
ZONING BOARD OF ADJUSTMENTS MINUTES

On this the 3rd day of October, 2023, the Zoning Board of Adjustments held a Meeting at 5:30 p.m., at City of Rockport Service Center 2751 S H 35 Bypass, 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

Warren Hassinger
Thomas J. Blazek
Rick Smith – Via Facetime
Pamela Dixon Frost

Staff Members Present

Mike Donaho, Director of Public Works & Building Services
Carey Dietrich, Asst Dir Building & Development / Community Planner
Belinda Garcia, Administrator Coordinator

Open Meeting

1. Called meeting to order at approximately 5:30 p.m.

Public Hearing

Chairman Hassinger opened the Public Hearing at approximately 5:33pm.

2. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for property located at 105 S. Magnolia Street; also known as S5120 Rockport Cultural Arts District (RCAD) Depot Subdivision Block 1, Lot 1, .126 acres, City of Rockport Aransas County, Texas. The purpose of the request is for a variance to the City's set back requirement to add an awning and deck to restore the Depot structure as closely as possible to its original form.

Jennifer Day – Executive Director of Rockport Cultural Arts District spoke in favor. Letters of support came from Aransas County Historical Society (see attached) and 6 more in favor:

- Shelly Stuart – 319 Broadway
- Romana Day/Latitude 28-02 – 105 N. Austin St.
- Jennifer Day – 902 E. Cornwall
- Sharon Miller – 103 S. Austin St.
- Rockport Little Theater – 99 N. Austin St.
- Michelle Simmons – 410 S. Austin St.



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

Applicant: Rockport Cultural Arts District

Lot/Tract/: Lot 1, Block 1, RCAD Depot Subdivision; 105 S Magnolia.

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.	☒	☐

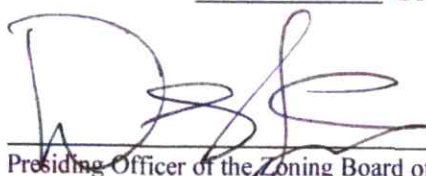
All findings must be determined in the affirmative for the variance to be granted.

With 4 members present, and upon a vote of 4 for, 0 against, and 0 abstaining, the variance is hereby:



Granted

Denied



Presiding Officer of the Zoning Board of Adjustment

10/3/2023

Date



September 7, 2023

Board of Adjustments
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382

Re: Rockport Railroad Depot Museum Restoration Variance Approval

Dear Board of Adjustments:

On behalf of the Aransas County Historical Society, this letter is being forwarded to communicate our strong support of the Rockport Railroad Depot Museum restoration, specifically the approval of a City setback variance allowance for the front entrance restoration of the historic Depot building.

The Depot is an important landmark built in 1888 and resides in its original location. This is documented through a State Historical Marker designation and a classic historic picture taken in the early 1920s. It represents early economic development with the railroad bringing tourists from around the state to enjoy downtown's restaurants, bath houses, and luxury hotels.

The Depot was donated to the Rockport Cultural Arts District in May 2021. It was significantly damaged by Hurricane Harvey, and with many supporting funding sources, the building has been structurally restored, as well as interior rooms, opening as a museum in May 2022.

We believe restoration of the historical Depot front entrance is important, reflecting and educating those of its initial setting. This will result in an enrichment of our community and makes a strong presence to improve our historical educational experiences, not only for our local students, but a vast number of visitors.

We appreciate your agreement to allow the setback variance approval which supports our great heritage and importance in the role of Texas History.

Warm regards,

Cheryl Livingston
Cheryl Livingston,
President

P. O. BOX 702 · ROCKPORT, TEXAS · 78381

achs1985.org

Regular Agenda

Chairman Hassinger opened the regular meeting at approximately 5:40pm

3. Deliberate and act on February 27, 2023, regular meeting minutes.

Member Pamela Dixon Frost made a motion to accept minutes as presented. Member Rocky Gudim seconded the motion. **Motion passed unanimously.**

4. Deliberate and act on a request for relief from the Zoning Ordinance for property located at 105 S. Magnolia Street; also known as S5120 Rockport Cultural Arts District (RCAD) Depot Subdivision Block 1, Lot 1, .126 acres, City of Rockport Aransas County, Texas. The purpose of the request is for a variance to the City's set back requirements to add an awning and deck to restore the Depot structure as closely as possible to its original form.

Community Planner Carey Dietrich spoke in favor. Staff recommends approval.

Chairman Hassinger read the ten (10) Finding of Facts, which must be determined in the affirmative for the variance to be granted. See attached.

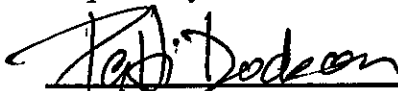
Member Pamela Dixon Frost made a motion to approve the request. Member Rocky Gudim seconded the motion. **Motion passed unanimously.**

Adjournment

Member Pamela Dixon Frost made a motion to adjourn. Member Rocky Gudim seconded the motion.

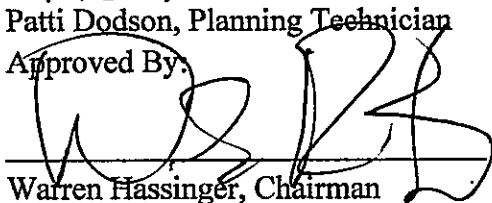
Chairman Hassinger adjourned the meeting at approximately 6:02 p.m.

Prepared By:



Patti Dodson, Planning Technician

Approved By:



Warren Hassinger, Chairman