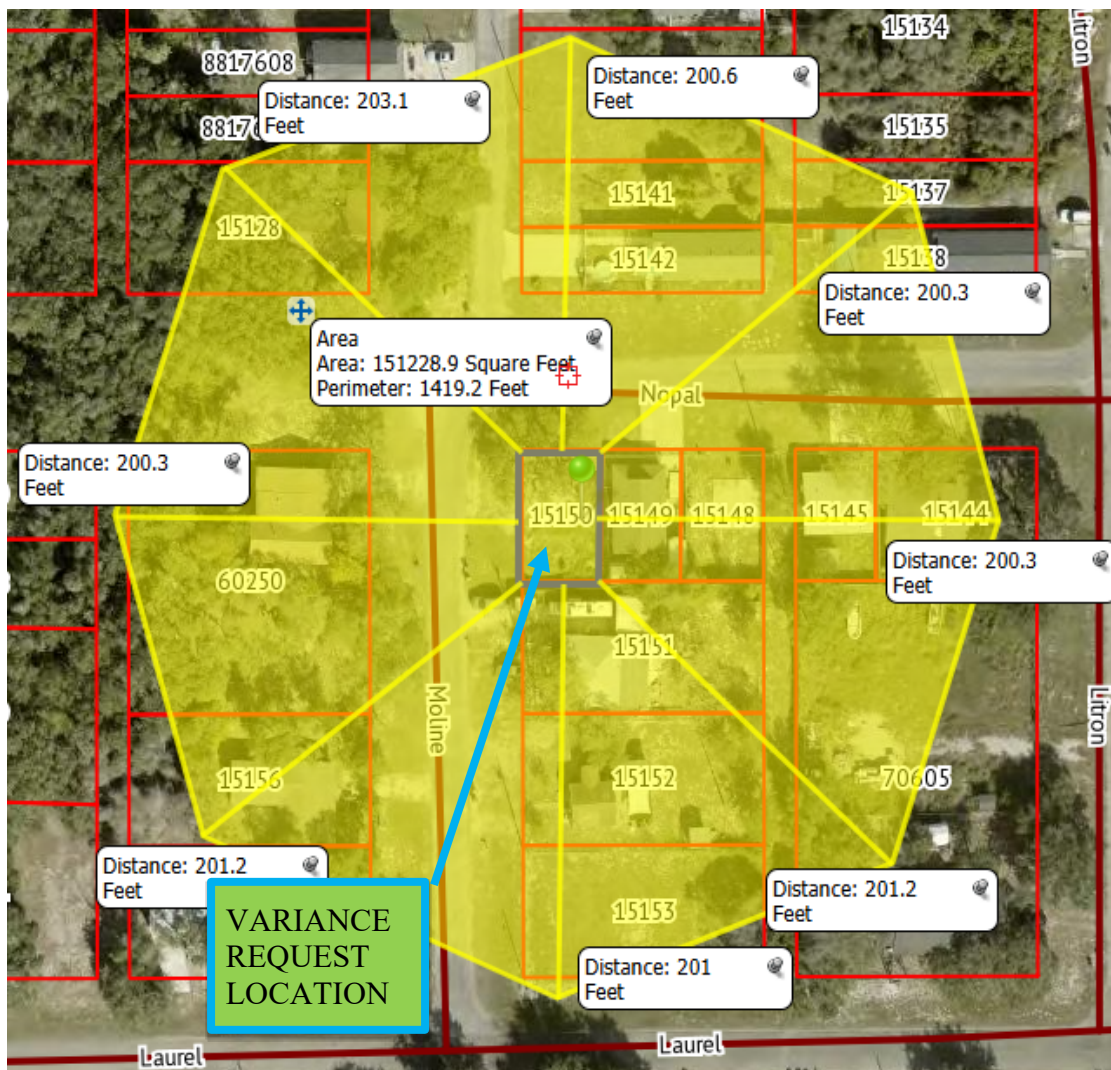
( ) IN FAVOR      ( ) IN OPPOSITION      Phone: \_\_\_\_\_

REASON:

\_\_\_\_\_  
Signature  
*See map on reverse side.*

# Location Map of Proposed Zoning Variance Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



## FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a variance request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

**ATTN:  
Development Services  
Department  
City of Rockport  
2751 SH 35 Bypass  
Rockport, TX 78382**

If you have any questions regarding this notice, please contact Amanda Torres, Community Planner, at 361-790-1125, ext. 226.



City of Rockport  
Development Services Department  
2751 S.H. 35 Bypass  
Rockport, TX 78382

«Property\_Owner»  
«Mailing\_Address»  
«City», «State» «ZIP»

SITUS ADDRESS: «Situs\_Address»

<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
15150	Kenneth McKinney	618 Moline St	171 Birmensdorf Dr	San Marcos	Tx	78666
15149	James Boies	311 E Nopal St	P O Box 831	Seabrook	Tx	77586
15148	James Boies	309 E Nopal St	P O Box 831	Seabrook	Tx	77586
15145	Carol Pinson	307 E Nopal St	121 N Santa Clara Dr	Rockport	Tx	78382
15144	Rebecca Duran Aguilar	305 E Nopal St	305 E Nopal St	Rockport	Tx	78382
15151	John Brett	610 Moline St	913 Allen St	Rockport	Tx	78382
15152	Gloria Flores	604 Moline S	604 N Moline St	Rockport	Tx	78382
15153	Reynaldo & Martha Torres	302 E Laurel St	300 Ivy Ln Apt A	Rockport	Tx	78382
70605	Barrett Fournier	603 Litron St	603 N Litron St	Rockport	Tx	78382
15157	Deianira Ajax & Willie Smi	220 E Laurel St	P O Box 63858	Pipe Creek	Tx	78063
15156	Thuy Trang Thi Nguyen	605 Moline St	657 Sunset Dr	Rockport	Tx	78382
60250	Hortencia Tamez	617 Moline St	617 Moline St	Rockport	Tx	78382
15128	Leticia Flores	703 Moline St	703 N Moline St	Rockport	Tx	78382
8817609	Paula Davidson	705 Moline St	705 N Moline St	Rockport	Tx	78382
15140	Sarah Cale Henson	706 Moline St	1877 N Santa Clara Rd	Maion	Tx	78124
15141	Cecilia & Timoteo Benavide	704 Moline St	404 E Concho St	Rockport	Tx	78382
15137	Ricardo Melendez	705 Litron St	1314 Houston St	George West	Tx	78022
15138	Roman & Anna Rodriguez	701 Litron St	701 N Litron St	Rockport	Tx	78382
	Patricia (Patt) Bemrose	Zoning Board of Adjust	1435 S Water St	Rockport	Tx	78382
	Carey Dietrich	Zoning Board of Adjust	602 Fulton Ave	Rockport	Tx	78382
	Michael Harm	Zoning Board of Adjust	802 W Market St	Rockport	Tx	78382
	Pamela Dixon	Zoning Board of Adjust	412 Cherry Hills Dr	Rockport	Tx	78382
	Traci Baucum	Zoning Board of Adjust	493 Augusta Dr	Rockport	Tx	78382
	Rocky Gudim	Zoning Board of Adjust	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjust	1803 Picton Ln	Rockport	Tx	78382



**City of Rockport  
Board of Adjustment  
Findings of Fact for Zoning Ordinance Variance**

Applicant: 618 N. Moline – McKinney Residence

Lot/Tract/: CENTRAL, BLOCK I, LOT 9 & 10, W-40' OF EACH.

Upon giving public notice and conducting a public hearing on this variance request in accordance with the City of Rockport Code of Ordinances, the Zoning Board of Adjustment adopts these specific, written findings as follows:

		YES	NO
1.	That there are special circumstances or conditions peculiar to the property involved; and		
2.	That the strict application of the terms of the Ordinance will impose upon the applicant unusual and practical difficulties or particular hardship.		
3.	That literal interpretation of the Ordinance will deprive the applicant of rights commonly enjoyed by other properties in the same district under the Ordinance; and		
4.	That the proposed variance is in harmony with the Ordinance's general purpose and intent; and		
5.	That the granting of the variance will not merely serve as a convenience to the applicant; and		
6.	That the granting of the variance will alleviate some demonstrable and unusual hardship or difficulty for the applicant; and		
7.	That granting the variance will not confer upon the applicant any special privilege that is denied by the Ordinance to other similarly situated properties in the same district; and		
8.	That the variance is in the public interest and will ensure that public substantial justice will be done.		
9.	That the surrounding property will be properly protected.		
10.	Remaining regulations are adequate to govern the project.		

*All findings must be determined in the affirmative for the variance to be granted.*

With \_\_\_\_\_ members present, and upon a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining, the variance is hereby:

\_\_\_\_\_ **Granted**                      \_\_\_\_\_ **Denied**

\_\_\_\_\_  
Presiding Officer of the Zoning Board of Adjustment

\_\_\_\_\_  
Date



# AGENDA MEMO

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**DEPARTMENT:** Development Services

**TO:** Zoning Board of Adjustments Commissioners

**FROM:** Robert Decker, Chief Building Official

**MEETING DATE:** May 28, 2026

**CATEGORY:** Action Item

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**CAPTION:**

Consider a request for relief from the Zoning Ordinance for the front setback be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6.

i. Staff Report.

ii. Applicant Presentation.

iii. Consider the recommendation for approval or denial of the request for 15 Luau Ln.

---

**SUMMARY:**

The property owners, Jeff and Julie Fuechec, are requesting relief from the Zoning Ordinance for the front setback to be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6.

**BACKGROUND:**

The property owners requested a variance for their property, which is in zoning district R-2 (2nd Single Family Dwelling District) and has a minimum lot size requirement of 5,000 sq ft. With setbacks of 20 ft in the front, 5 ft in the rear. On December 16, 2025, the Zoning Board of Adjustments approved a subdivision-wide variance adopting the Key Allegro Design Code Part 27 as the setback standards for pool installations.

Mr. and Mrs. Fuechec are requesting a setback of 15 ft in the front when they begin construction on the new home to increase the backyard square footage for future planned improvements, such as a swimming pool. Reducing the front yard setback would give Mr. Fuechec adequate space in order to meet the pool setback requirements outlined in Part 27 of the Key Allegro Design Code. If this variance were to be approved, Mr. Fuechec can begin the permitting process for a swimming pool. He would also need to provide an engineer report on the foundation and bulkhead as per Part 27 of the Key Allegro Design Code.

The public hearing notice was published in the Corpus Christi Caller Times on Thursday May 14, 2026. Nineteen public notices were sent out on Thursday, May 14, 2026. At the time of agenda posting, there have been no notices or comments received.

This lot is 80 ft. x 80 ft. and 6,400 square feet. It meets the prescribed standards for the R-2 2nd

Single Family Dwelling District with no unique characteristics of the lot. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request does not meet the standard for a hardship. However, there have been other variances approved within this subdivision for similar requests.

**FUNDING SOURCE:**

**FUNDING IMPACT:**

**STAFF RECOMMENDATION:**

Staff opinion is that this request does not meet the standard for a hardship.

**STRATEGIC INITIATIVES:**

Action Item

**ATTACHMENTS:**

- 1. PH - 15 Luau Ln
- 2. Variance Application\_15 Luau Ln
- 3. 15 Luau site plan
- 4. Pictometry\_15 Luau Ln
- 5. Zoning Map\_15 Luau Ln
- 6. Future Land Use Map\_15 Luau Ln
- 7. Mailouts (15 Luau Ln.)
- 8. Public Mailout
- 9. ZBA Findings of Fact \_15 Luau Ln

**APPROVAL/REVIEW:**

Date: May 21, 2026

\_\_\_\_\_  
Amanda Torres, Director of Building & Development



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## PUBLIC HEARING

### Zoning Board of Adjustment

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**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday May 28, 2026, at 5:30 p.m., at the **City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382**, to consider a request for relief from the Zoning Ordinance for the front setback be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the Development Services Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail [sgoodwin@rockporttx.gov](mailto:sgoodwin@rockporttx.gov) for further information. Braille is not available.

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**POSTED:** this the 14<sup>th</sup> of May 2026, on the City of Rockport website @ [www.rockporttx.gov](http://www.rockporttx.gov) .

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**PUBLISHED:** in the *Corpus Christi Caller Times* on Thursday, May 14, 2026, Edition, in accordance with the City of Rockport - Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

A handwritten signature in black ink, appearing to read "A2", is written over a light gray rectangular background.

Amanda Torres,  
Development Services Department  
Director/Community Planner



## City of Rockport

Building & Development – 2751 SH 35 Bypass, Rockport, TX 78382 • (361) 790-1125 • FAX (361) 729-6476  
www.cityofrockport.com

### VARIANCE APPLICATION

A separate variance application for each (non-compliant) condition within a single building or facility must be submitted by the owner (or owner's designated agent) and must include a \$150.00 non-refundable application fee.

In addition, the application must be accompanied by plans (site and/or architectural) of all affected areas and any supporting documentation that provides adequate proof to the Zoning Board of Adjustment that compliance with the City of Rockport's Code of Ordinances is impractical or irrelevant to the nature, use, or function of the building or facility.

#### \*\* IMPORTANT INFORMATION \*\*

The appeal shall be made within 10 business days after the decision of the administrative official is made, by filing with the administrative official a completed application for appeal and filing fee. Incomplete applications and applications received without the required fee(s) will not be processed.

**FORM MUST BE COMPLETED IN FULL**

**PLEASE PRINT OR TYPE**

1. Has this project been reviewed? <input checked="" type="radio"/> Yes <input type="radio"/> No	2. If yes, name of reviewer: <span style="font-size: 1.2em; color: blue;">See Permit # 26-000129</span>
3. Has this project been inspected?    Yes <input checked="" type="radio"/> No	4. If yes, name of inspector & date of inspection:

5. Project Name: <span style="font-size: 1.2em; color: blue;">Jeff &amp; Julie Fuechec Residence</span>			
6. Building/Facility Name:			
7. Address: <span style="font-size: 1.2em; color: blue;">15 Luau Lane</span>	Suite #:	City: <span style="font-size: 1.2em; color: blue;">Rockport</span>	Zip Code: <span style="font-size: 1.2em; color: blue;">78382</span>

8. Description: Indicate the type of project: <input checked="" type="radio"/> <span style="border: 1px solid blue; border-radius: 50%; padding: 2px;">New Construction</span> <input type="radio"/> Addition <input type="radio"/> Alteration	9. Scope of Work (Describe the construction activities): <span style="font-size: 1.2em; color: blue;">New home build</span>
---	--

10. Square Footage of Building: <span style="font-size: 1.2em; color: blue;">3,548 Conditioned Area</span>	11. Square Footage Per Floor: <span style="font-size: 1.2em; color: blue;">1,368/2,180 Conditioned Area</span>
12. Is this building a qualified historic building:    Yes <input checked="" type="radio"/> No If yes, a copy of the determination of effect letter from the Texas Historical Commission (THC) must accompany this application.	13. State the specific location of the violation within the building or site: <span style="font-size: 1.2em; color: blue;">Front 20ft Set Back, requesting 15 ft Set Back to increase backyard square footage for planned improvements,</span>

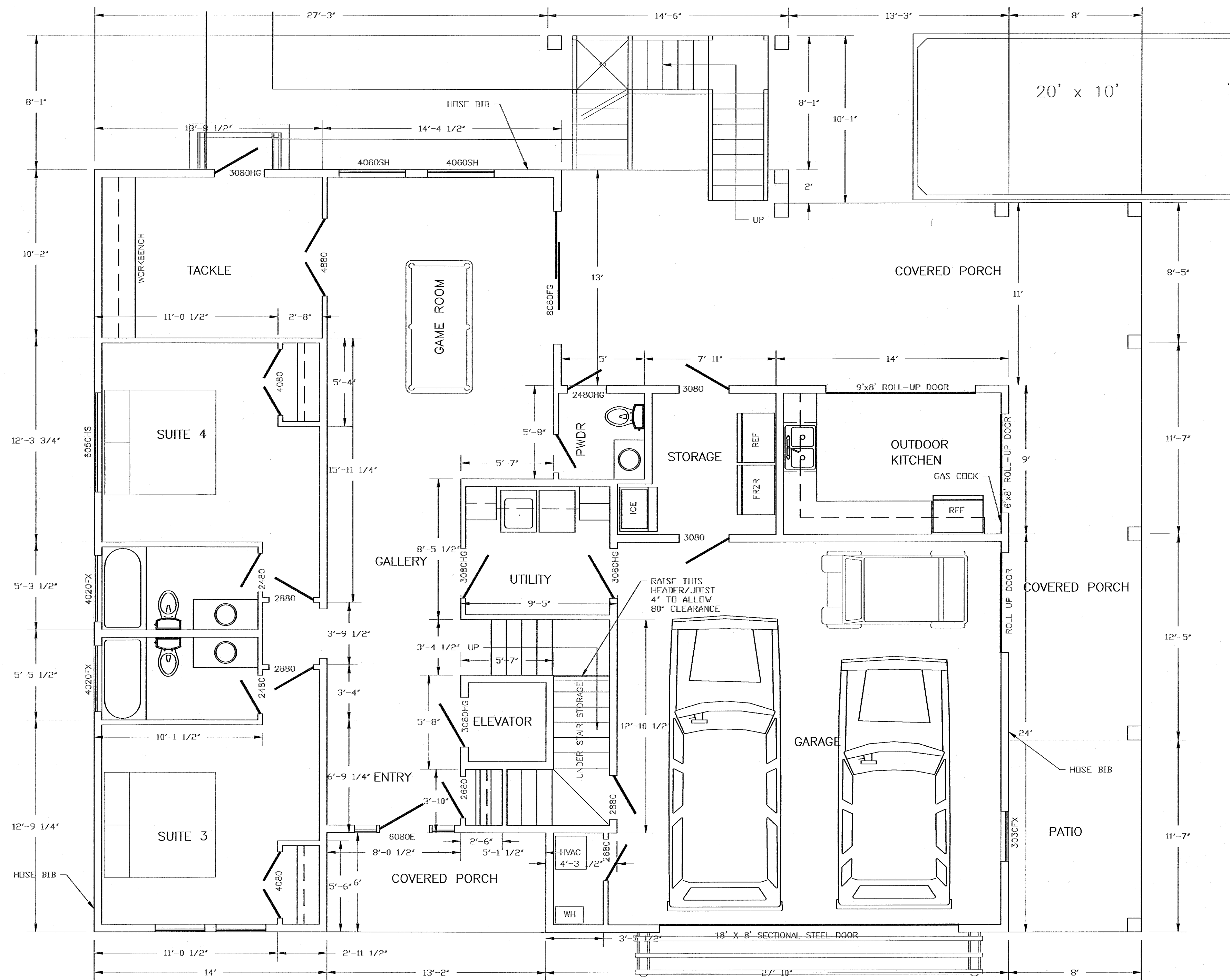
14. Intent to Apply: I hereby apply for a variance from the City of Rockport Zoning Board of Adjustment. (Check one)    I am the  Owner     Owner's Agent

15. Name: <span style="font-size: 1.2em; color: blue;">Jeff Fuechec</span>	16. Company/Firm:		
17. Address: <span style="font-size: 1.2em; color: blue;">15 Luau Lane</span>	18. City: <span style="font-size: 1.2em; color: blue;">El Campo</span>	19. State: <span style="font-size: 1.2em; color: blue;">TX</span>	20. Zip Code: <span style="font-size: 1.2em; color: blue;">77437</span>
21. Phone #: <span style="font-size: 1.2em; color: blue;">979 541 9292</span>	22. Fax #:	23. E-mail: <span style="font-size: 1.2em; color: blue;">jeff.fuechec@icloud.com</span>	
24. Signature: 	25. Date: <span style="font-size: 1.2em; color: blue;">4/27/2026</span>		

EXHIBIT A







# GROUND FLOOR PLAN

1,368 SQUARE FEET CONDITIONED SPACE THIS FLOOR (INC. STORAGE)  
 773 SQUARE FEET GARAGE & OUTDOOR KITCHEN  
 739 SQUARE FEET COVERED PORCHES THIS FLOOR (INC. COVERED STAIRS)  
 93 SQUARE FEET OPEN PATIO  
 2,973 SQUARE FEET TOTAL THIS FLOOR

A NEW RESIDENCE

OF  
 JEFF & JULIE FUECHEC

DRAWN BY: SFH  
 DATE: 10/08/25

SCALE: 1/4" = 1'

REVISION#: \_\_\_\_\_  
 REV. DATE: \_\_\_\_\_

SHEET

2

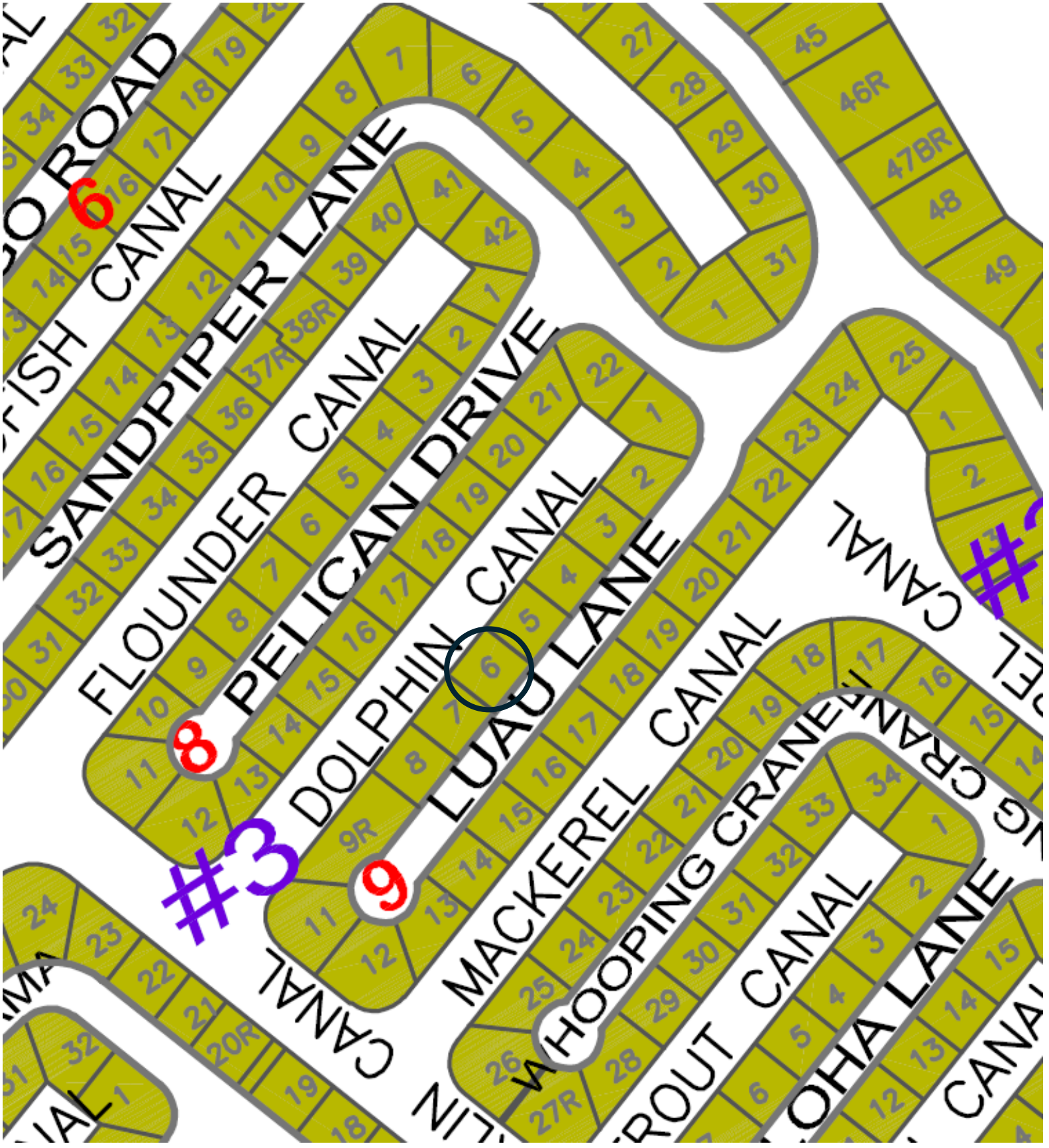
PORT FABRICATION & CONSTRUCTION INC.

P. O. BOX 804, ROCKPORT, TEXAS 78381 361-727-2301

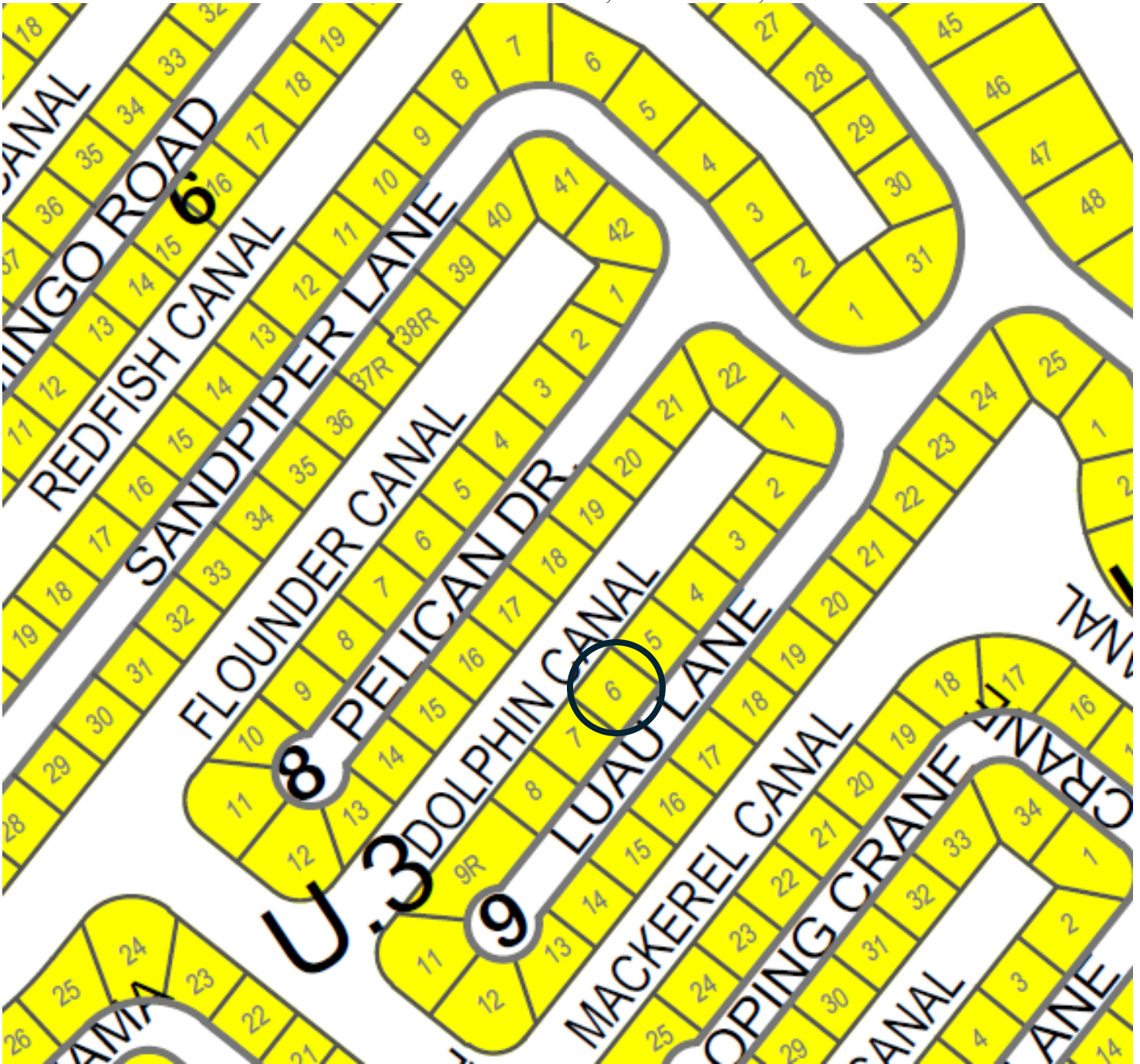
# 15 LUAU LANE



**ZONING MAP – 15 LUAU LN**  
**KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6**



**Future Land Use Map – 15 Luau Ln**  
KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6





**NOTICE OF PUBLIC HEARING**  
**Rockport Zoning Board of Adjustments**

**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday May 28, 2026, at 5:30 p.m., at the City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382, to consider a request for relief from the Zoning Ordinance for the front setback be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6.

Public participation is valued and citizens wishing to express their views during the Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockporttx.gov/MyAccount/?from=Url&url=%2FFormCenter%2FCitizen-Participation-Form-7%2FBoard-and-Commission-Comment-Participati-56> , or if attending the meeting in person register at the meeting before the meeting begins. Using the same form, citizens can also provide written comments to the City Planner by 3:00 p.m. on the day of the Zoning Board of Adjustments meeting. The comments will be read and summarized in the minutes of the meeting.

The city encourages citizens to participate and make their views known at the Public Hearings. For further information on this request, please contact the Development Services Department at (361) 790-1125.

**CITY OF ROCKPORT, TEXAS**  
/s/ Shelley Goodwin, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_

( ) IN FAVOR      ( ) IN OPPOSITION      Phone: \_\_\_\_\_

REASON:

\_\_\_\_\_  
Signature  
*See map on reverse side.*

# Location Map of Proposed Zoning Variance Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



## FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a variance request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

**ATTN:  
 Development Services  
 Department  
 City of Rockport  
 2751 SH 35 Bypass  
 Rockport, TX 78382**

If you have any questions regarding this notice, please contact Amanda Torres, Community Planner, at 361-790-1125, ext. 226.



City of Rockport  
 Development Services Department  
 2751 S.H. 35 Bypass  
 Rockport, TX 78382

«Property\_Owner»  
 «Mailing\_Address»  
 «City», «State» «ZIP»

SITUS ADDRESS: «Situs\_Address»

<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
24937	Jeffrey & Julie Fuechec	15 Luau Ln	1206 Meadow Creek Dr	El Campo	TX	77437
24936	Gerald & Julie Hill	13 Luau Ln	3215 Oakleaf	San Antonio	TX	78209
24935	David & Kathleen Pluchinsky	11 Luau Ln	3710 Bellefontaine St	Houston	TX	77015
24934	Michael Rios	9 Luau Ln	6548 N Nokomis Ave	Lincolnwood	IL	60712
24950	3GG Properies LTD	12 Luau Ln	8510 Greaves Ln	Schertz	TX	78154
24949	Luau Landing LLC	14 Luau Ln	412 Chippendale Dr	Heath	TX	75032
24948	Kathleen Gray	16 Luau Ln	2507 Bartons Bluff Ct	Austin	TX	78746
24947	Glenn & Jennifer Muniz	18 Luau Ln	8412 Lime Creek Rd	Volente	TX	78641
24946	Louise Gonzales	20 Luau Ln	20 Luau Ln	Rockport	TX	78382
24945	Russell & Stephanie Post	22 Luau Ln	8014 Bromley St	Houston	TX	77055
24938	Glenn & Jennifer Muniz	17 Luau Ln	8412 Lime Creek Rd	Volente	TX	78641
24939	Mark & Sonia Owen	19 Luau Ln	13511 Taylorcrest Rd	Houston	TX	77079
59232	Clinton & Sharon Plant	21 Luau Ln	131 E Mandalay Dr	San Antonio	TX	78212
24923	Carl & Shaley Shirley	16 Pelican Dr	1730 Ben Crenshaw Way	Austin	TX	78746
24924	Brad & Amy Bowman	14 Pelican Dr	4010 Ravencrest Ct	Pearland	TX	77584
24925	George & Deborah Nevitt	12 Pelican Dr	60 Horseshoe Trl	New Braunfels	TX	78132
24926	Jose & Bertha Guerra Trustees	10 Pelican Dr	3820 Tordera Dr	Austin	TX	78738
24927	John Robertson	8 Pelican Dr	1 Lognhorn Dr	Burnet	TX	78611
24928	Jude & Joan Filippone	6 Pelican Dr	4539 Banning Dr	Houston	TX	77027
	Patt (Patricia) Bemrose	Zoning Board of Adjustm	1435 S Water St	Rockport	TX	78382
	Carey Dietrich	Zoning Board of Adjustm	602 Fulton Ave	Rockport	Tx	78382
	Michael Harm	Zoning Board of Adjustm	801 W Market St	Rockport	TX	78382
	Pamela Dixon	Zoning Board of Adjustm	412 Cherry Hills Dr	Rockport	Tx	78382
	Traci Baucum	Zoning Board of Adjustm	493 Augusta Dr	Rockport	Tx	78382
	Rocky Gudim	Zoning Board of Adjustm	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjustm	1803 Picton Ln	Rockport	Tx	78382



**City of Rockport  
Board of Adjustment  
Findings of Fact for Zoning Ordinance Variance**

Applicant: 15 Luau Ln – Fuechec Residence

Lot/Tract/: KEY ALLEGRO UNIT #3, BLOCK 9, LOT 6

Upon giving public notice and conducting a public hearing on this variance request in accordance with the City of Rockport Code of Ordinances, the Zoning Board of Adjustment adopts these specific, written findings as follows:

		YES	NO
1.	That there are special circumstances or conditions peculiar to the property involved; and		
2.	That the strict application of the terms of the Ordinance will impose upon the applicant unusual and practical difficulties or particular hardship.		
3.	That literal interpretation of the Ordinance will deprive the applicant of rights commonly enjoyed by other properties in the same district under the Ordinance; and		
4.	That the proposed variance is in harmony with the Ordinance's general purpose and intent; and		
5.	That the granting of the variance will not merely serve as a convenience to the applicant; and		
6.	That the granting of the variance will alleviate some demonstrable and unusual hardship or difficulty for the applicant; and		
7.	That granting the variance will not confer upon the applicant any special privilege that is denied by the Ordinance to other similarly situated properties in the same district; and		
8.	That the variance is in the public interest and will ensure that public substantial justice will be done.		
9.	That the surrounding property will be properly protected.		
10.	Remaining regulations are adequate to govern the project.		

*All findings must be determined in the affirmative for the variance to be granted.*

With \_\_\_\_\_ members present, and upon a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining, the variance is hereby:

\_\_\_\_\_ **Granted**

\_\_\_\_\_ **Denied**

\_\_\_\_\_  
Presiding Officer of the Zoning Board of Adjustment

\_\_\_\_\_  
Date



# AGENDA MEMO

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**DEPARTMENT:** Development Services

**TO:** Zoning Board of Adjustments Commissioners

**FROM:** Robert Decker, Chief Building Official

**MEETING DATE:** May 28, 2026

**CATEGORY:** Action Item

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**CAPTION:**

Consider a request for relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) be reduced from 10 ft to 6 ft, at the property located at 905 Patton, otherwise known as GIMLER TOLLE SUBDIVISION, BLK 1, LOT 4-R, 0.4497 Acres.

i. Staff Report.

ii. Applicant Presentation.

iii. Consider the recommendation for approval or denial of the request for 905 Patton.

---

**SUMMARY:**

Property owner John McDavid is requesting relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) be reduced from 10 ft to 6 ft, at the property located at 905 Patton, otherwise known as GIMLER TOLLE SUBDIVISION, BLK 1, LOT 4-R, 0.4497 Acres.

**BACKGROUND:**

Property owner John McDavid submitted a variance application to reduce setbacks required for accessory uses. He would like to build an outdoor kitchen/cabana and swimming pool with a reduced accessory use setback of six (6) feet. The applicant explains that the hardship arises from physical, legal, and environmental constraints unique to this property. This is a corner lot that is adjacent to two streets and therefore would need to conform to street side setback requirements. The applicant also explains that there are also five foot utility easements and mature oak trees on the property that further constrain building placement.

Accessory buildings are defined as a "subordinate building customarily incidental to and located on the same lot occupied on the main use or building." Section 118-22.1.1 (2) of the City of Rockport Zoning Ordinance classifies what is considered an accessory use or structure, which includes "swimming pools, hot tubs, spas, tennis courts, permanent barbecue grills, ornamental gates and structures, storage/utility sheds, wells/well houses, gazebos, patios, etc." Per Section 118-24.2.3, an accessory building must maintain a ten (10) foot open space between all other buildings. Swimming pool setback standards are found within Section 118-24.2.4 and are considered as a private/semi-private recreation facility. The setbacks required for that is ten (10) foot from any abutting property and twenty (20) foot from any street right-of-way.

A public hearing notice was published in the Corpus Christi Caller-Times on Thursday, May 14,

2026. Twelve (12) mailouts were mailed out on Thursday, May 14, 2026. At time of agenda posting, no comments or notices have been received.

This lot is 113 ft. x 117 ft. and 19,587 square feet. It meets the prescribed standards for the R-1 1st Single Family Dwelling District with no unique characteristics of the lot to which it could not adapt. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request does not meet the standard for a hardship.

**FUNDING SOURCE:**

**FUNDING IMPACT:**

**STAFF RECOMMENDATION:**

Staff opinion is that this request does not meet the standard for a hardship.

**STRATEGIC INITIATIVES:**

Action Item

**ATTACHMENTS:**

- 1. PH - 905 Patton
- 2. Variance Application\_905 Patton
- 3. Windshore Letter\_905 Patton
- 4. Hardship Statement\_905 Patton
- 5. Pictometry\_905 Patton
- 6. Zoning Map\_905 Patton
- 7. Future Land Use Map\_905 Patton
- 8. Mail Outs (905 Patton)
- 9. Public Mailout
- 10. RECEIVED Mailouts\_905 Patton
- 11. ZBA Findings of Fact \_905 Patton St

**APPROVAL/REVIEW:**

\_\_\_\_\_  
Amanda Torres, Director of Building & Development

Date: May 21, 2026



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## PUBLIC HEARING

### Zoning Board of Adjustment

---

**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday May 28, 2026, at 5:30 p.m., at the **City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas**, to consider a request for relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) be reduced from 10 ft to 6 ft, at the property located at 905 Patton, otherwise known as GIMLER TOLLE SUBDIVISION BLK 1 LOT 4-R 0.4497 Acres.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the Development Services Department at (361) 790-1125. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail [sgoodwin@rockporttx.gov](mailto:sgoodwin@rockporttx.gov) for further information. Braille is not available.

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**POSTED:** this the 14<sup>th</sup> of May 2026, on the City of Rockport website @ [www.rockporttx.gov](http://www.rockporttx.gov) .

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**PUBLISHED:** in the *Corpus Christi Caller Times* in the Thursday, May 14, 2026, Edition, in accordance with the City of Rockport - Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

A handwritten signature in black ink, appearing to read "A2", is written over a light gray rectangular background.

Amanda Torres,  
Development Services Department  
Director/Community Planner



# City of Rockport

City Hall – 622 E. Market Street, Rockport, TX 78382 • (361) 729-2213 • FAX (361) 790-5966  
www.cityofrockport.com

## VARIANCE APPLICATION

A separate variance application for each (non-compliant) condition within a single building or facility must be submitted by the owner (or owner’s designated agent) and must include a \$150.00 **non-refundable application fee.**

In addition, the application must be accompanied by plans (site and/or architectural) of all affected areas and any supporting documentation that provides adequate proof to the Zoning Board of Adjustment that compliance with the City of Rockport’s Code of Ordinances is impractical or irrelevant to the nature, use, or function of the building or facility.

### \*\* IMPORTANT INFORMATION \*\*

The appeal shall be made within 10 business days after the decision of the administrative official is made, by filing with the administrative official a completed application for appeal and filing fee. Incomplete applications and applications received without the required fee(s) will not be processed.

#### FORM MUST BE COMPLETED IN FULL

PLEASE PRINT OR TYPE

1. Has this project been reviewed? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. If yes, name of reviewer:
3. Has this project been inspected? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. If yes, name of inspector & date of inspection:

5. Project Name: 905 Patton St. Rockport, TX 78382			
6. Building/Facility Name:			
7. Address: 905 Patton St.	Suite #:	City: Rockport	Zip Code: 78382

8. Description: Indicate the type of project: New Construction <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/>	9. Scope of Work (Describe the construction activities): Outdoor Kitchen and Inground Pool
---	---

10. Square Footage of Building: 512 sq. ft.	11. Square Footage Per Floor:
12. Is this building a qualified historic building: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, a copy of the determination of effect letter from the Texas Historical Commission (THC) must accompany this application.	13. State the specific location of the violation within the building or site: Backyard at 905 Patton St. Rockport, TX 78382

14. Intent to Apply: I hereby apply for a variance from the City of Rockport Zoning Board of Adjustment. (Check one) I am the Owner <input checked="" type="checkbox"/> Owner’s Agent <input type="checkbox"/>			
15. Name: TDBP, LP & John McDavid		16. Company/Firm:	
17. Address: 1102 E. Laurel St.	18. City: Rockport	19. State: TX	20. Zip Code: 78382
21. Phone#: 361-463-1529	22. Fax #:	23. E-mail: shall@gsm insurers.com	
24. Signature:		25. Date: 4/21/2026	

EXHIBIT A

**City of Rockport  
Variance Application**

**OWNER'S AFFIDAVIT**

I, TDBP, LP & John McDavid, being first duly sworn, depose and say that I am the OWNER of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

John McDavid  
Printed Name of Owner

  
Signature of Owner

905 Patton St.  
Physical Address

P.O.1478  
Mailing Address

Rockport, TX 78382  
City/State/Zip Code

Rockport, TX 78381  
City/State/Zip Code

STATE OF TEXAS §

COUNTY OF Aransas §

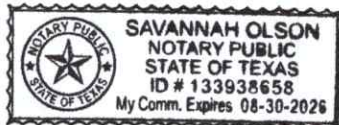
The foregoing instrument was acknowledged before me on this 21st, day of April, 20    , by John McDavid and  
(name)

N/A who are personally known by me or who has  
(name)

produced Drivers License and N/A  
(document) (document)

respectively, as identification and who did (did not) take an oath:

(Seal)



  
Notary Public Signature

My Commission Expires: 08-30-2026

Savannah Olson  
Printed Name



an  
OUTDOOR KITCHEN & CABANA  
for

905 NORTH PATTON STREET

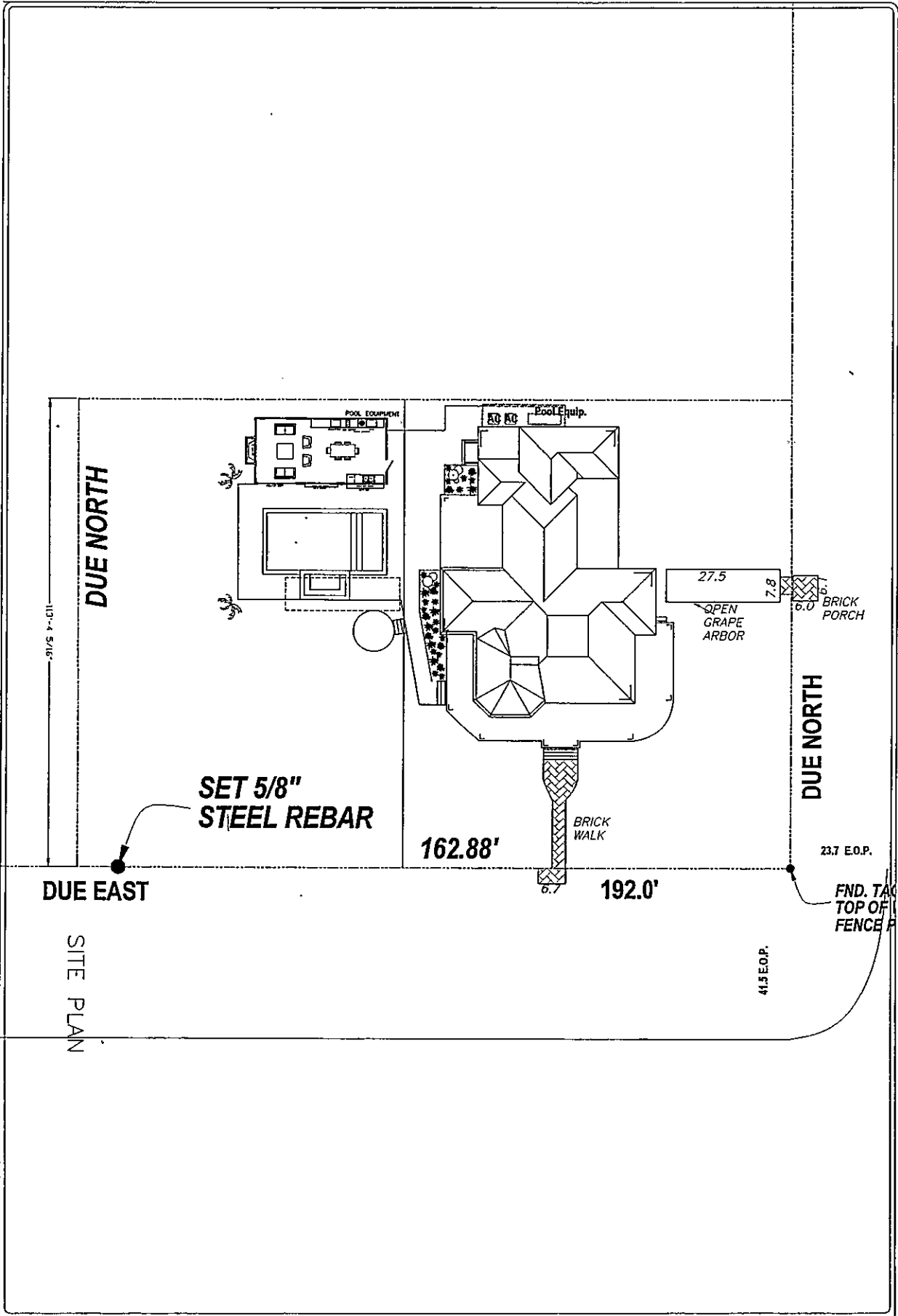
ROCKPORT, TEXAS

BUILDER -

DESIGN & DRAWINGS BY STEPHEN F. HAYNES  
PORT FABRICATION & CONSTRUCTION INC.

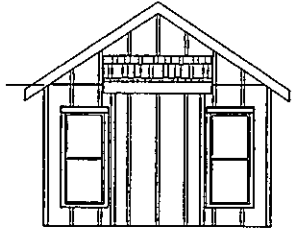
[gulfoasthomedesign.com](http://gulfoasthomedesign.com)

Client site and effort have gone into the creation of the design of these plans. However, because of the impossibility of providing any personal and/or private consultation and supervision over the actual construction, and because of the great variance in local building code requirements, and other local building and weather conditions, the designer assumes no responsibility for any shortages, including structural failures, and to any malfunctions, omissions or errors in the design, materials, or specifications. For job and/or weather conditions in hurricane, earthquake, etc. It is recommended that you consult a local engineer or your broker and visit with your local building officials prior to start of actual construction. These drawings are not to be copied or reproduced without written permission from Port Fabrication & Construction Inc.

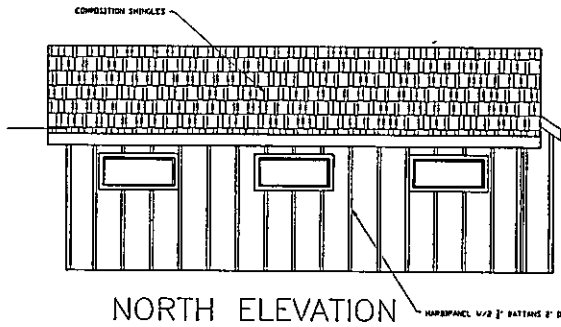


<b>SHEET</b> 1	DRAWN BY: DATE: 03/04/25	<b>AN OUTDOOR KITCHEN &amp; CABANA</b> for <b>905 NORTH PATTON STREET</b>
	SCALE: 1"=10' REVISION#: _____ REV. DATE: _____	

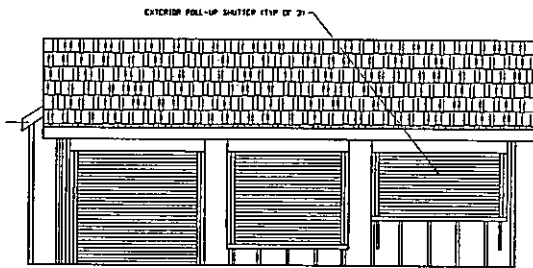




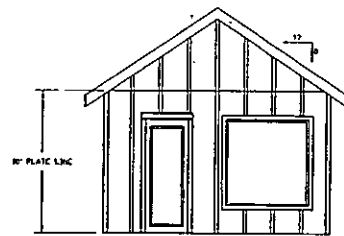
WEST ELEVATION



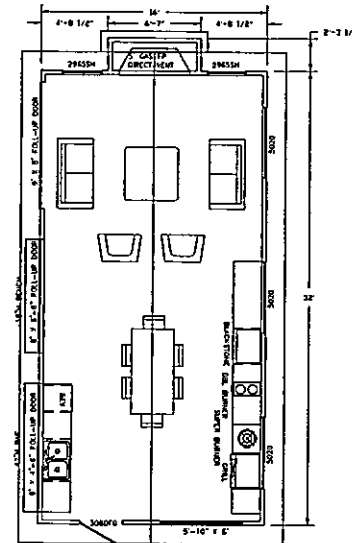
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



FLOOR PLAN

AN OUTDOOR KITCHEN & CABANA  
for  
905 NORTH PATTON STREET

DRAWN BY:  
DATE: 03/05/75  
SCALE: 1/4" = 1'  
REVISIONS:  
REV. DATE:

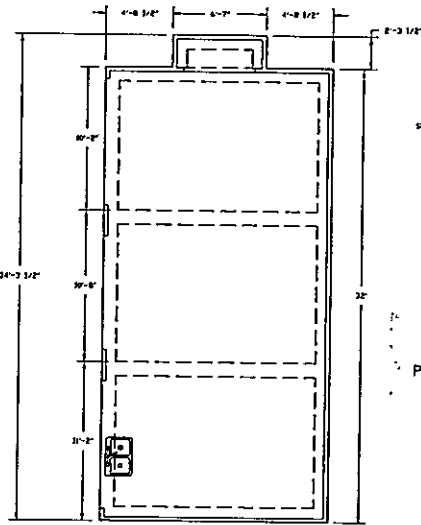
SHEET

3

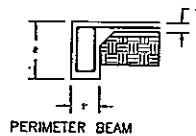
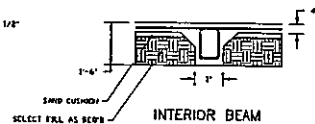
### NOTES

PERIMETER BEAM TO BE 1 1/2" x 3 1/2" W/1-#4 BARS CONC. W/3 TIES 20".  
 INTERIOR BEAM TO BE 1 1/2" x 1 1/2" x 3 1/2" W/1-#4 BARS CONC. W/3 TIES 20".  
 SLAB TO BE 4" THICK W/12" SPACING 17" O.C./W.  
 INSTALL 8 MIL VAPOR BARRIER UNDER SLAB AREA.  
 SPECIFY SIZES FOR REINETS PRIOR TO CONCRETE PLACEMENT.  
 REINETS SUPPORT ANCHORS AT ALL COLUMN LOCATIONS.  
 CONCRETE TO BE 3000 PSI.

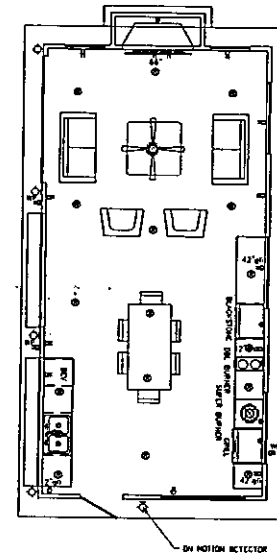
ALL TREES AND ROOT SYSTEMS WITHIN THE BUILDING FOOTPRINT SHALL BE REMOVED AND THE SOILS COMPACTED TO A MIN. OF A 95% STANDARD PROCTOR COMPACTION TEST.  
 STRIP AND REMOVE ALL SURFACE OBSTACLES, TOPSOIL AND UNDESIRABLE MATERIALS WITHIN THE BUILDING AND DRIVEWAY FOOTPRINT.  
 ESTABLISH AND MAINTAIN POSITIVE DRAINAGE THROUGHOUT THE LIFE OF THE STRUCTURE.  
 PROOF ROOF THE SUBGRADE TO SELECT AND SET OR REPLACE AREAS. SIMILAR THESE AREAS WITH DRAINING OR STABILIZING AGENTS AS NECESSARY OR REMOVE AND REPLACE THEM WITH SELECT FILL.  
 PROVIDE SELECT FILL AS REQUIRED AND COMPACT TO 8" LIFTS.  
 EXCHANGE GRADE PER PLAN WITH REVELED EDGES TO PREVENT CURBS AND STREET TRANSITIONS PER PLAN.  
 ALL BEAMS SHALL BE OVERLAPPED AND TIED WITH A MINIMUM LAP OF 30 TIMES THE DIAMETER OF THE BEAM.  
 PROVIDE 2 # 2 # 4 BEAM CORNER BARS @ ALL CORNERS. BARS SHALL BE INSTALLED WITH 2 @ TOP AND 2 @ BOTTOM.  
 PROVIDE 2 # 2 # 4 BEAM CORNER BARS @ ALL "T" INTERSECTIONS WITH A MINIMUM OF 2 @ TOP.  
 PROVIDE 2 # 2 # 4 BEAM REINFORCING ABOVE CORNERS.



FOUNDATION PLAN



S	DEVICE
R	120 VOLT DUPLEX RECEPTACLE
RWP	120 VOLT WEATHER PROOF DUPLEX RECEPTACLE
RGF	120 VOLT GROUND FAULT DUPLEX RECEPTACLE
E	120 VOLT 1 PHASE SINGLE RECEPTACLE
C	EQUIPMENT CONNECTION
S	SINGLE POLE SWITCH
3S	3 - WAY SWITCH
4	4 - WAY SWITCH
NO	NO. PANEL
NO	SINGLE POLE BREAKER
A	TV JACK
A	PHONE JACK
E	COMPUTER OUTLET
CL	CELING MOUNTED LIGHTING FIXTURE
WL	WALL MOUNT LIGHTING FIXTURE
RE	RECESSED JACKET FIXTURE
FL	SINGLE FLOOD LIGHT
DFL	DOUBLE FLOOD LIGHT
DFL	TRIPLE FLOOD LIGHT
EF	EXHAUST FAN
SD	SMOKE DETECTOR
CD	CO2 DETECTOR



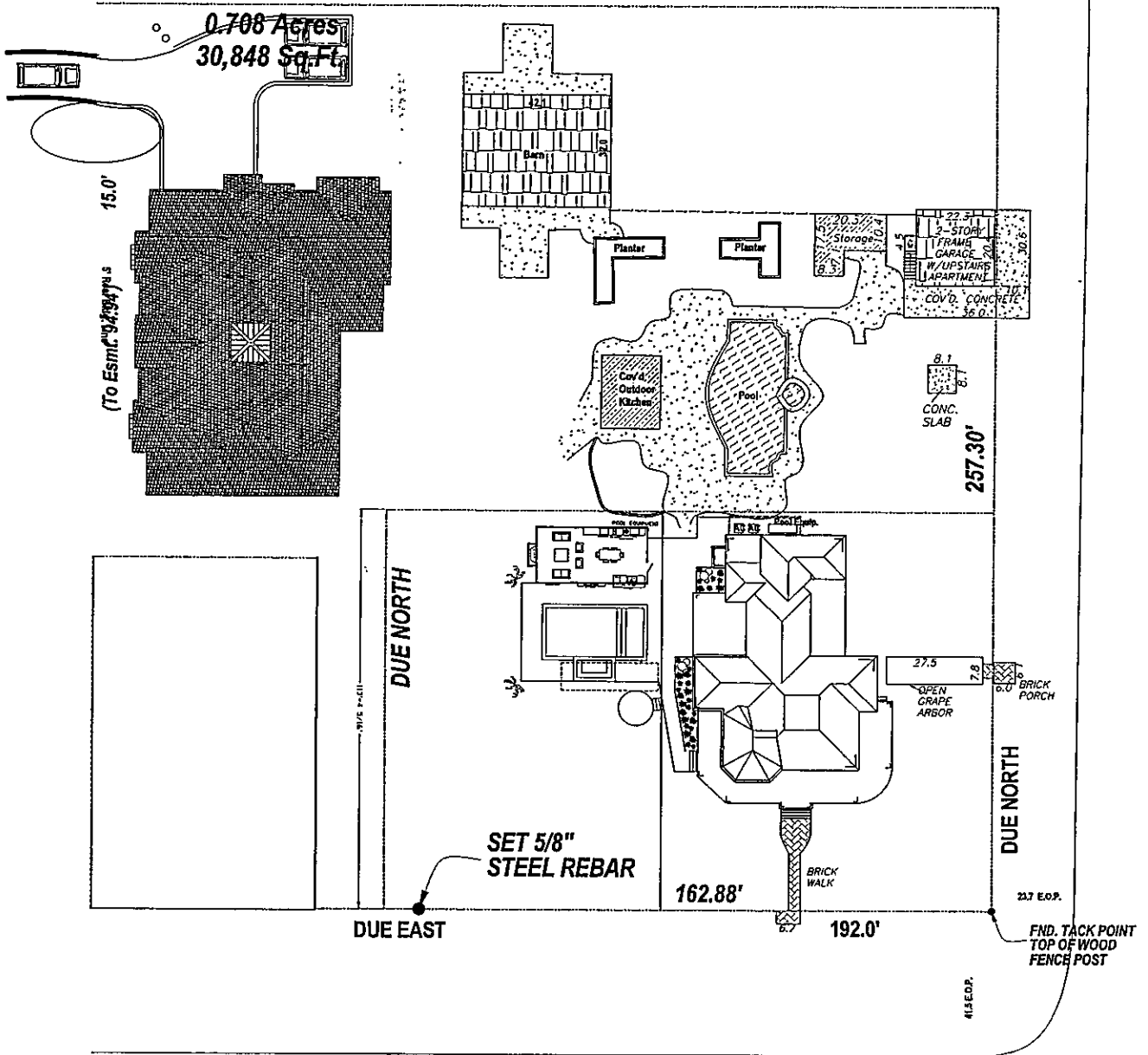
ELECTRICAL PLAN

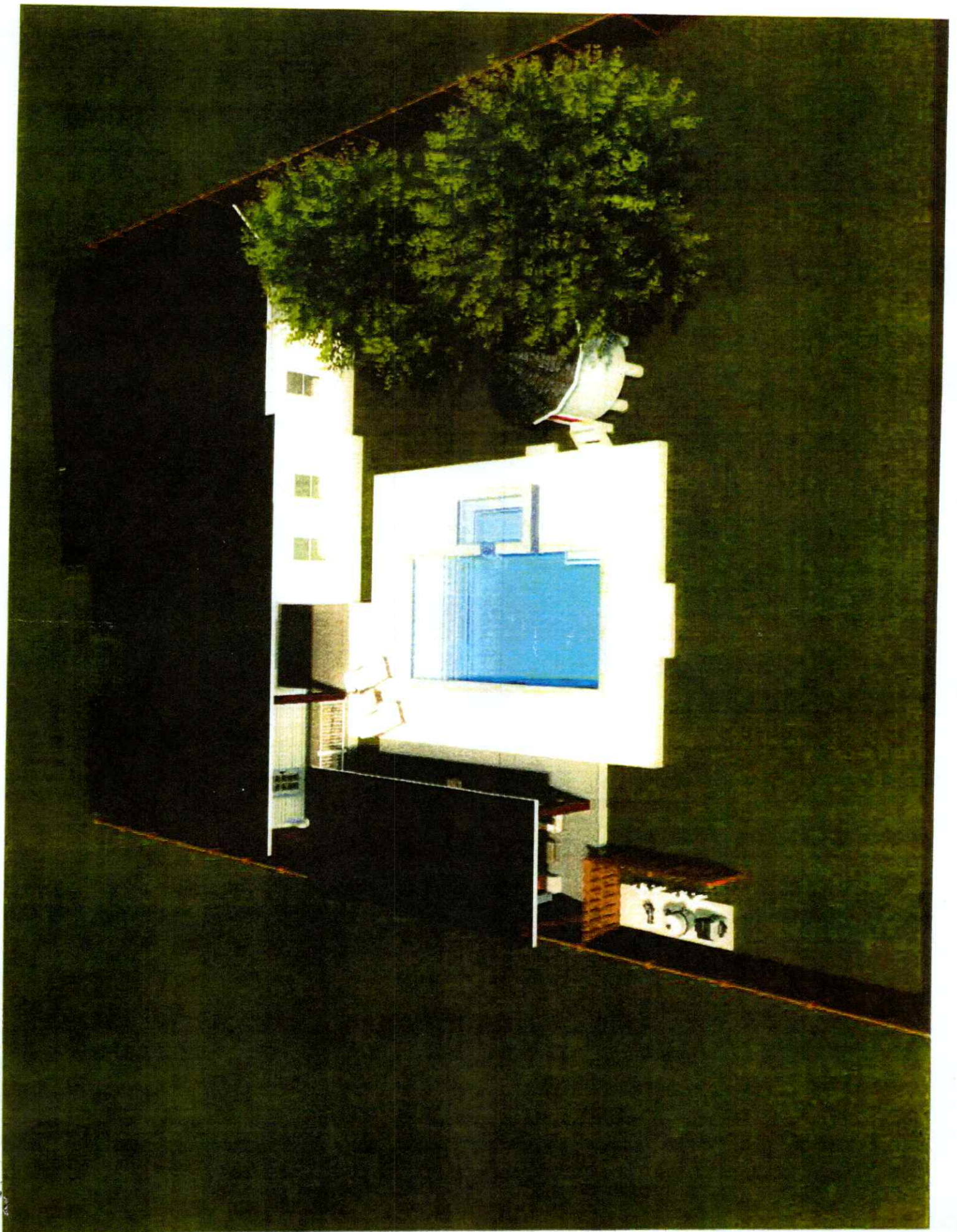
AN OUTDOOR KITCHEN & CABANA  
 for  
 905 NORTH PATTON STREET

DRAWN BY:  
 DATE: 03/05/25  
 SCALE: 1/4" = 1'  
 REVISIONS:  
 REV. DATE

SHEET

4







City of Rockport  
Attention: Building and Development Department  
2751 SH 35 Bypass  
Rockport, TX 78382

April 21, 2026

Re: 905 N Patton St., Rockport, TX 78382 – Outdoor Kitchen and Cabana

To Whom it May Concern:

The intent of this letter is to document, based on my independent and unbiased engineering judgement, my opinion of the structures (outdoor kitchen and swimming pool) located at the subject address.

It has been purported that the offset from the proposed outdoor kitchen and cabana to the proposed swimming pool must be 10-feet, minimum. It is also my understanding that the proposed offset between the (2) structures is currently set at approximately 6 feet, short of the required 10-foot offset per City requirements.

It is my professional opinion that if the proposed swimming pool is properly supported with below-grade piers and 100-percent self-supporting, the proposed swimming pool will not negatively affect the integrity of the outdoor kitchen and cabana foundation. I, Les Selensky, P.E. (#85581) is the Engineer of Record for the proposed outdoor kitchen and cabana.

As always, please feel free to contact our office with any questions or concerns at (361) 450-0234.

Sincerely,

A handwritten signature in blue ink that reads "Les Selensky, P.E." in a cursive style.

Les Selensky, P.E.

Principal

WindShore Engineering, LLC

## **HARDSHIP STATEMENT**

### **Zoning Variance Request**

#### **City of Rockport, Texas – Board of Adjustment**

**Property Address:**

905 N Patton Street, Rockport, TX 78382

**Lot Type:**

Corner Lot

**Zoning District:**

[Residential – to be confirmed by City]

**Variance Requested:**

Reduction of the required 10-foot separation between accessory improvements to 6 feet for a proposed residential swimming pool and outdoor kitchen

### **1. Description of the Request**

The property owner respectfully requests a zoning variance to allow the construction of a residential swimming pool and outdoor kitchen with a 6-foot separation, where the zoning ordinance requires a minimum 10-foot separation between accessory improvements and existing structures.

### **2. Statement of Hardship**

(Corner Lot Conditions, Easement Constraints, and Oak Tree Preservation)

The hardship arises from physical, legal, and environmental constraints unique to this property, not from personal preference or financial considerations.

The property at 905 N Patton Street is a corner lot, which is subject to two street-side yard setbacks, substantially reducing the usable buildable area when compared to an interior lot. These additional setback requirements significantly limit placement options for accessory improvements.

In addition, the property is encumbered by required utility easements, including minimum 5-foot easements along portions of the lot, within which permanent structures are

prohibited. These easements further reduce the area available for compliant construction and restrict the relocation of improvements within the yard.

Compounding these zoning and easement constraints, the property contains mature oak trees that are significant environmental and neighborhood features. Preservation of these trees requires avoidance of root protection zones and limits grading and construction activity in large portions of the yard.

Strict compliance with the 10-foot separation requirement would require one or more of the following:

- Encroachment into required 5-foot utility easements
- Removal or significant disturbance of mature oak trees
- Placement of improvements in conflict with street-side yard setbacks unique to corner lots

These limitations are inherent to the property's configuration and existing lawful constraints and are not self-created by the property owner.

### **3. Minimum Necessary Relief**

The requested reduction to 6 feet represents the minimum relief necessary to allow reasonable placement of the swimming pool and outdoor kitchen while:

- Maintaining full compliance with utility easement restrictions
- Preserving mature oak trees
- Meeting all corner-lot street-side yard setbacks
- Avoiding encroachment into required yards or easements
- Maintaining safe access and long-term functionality

No additional variances are requested, and all other zoning, yard, easement, and building code requirements will be met.

### **4. Structural Integrity, Safety, and Zoning Intent**

A Texas-licensed professional engineer has reviewed the proposed pool and outdoor kitchen construction and has certified that reducing the separation from 10 feet to 6 feet:

- Does not compromise structural integrity
- Does not adversely affect soil stability
- Provides for proper drainage and runoff control
- Does not affect adjacent structures or neighboring properties
- Allows adequate access for maintenance and emergency purposes

Granting this variance remains consistent with the intent of the zoning ordinance, which is to promote public safety, orderly development, and compatibility with surrounding properties.

#### **5. Oak Tree Preservation and Environmental Benefit**

Approval of the variance directly supports tree preservation and environmental stewardship by avoiding unnecessary removal or damage to mature oak trees.

Preserving these trees:

- Reduces stormwater runoff and erosion
- Maintains shade and cooling benefits
- Preserves neighborhood character
- Supports long-term coastal resilience

The proposed design intentionally concentrates improvements outside of easements and tree protection areas, minimizing environmental impact.

#### **6. No Detriment to Public or Surrounding Properties**

Granting the requested variance will not:

- Create a public safety hazard
- Negatively affect drainage or flood behavior
- Reduce access, light, or air to adjacent properties

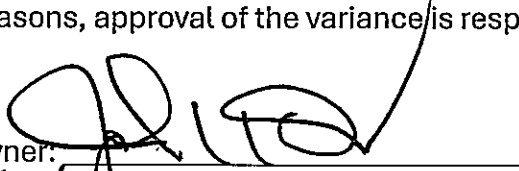
- Establish an improper zoning precedent, as the request is based on corner-lot-specific conditions, easement constraints, and existing trees.

## 7. Conclusion

Strict enforcement of the 10-foot separation requirement would impose an unnecessary hardship due to the property's corner-lot configuration, required 5-foot utility easements, and the presence of mature oak trees worthy of preservation.

Granting the variance allows reasonable use of the property while maintaining public safety, structural integrity, zoning intent, and environmental protection.

For these reasons, approval of the variance is respectfully requested.

Property Owner: 

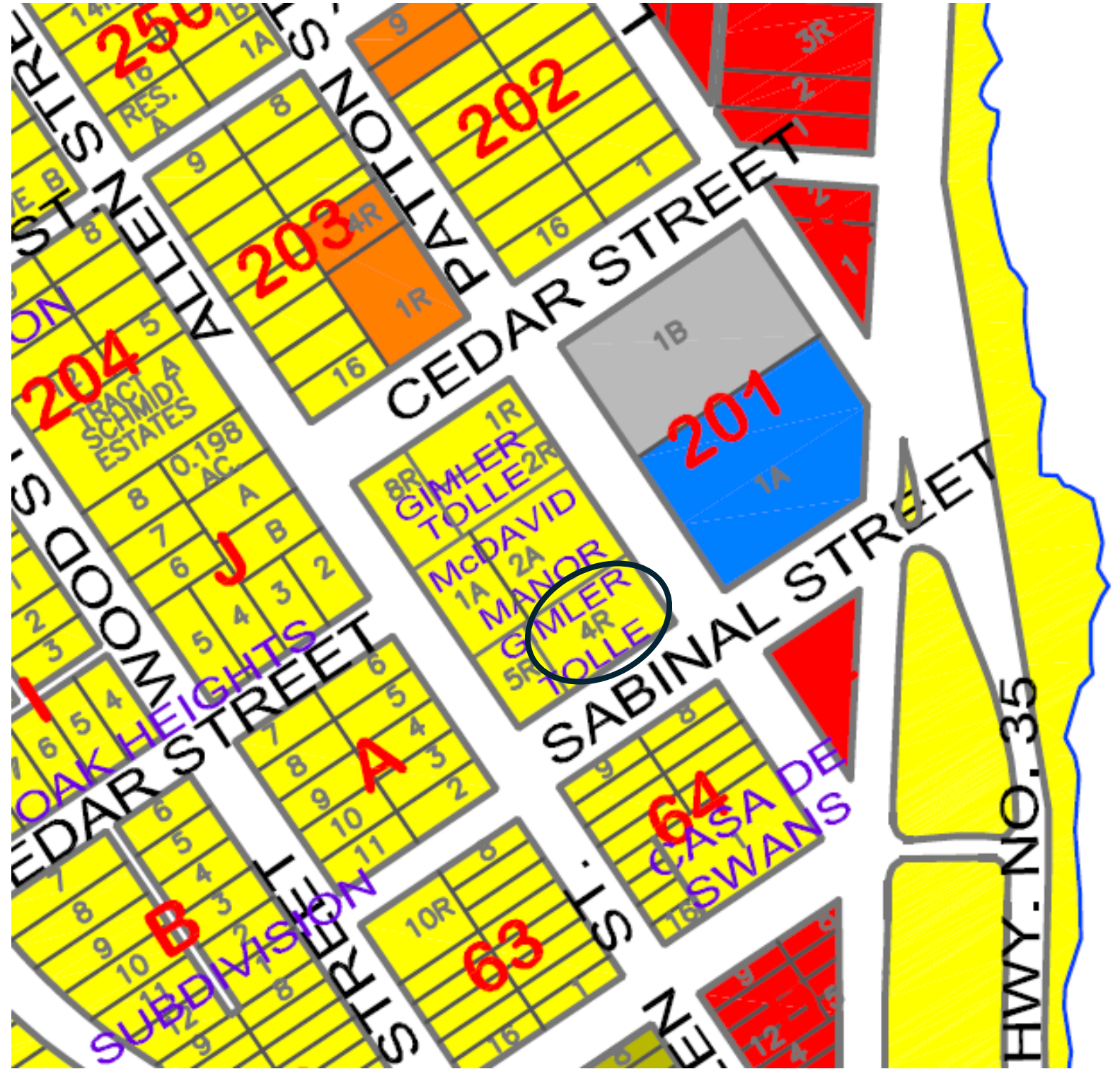
Date: 4/21/20

# 905 PATTON



Zoning Map – 905 Patton

GIMLER TOLLE SUBDIVISION BLK 1 LOT 4-R 0.4497 Acres







**NOTICE OF PUBLIC HEARING**  
**Rockport Zoning Board of Adjustments**

**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, May 28, 2026, at 5:30 p.m., City of Rockport City Hall, 212 N Live Oak, Rockport, Texas, to consider a request for relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) be reduced from 10 ft to 6 ft, at the property located at 905 Patton, otherwise known as GIMLER TOLLE SUBDIVISION BLK 1 LOT 4-R 0.4497 Acres.

Public participation is valued and citizens wishing to express their views during the Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>, or if attending the meeting in person register at the meeting before the meeting begins. Using the same form, citizens can also provide written comments to the City Planner by 3:00 p.m. on the day of the Zoning Board of Adjustments meeting. The comments will be read and summarized in the minutes of the meeting.

The City encourages citizens to participate and make their views known at the Public Hearings. For further information on this request, please contact the Development Services Department at (361) 790-1125.

**CITY OF ROCKPORT, TEXAS**  
/s/ Shelley Goodwin, City Secretary

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, 2751 STATE HIGHWAY 35 BYPASS, ROCKPORT, TX 78382. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Open Meetings Act and Public Information Act, no discussion shall be held by a member or members of this Commission, either at home or office, or in person, by telephone call or by letter.

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_

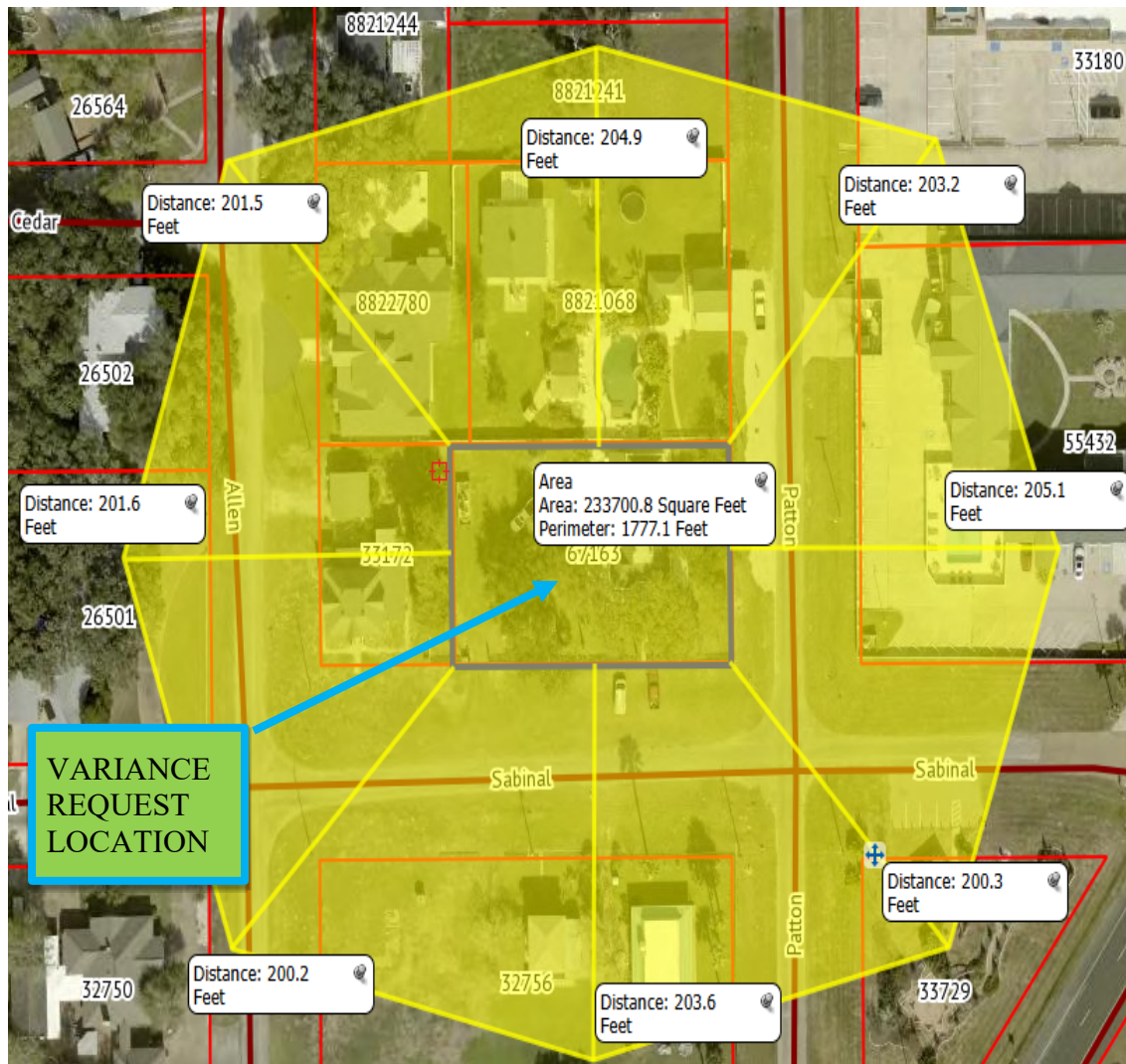
( ) IN FAVOR      ( ) IN OPPOSITION      Phone: \_\_\_\_\_

REASON:

\_\_\_\_\_  
Signature  
*See map on reverse side.*

# Location Map of Proposed Zoning Variance Request

(Subject property indicated by a blue border. Notice area indicated in yellow.)



## FAQ

Why am I receiving this notice?

Texas law requires that property owners within 200 feet of a variance request be notified of the possible change to the property.

What do I do now?

It is your right to either object or support the proposed request. If you wish to do so, simply fill out this letter and return it to the City of Rockport by mail:

**ATTN:**  
**Development Services**  
**Department**  
**City of Rockport**  
**2751 SH 35 Bypass**  
**Rockport, TX 78382**

If you have any questions regarding this notice, please contact Amanda Torres, Community Planner, at 361-790-1125, ext. 226.



City of Rockport  
 Development Services Department  
 2751 S.H. 35 Bypass  
 Rockport, TX 78382

«Property\_Owner»  
 «Mailing\_Address»  
 «City», «State» «ZIP»

SITUS ADDRESS: «Situs\_Address»

<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
67163	TDBP LP	905 Patton St	1006 E Orleans St	Rockport	Tx	78382
8821068	Joseph & Jenna McDavid	913 Patton St	912 N Allen St	Rockport	Tx	78382
8821241	Kyle Alston	921 Patton St	403 Traylor Blvd	Rockport	Tx	78382
33180	Vivaan Enterprises Inc	925 Lady Claire St	2209 N Padre Island D	Corpus Christ	Tx	78408
55432	RJ Hospitality LLC	901 Hwy 35 N	901 Hwy 35 N	Rockport	Tx	78382
33729	City of Rockport	811 Hwy 35 N	2751 SH 35 Bypass	Rockport	Tx	78382
32756	Sally Etal Hilliard	811 Patton St	3822 Piping Rock Ln	Houston	Tx	77027
33172	3 KG LLC	1304 E Sabinal St	1645 Beall St	Houston	Tx	77008
8822780	Joseph & Jenna McDavid	912 Allen St	912 N Allen St	Rockport	Tx	78382
26501	David Picton	905 Allen St	905 Allen St	Rockport	Tx	78382
26502	John Brett	913 Allen St	913 Allen St	Rockport	Tx	78382
8821244	David & Gretchen Barnhart	930 Allen St	930 Allen St	Rockport	Tx	78382
	Patricia (Patt) Bemrose	Zoning Board of Adjust	1435 S Water St	Rockport	Tx	78382
	Carey Dietrich	Zoning Board of Adjust	602 Fulton Ave	Rockport	Tx	78382
	Michael Harm	Zoning Board of Adjust	801 W Market St	Rockport	Tx	78382
	Pamela Dixon	Zoning Board of Adjust	412 Cherry Hills Dr	Rockport	Tx	78382
	Traci Baucum	Zoning Board of Adjust	493 Augusta Dr	Rockport	Tx	78382
	Rocky Gudim	Zoning Board of Adjust	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjust	1803 Picton Ln	Rockport	Tx	78382



**NOTICE OF PUBLIC HEARING**  
Rockport Zoning Board of Adjustments

(Received  
5/19)

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Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_

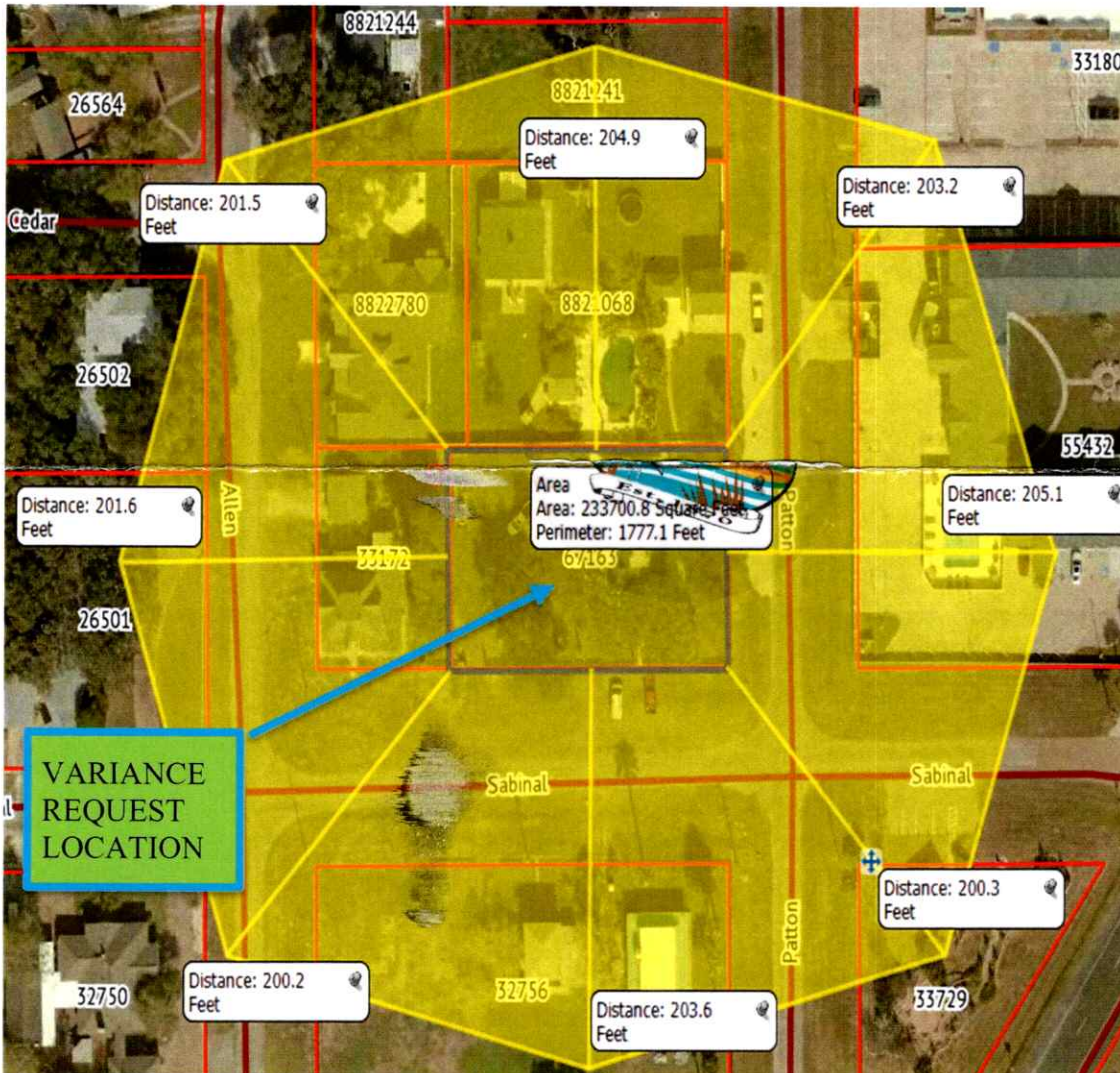
( ) IN FAVOR      ( ) IN OPPOSITION      Phone: \_\_\_\_\_

REASON:

\_\_\_\_\_  
Signature  
*See map on reverse side.*

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**City of Rockport**  
**2751 SH 35 Bypass**  
**Rockport, TX 78382**

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City of Rockport  
Development Services Department  
2751 S.H. 35 Bypass  
Rockport, TX 78382



City of Rockport  
2751 SH 35 Bypass  
Rockport, Tx 78382

SITUS ADDRESS: 811 Hwy 35 N





**City of Rockport  
Board of Adjustment  
Findings of Fact for Zoning Ordinance Variance**

Applicant: 905 Patton St – TDBP, LP & McDavid Residence

Lot/Tract/: GIMLER TOLLE SUBDIVISION BLK 1 LOT 4-R 0.4497 Acres

Upon giving public notice and conducting a public hearing on this variance request in accordance with the City of Rockport Code of Ordinances, the Zoning Board of Adjustment adopts these specific, written findings as follows:

		YES	NO
1.	That there are special circumstances or conditions peculiar to the property involved; and		
2.	That the strict application of the terms of the Ordinance will impose upon the applicant unusual and practical difficulties or particular hardship.		
3.	That literal interpretation of the Ordinance will deprive the applicant of rights commonly enjoyed by other properties in the same district under the Ordinance; and		
4.	That the proposed variance is in harmony with the Ordinance's general purpose and intent; and		
5.	That the granting of the variance will not merely serve as a convenience to the applicant; and		
6.	That the granting of the variance will alleviate some demonstrable and unusual hardship or difficulty for the applicant; and		
7.	That granting the variance will not confer upon the applicant any special privilege that is denied by the Ordinance to other similarly situated properties in the same district; and		
8.	That the variance is in the public interest and will ensure that public substantial justice will be done.		
9.	That the surrounding property will be properly protected.		
10.	Remaining regulations are adequate to govern the project.		

*All findings must be determined in the affirmative for the variance to be granted.*

With \_\_\_\_\_ members present, and upon a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining, the variance is hereby:

\_\_\_\_\_ **Granted**                      \_\_\_\_\_ **Denied**

\_\_\_\_\_  
Presiding Officer of the Zoning Board of Adjustment

\_\_\_\_\_  
Date