
ZONING BOARD OF ADJUSTMENT AGENDA

Notice is hereby given that the Rockport Zoning Board of Adjustment will hold a Meeting on Thursday, February 20, 2025, at 5:30 p.m. The meeting will be held at City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Public participation is valued and citizens wishing to express their views on agenda items can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/BoardsCitizenParticipation> or scanning the QR code to the right. Using the same form, citizens can also provide written comments to the Community Planner by 4:00 p.m. on the day of the meeting. The Chair will read the comments and they will be summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.

Public Hearing

2. Conduct a Public Hearing to consider a request for relief from the 2018 IFC regarding required minimum width of the proposed drive through.
3. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for materials allowed to be used in the construction of fences.

Regular Agenda

4. Deliberate and act on September 26, 2024, regular meeting minutes.
5. Deliberate and act on a request for relief from the 2018 IFC regarding required minimum width of the proposed drive through.
6. Deliberate and act on a request for relief from the Zoning Ordinance for materials allowed to be used in the construction of fences.
7. Adjournment.

Special Accommodations

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 the City Secretary's office at 361/729-2213 ext. 225 or FAX 361/790-5966 or E-Mail citysec@cityofrockport.com for further information. Braille is not available.

Certification

I certify that the above notice of meeting was posted on the bulletin board at Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, February 14, 2025, by 5:00 p.m. and on the City's webpage at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot, and Corpus Christi Caller Times.*



Carey Dietrich, Director Building & Development



PUBLIC HEARING

Zoning Board of Adjustment

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, February 20, 2025, at 5:30 p.m., **City of Rockport Service Center- 2751 State Highway 35 Bypass, Rockport, Texas,** to consider a request for relief from the 2018 IFC regarding required minimum width of the proposed drive through.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the Building Department at (361) 790-1125. 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 the City Secretary's office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED: this the 31st day of January, 2025, by 4:00p.m. on the bulletin board at City of Rockport Service Center, 2751 S.H. 35 Bypass, Rockport, Texas and on the webpage www.cityofrockport.com.

PUBLISHED: in *The Rockport Pilot* in the Thursday, January 30, 2025 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Carey Dietrich

Carey Dietrich,
Director Building & Development
Community Planner

STAFF REPORT

Building & Development Services | Carey Dietrich, Community Planner
2751 SH 35 Bypass, Rockport, TX 78362
Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

**PROPERTY ADDRESS/LOCATION**

2405 Hwy 35 N

APPLICANT/PROPERTY OWNER

Ricardo Melendez, Owner

PUBLIC HEARING DATE

ZBA – Thursday, February 20, 2025
CC – N/A

ZBA DATE

ZBA – Thursday, February 20, 2025

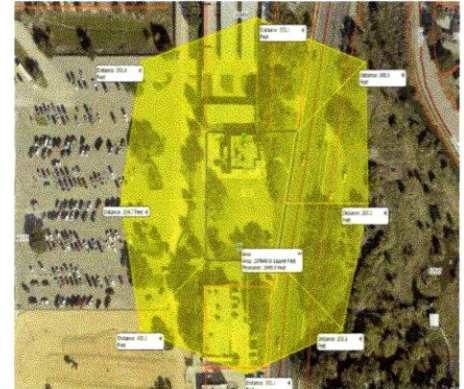
CITY COUNCIL DATE(S)

1st Reading – N/A
2nd Reading – N/A

BRIEF SUMMARY OF REQUEST

Property owner, Ricardo Melendez is requesting a variance to the 2018 International Fire Code regarding required width of the drive thru. 2018 IFC requires a 20' width; however, there is approximately 13.5' available for a drive thru.
The required 20' also serves as an emergency exit for vehicles in line that need to get out.

A public notice regarding this item was published in The Rockport Pilot in the Thursday, January 30, 2025 edition and mailed out to six (6) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
B-1 – General Business District	Mexican Food Restaurant	N – B-1 – General Business District S – B-1 – General Business District E – B-1 – General Business District W – B-1 – General Business District	Established Restaurant	1.025 acres Lot Size: 229.54 X 195.35

STAFF RECOMMENDATION**APPROVE****APPROVE WITH CONDITIONS****DENY****COMPATIBILITY with the ZONING ORDINANCE**

The Current Future Land Use Map suggests Commercial Use

PROPERTY HISTORY

There is an existing Mexican Food Restaurant known as La Tequila Jalisco. The owner wishes to add a drive thru for convenience for his customers but the space available is approximately 13.5 feet and not wide enough for one car to pass another in the event someone in line has an emergency situation and must leave the line.

Staff recommends denial of the Variance Request

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO
STANDARDS

OTHER (DESCRIBE)



PUBLIC HEARING

Zoning Board of Adjustment

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, February 20, 2025, at 5:30 p.m., **City of Rockport Service Center- 2751 State Highway 35 Bypass, Rockport, Texas,** to consider a request for relief from the Zoning Ordinance for materials allowed to be used in the construction of fences.

The City encourages citizens to participate and make their views known at this Public Hearing. For further information on this request please contact the Building Department at (361) 790-1125. 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 the City Secretary's office at (361) 729-2213 ext. 225 or FAX (361) 790-5966 or e-mail citysec@cityofrockport.com for further information. Braille is not available.

POSTED: this the 24th day of January, 2025, at 4:00p.m. on the bulletin board at City of Rockport Service Center, 2751 S.H. 35 Bypass, Rockport, Texas and on the webpage www.cityofrockport.com.

PUBLISHED: in *The Rockport Pilot* in the Thursday, January 23, 2025 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Carey Dietrich

Carey Dietrich,
Director Building & Development
Community Planner

STAFF REPORT

Building & Development Services | Carey Dietrich, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

**PROPERTY ADDRESS/LOCATION**

2320 Chaparral

APPLICANT/PROPERTY OWNER

Joey J Jenkins, Owner

PUBLIC HEARING DATE

ZBA – Thursday, February 20, 2025
 CC – N/A

ZBA DATE

ZBA – Thursday, February 20, 2025

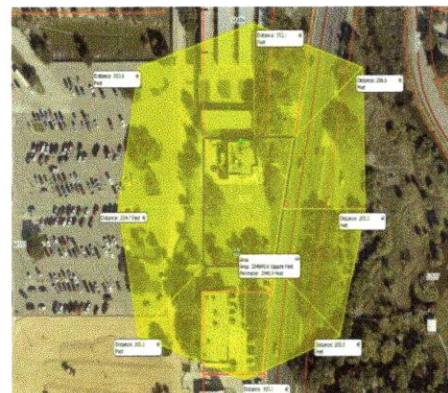
CITY COUNCIL DATE(S)

1st Reading – N/A
 2nd Reading – N/A

BRIEF SUMMARY OF REQUEST

Property owner, Joey J Jenkins is requesting a variance to the City of Rockport Code of Ordinances Section 118-22.2 Fence Regulations regarding allowed materials.

A public notice regarding this item was published in The Rockport Pilot in the Thursday, January 30, 2025 edition and mailed out to sixteen (16) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
B-1 – General Business District	Residential Dwelling	N – r-2 2 nd Single Family Dwelling District S – B-1 – General Business District E – B-1 – General Business District W – B-1 – General Business District	Established Residential Dwelling	2.02 acres Lot Size:

STAFF RECOMMENDATION**APPROVE****APPROVE WITH CONDITIONS****DENY****COMPATIBILITY with the ZONING ORDINANCE**

The Current Future Land Use Map suggests Commercial Use

PROPERTY HISTORY

Mr. Jenkins began building his fence using sheet metal with wood trim as there are other fences in the area the same. After being told it was not allowed he has filed for a Variance request since a president has been set having allowed other fences to be built from the same material.

Staff recommends approval of the Variance Request

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
 APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO
 STANDARDS

OTHER (DESCRIBE)

ZONING BOARD OF ADJUSTMENTS MINUTES

On this the 26th day of September, 2024, 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

Warren Hassinger, Chair
Rick Smith
Pamela Dixon Frost
Brandi Picton
Rocky Gudim
Tomas Blazek

Members Absent

Patt Bemrose
Janetta Davis

Staff Members Present

Mike Donaho, Director of Public Works & Building Services
Carey Dietrich, Asst Dir Building & Development / Community Planner
Vanessa Shrauner, City Manager
Belinda Garcia, Administrator Coordinator
Patti Dodson, Planning Technician
Finn Klanica, IT

Guest(s) Present

Chris Veatch, Island Manager for Key Allegro
Brad Brundrett
3 more homeowners from Key Allegro

Open Meeting

1. Called meeting to order at approximately 5:31 p.m.

Public Hearing

Chairman Hassinger opened the Public Hearing at approximately 5:31pm.

2. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for the Building Types and Setback requirements for each Building Type as defined in the Key Allegro Island Estates Design Code found under Clerk's File NO. 000377423 filed for record on September 30, 2020 to be utilized in place on the setbacks as set out in City of Rockport Code of Ordinances Sec 118-20.

**Brad Brundrett spoke. Key Allegro was annexed in after Hurricane Harvey.
Chris Veatch, Island Manager for Key Allegro, spoke.**

Regular Agenda

Chairman Hassinger opened the regular meeting at approximately 5:36pm

3. Deliberate and act on August 1, 2024, regular meeting minutes.

Motion: Member Smith made a motion to accept minutes as presented. Member Picton seconded the motion. **Motion passed unanimously.**

4. Deliberate and act on a request for relief from the Zoning Ordinance for the Building Types and Setbacks requirements for each Building Type as defined in the Key Allegro Island Estates Design Code found under Clerk's File NO. 000377423 filed for record on September 30, 2020 to be utilized in place of the setbacks as set out in City of Rockport Code of Ordinances Sec 118-20.

**Community Planner Carey Dietrich spoke. Chairman Hassinger spoke.
Member Gudim spoke and Member Smith spoke.**

Chairman Hassinger read the ten (10) Findings of Fact, which must be determined in the affirmative for the variance to be granted. All 10 items were affirmative, and all voted Aye in favor.

Motion: Member Smith made a motion to approve. Member Picton seconded the motion. **Motion passed unanimously.**

Adjournment

Member Dixon Frost made a motion to adjourn. Member Blazek seconded the motion.
Chairman Hassinger adjourned the meeting at approximately 5:47 p.m.

Prepared By:

Stacy Cantu, Planning Technician
Approved By:

Warren Hassinger, Chairman

Zoning Board of Adjustment AGENDA
Called Meeting: Thursday, February 20, 2025

AGENDA ITEM: 5

Deliberate and act on a request for relief from the 2018 IFC regarding required minimum width of the proposed drive through.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: Property owner, Ricardo Melendez is requesting a variance to the 2018 International Fire Code regarding required width of the drive thru. 2018 IFC requires a 20' width; however, there is approximately 13.5' available for a drive thru.

The required 20' also serves as an emergency exit for vehicles in line that need to get out.

A public notice regarding this item was published in The Rockport Pilot in the Thursday, January 30, 2025 edition and mailed out to six (6) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.

Please see the accompanying variance request application for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends denial of the request for relief from the 2018 IFC regarding required minimum width of the proposed drive through for property located at 2405 Hwy 35 N; also known as La Tequila Jalisco Restaurant, City of Rockport, Aransas County, Texas.



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

Applicant: Ricardo Melendez of La Taquila Jalisco

Lot/Tract/: 2405 Hwy 35 N – Lot 1, Windswept Village

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

2/20/2025

Date



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 ☐ No	2. If yes, name of reviewer	Robert Decker & Vanguard Engineering
3. Has this project been inspected?	☒ Yes ☐ No	4. If yes, name of inspector & date of inspection	Vanguard Engineering

5. Project Name	La Tequila Jalisco		
6. Building/Facility Name	La Tequila Jalisco		
7. Address	Suite #	City	Zip Code
2405 Hwy 35 North		Rockport	78382

8. Description: Indicate the type of project New Construction ☒ Addition ☐ Alteration	9. Scope of Work (Describe the construction activities) Adding a drive through to help better serve the Community with easy access to restaurant without having to go inside.
---	--

10. Square Footage of Building	Not adding a building	11. Square Footage Per Floor	
12. Is this building a qualified historic building	Yes ☐ No ☒	13. State the specific location of the violation within the building or site	
If yes, a copy of the determination of effect letter from the Texas Historical Commission (THC) must accompany this application		City is asking for us to extend the drive through 2 feet in width and 1.5 feet in length toward back. This is not possible due to property boundary lines. The licensed engineer drew up this plan and is a professional. And also we tested the area ourselves and the size the engineer drew Works perfectly there is no issues.	

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: Ricardo Melendez		16. Company Firm	
17. Address 1314 Houston St, George West, TX, 7802	18. City George West	19. State TX	20. Zip Code 78022
21. Phone # 361-944-1788	22. Fax #	23. E-mail Ricardo.latequila@gmail.com	
24. Signature		25. Date 01/15/2025	

EXHIBIT A

**City of Rockport
Variance Application**

AGENT'S AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am the **ATTORNEY-IN-FACT, AGENT or LESSEE** 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.

Printed Name of Agent

Signature of Agent

Physical Address

Mailing Address

City/State/Zip Code

City/State/Zip Code

STATE OF TEXAS

§

COUNTY OF _____

§

The foregoing instrument was acknowledged before me on this _____, day of

_____, 20____, by _____ and
(name)

_____, who are personally known by me or who has
(name)

produced _____ and _____,
(document) (document)

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

(Seal)

Notary Public Signature

My Commission Expires: _____

Printed Name

City of Rockport
Variance Application

OWNER'S AFFIDAVIT

I, Ricardo Melendez, 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.

Ricardo Melendez
Printed Name of Owner

[Signature]
Signature of Owner

1314 Houston st
Physical Address

Same
Mailing Address

George West Tx 78022
City/State/Zip Code

Same
City/State/Zip Code

STATE OF TEXAS

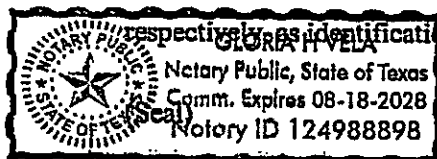
§

COUNTY OF Aransas

§

The foregoing instrument was acknowledged before me on this 15 day of January, 2025, by Ricardo Melendez and
(name)

_____, who are personally known by me or who has
(name)
produced DL and _____
(document) (document)



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

Notary Public, State of Texas
Comm. Expires 08-18-2028
Notary ID 124988898

Gloria H Vela
Notary Public Signature

Gloria H Vela
Printed Name

My Commission Expires: 8-18-2028

According to the 2018 International Fire Code (IFC), a drive-thru considered a "fire apparatus access road" should have a minimum unobstructed width of 20 feet. This means the driving lane should be at least 20 feet wide, not including shoulders, to allow for proper fire truck access.

Key points about IFC drive-thru width requirements:

- **Minimum width:** 20 feet
- **Vertical clearance:** Additionally, the access road should have a minimum vertical clearance of 13 feet 6 inches.
- **Dead ends:** If the drive-thru is a dead end longer than 150 feet, it must have a designated turning area for fire apparatus.

Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP
63115	Tequila San Juan Corporation	2405 Hwy 35 N	1314 Houston St	George West	TX	78022
52537	City of Rockport	2000 Tule Park Dr	2751 State Highway 35 Bypass	Rockport	TX	78382
58486	James Preis	2429 Hwy 35 N	5734 Crosstown SH # 286	Corpus Christi	TX	78417
66533	Walmart Property Tax Dept	2401 Hwy 35 N	P O Box 8050 MS 0555	Bentonville	AR	72712
63116	The Oaks of Rockport Venture	2347-2399 Hwy 35 N	800 Wilcrest Dr STE 245	Houston	TX	77042
62575	The Oaks of Rockport Venture	2307-2345 Hwy 35 N	800 Wilcrest Dr STE 245	Houston	TX	77042
	Warren Hassinger	Zoning Board of Adjustment	2517 Turkey Neck Circle	Rockport	TX	78382
	Patt (Patricia) Bemrose	Zoning Board of Adjustment	1435 S Water	Rockport	Tx	78382
	Pamela Dixon Frost	Zoning Board of Adjustment	412 Cherry Hills Dr	Rockport	TX	78382
	Richard W. Smith	Zoning Board of Adjustment	131 Pecan Harbor St	Rockport	TX	78382
	Janetta Davis	Zoning Board of Adjustment	474 Augusta Drive	Rockport	TX	78382
	Rocky Gudim	Zoning Board of Adjustment	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjustment	1803 Picton Ln	Rockport	Tx	78382

Zoning Board of Adjustment AGENDA
Called Meeting: Thursday, February 20, 2025

AGENDA ITEM: 6

Deliberate and act on a request for relief from the Zoning Ordinance for materials allowed to be used in the construction of fences.

SUBMITTED BY: Community Planner / Carey Dietrich

BACKGROUND: Property owner, Joey J Jenkins is requesting a variance to the City of Rockport Code of Ordinances Section 118-22.2 Fence Regulations regarding allowed materials. Mr. Jenkins began building his fence using sheet metal with wood trim as there are other fences in the area the same. After being told it was not allowed, he has filed for a Variance request since a president has been set having allowed other fences to be built from the same material.

A public notice regarding this item was published in The Rockport Pilot in the Thursday, January 30, 2025 edition and mailed out to sixteen (16) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.

Please see the accompanying variance request application and Sec 118-22.2.iii for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends approval of the for relief from the Zoning Ordinance for materials allowed to be used in the construction of fences for property located at 2320 Chaparral; also known as Lot 2R, Chaparral South, City of Rockport, Aransas County, Texas.



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

Applicant: Joey J Jenkins

Lot/Tract/: 2320 Chaparral – Lot 2R Chaparral South

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

2/20/2025

Date

EXHIBIT B



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? Yes No		2. If yes, name of reviewer:	
3. Has this project been inspected? Yes No		4. If yes, name of inspector & date of inspection:	
5. Project Name:			
6. Building/Facility Name:			
7. Address:		Suite #:	City:
			Zip Code:
8. Description: Indicate the type of project: New Construction Addition Alteration		9. Scope of Work (Describe the construction activities): 6' FENCE	
10. Square Footage of Building:		11. Square Footage Per Floor:	
12. Is this building a qualified historic building? Yes 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:	
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: Jody J JENKINS		16. Company/Firm:	
17. Address: 2320 CHAPARRAL		18. City: ROCKPORT	19. State: TX
20. Zip Code: 78382		21. Phone #: 210-391-1045	
22. Fax #:		23. E-mail: SANJO 713 @ JUND. COM	
24. Signature: 		25. Date: 1-13-2025	

EXHIBIT A

OWNER'S AFFIDAVIT

Signature of Owner _____

SEME

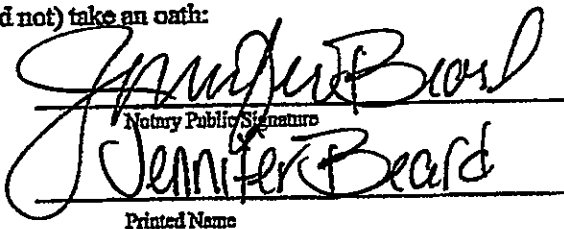
Mailing Address

SAME
City/State/Zip Code

COUNTY OF ARIZONA

_____ who are personally known by me or who has
(name)

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



My Commission Expires: 6/30/2027







Property ID	Property Owner	Situs Address	Mailing Address	City	State	ZIP
70356	Joey and Sandra Jenkins	2320 Chaparral St	2320 Chaparral St	Rockport	TX	78382
65381	Brent and Sara Fellman	2316 Chaparral St	P O Box 1656	Fulton	TX	78358
67304	Judith Wood and Maria De La Fuente	102 Treasure St	102 Treasure St	Rockport	TX	78382
67060	Judith Wood and Maria De La Fuente	101 Treasure St	102 Treasure St	Rockport	TX	78382
67061	Billy and Florence Newman	103 Treasure St	103 Treasure St	Rockport	TX	78382
67062	Christopher and Margie Schubert	105 Treasure St	105 Treasure St	Rockport	TX	78382
67077	Raymond and Donna Holland	106 Pecan Harbor St	106 Pecan Harbor St	Rockport	TX	78382
67078	Alton and Carol Rowe	104 Pecan Harbor St	104 Pecan Harbor St	Rockport	TX	78382
67079	Pecan Harbort LLC	102 Pecan Harbor St	7431 Reindeer Trail #2	San Antonio	TX	78238
67081	Shandra and Edward Glasgow	103 Pecan Harbor St	1531 Whiterock Dr	Midlothian	TX	78382
67080	Boyd Fuller	101 Pecan Harbor St	319 Bermuda Dr	Rockport	TX	78382
65378	Joey and Sandra Jenkins	2328 Chaparral St	2320 Chaparral St	Rockport	TX	78382
19804	Amber and Maurico Hernandez	2402 Chaparral St	2402 Chapparral St	Rockport	TX	78382
19808	DLMR Holdings LLC	2321 FM 3036	318 Centaurus St	Corpus Christi	TX	78405
54147	David and Carol Van Dyne	2301 FM 3036	P O Box 1417	Rockport	TX	78381
49219	KTAB Family LLC	2211 FM 3036	1329 E Lark St	Springfield	MO	65804
	Warren Hassinger	Zoning Board of Adjustment	2517 Turkey Neck Circle	Rockport	TX	78382
	Patt (Patricia) Bemrose	Zoning Board of Adjustment	1435 S Water	Rockport	Tx	78382
	Pamela Dixon Frost	Zoning Board of Adjustment	412 Cherry Hills Dr	Rockport	TX	78382
	Richard W. Smith	Zoning Board of Adjustment	131 Pecan Harbor St	Rockport	TX	78382
	Janetta Davis	Zoning Board of Adjustment	474 Augusta Drive	Rockport	TX	78382
	Rocky Gudim	Zoning Board of Adjustment	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjustment	1803 Picton Ln	Rockport	Tx	78382

§ 118-22. Accessory use regulations.

22.1 Accessory Use and Building Regulated. It is the purpose of this section to permit certain necessary accessory or incidental uses along with the primary use of a building or premises, thus permitting the full enjoyment of such primary use, but at the same time preventing such incidental uses from becoming objectionable where they would be a detriment to the neighborhood or area. Accessory uses may be used for, but are not limited to:

22.1.1 In R-1, R-2, R-2M, and R-2B Districts:

1. Private garages, servants/guest quarters. Servants and guest quarters shall not be for rent; shall not exceed 50% of the main residence in size; and shall not exceed one (1) unit per residential lot (see 24.2.3 in Article 24 for additional restrictions).
2. Swimming pools, hot tubs, spas, tennis courts, permanent barbecue grills, ornamental gates and structures, storage/utility sheds, wells/well houses, gazebos, patios, etc. (refer to definition of accessory building in Article 3).
3. Shipping containers (see Article 24).
4. Vegetable and flower gardens, non-commercial greenhouses.
5. Private recreation facilities (See Article 24).
6. Fences (See Section 22.2 of this article).
7. Home Occupations (see Article 24).

Building permits and certificates of occupancy may be required as prescribed herein or in the Building Code.

22.1.2 In R-3, R-4, and R-5 Districts:

1. Any use as listed above in 22.1.1
2. Designated area for garbage and trash containers.

22.1.3 In R-6 and R-7 Districts:

1. Any use as listed above in 22.1.2
2. Subordinate uses for hotels, motels, and bed and breakfast establishments. Such facilities shall include, but not be limited to, retail shops, restaurants, clubs and lounges, and shall be wholly or partially within the primary structure and not built or used as a detached structure or facility.
3. Piers, boat docks and related marine facilities may be detached from the main structure and are to be used only by the occupants and their guests.

22.1.4 In B-1, B-2, I-1 and I-2 Districts:

1. Any use as listed in 22.1.3, except that 1) child care centers and nurseries shall not

be located in an I district, and 2) shipping containers as addressed in Section 24.2.3 [section 118-24, subsection 24.2.3].

2. Accessory use, which is deemed subordinate to the main use.
3. Multiple structures or usages in conjunction with shopping centers.

22.1.5 Temporary buildings, industrialized buildings or portable buildings used for construction offices are permitted in any district as accessory buildings only during the course of construction.

22.1.6. Any accessory building or structure (except concrete flatwork or wooden decking) shall have a minimum five (5) foot rear and side yard setback from property lines and shall not be built over an easement. Front yard and side street yard setbacks must be observed. A minimum open space of ten (10) feet shall be established between all unattached buildings.

2. An accessory building or structure exempt from permit requirement under either Chapter 1 of the International Residential Code or Chapter 1 of the International Building Code is exempt from both rear and side yard setbacks and the 10 foot minimum separation between buildings. However, such accessory buildings or structures are not exempt from front yard and side street yard setbacks. The 10 foot minimum separation between buildings in front and side street yards shall be observed.
3. No accessory building or structure may be built on or over a recorded easement.
4. An accessory building may be erected as an integral part of the principal building or erected detached from the principal building. Should the accessory building be connected therewith by a breezeway or similar structure to the principal building, this shall not lessen the 10 foot separation requirement unless:

- * The accessory building is attached to and made structurally a part of the principal building, and
- * The accessory building shares a common wall with the principal building, and
- * The accessory building complies with this ordinance and the building code applicable for such structures.

22.1.7 Reserved.

22.1.8 In all R-districts, such usages as yard sales, garage sales, lemonade stands and neighborhood car washes are permitted not more than three (3) times per year per location.

22.1.9 Reserved.

22.2 Fence Regulations.

The purpose of these regulations is to permit the use of fences upon real property subject to

the following:

- i Fences shall consist of material and design that is common to the built environment for fences and shall be limited to chain link, wire mesh, wood, masonry, stone, manufactured composite materials designed for exterior fencing, metal or combinations of same. Some industry trade names may include Manufactured Vinyl Fencing, Cable Rail Fencing, Trex, Timbertech, Evergrain or equal.
- ii No fence shall consist of material and design that is uncommon to the built environment for fences including stacked fire wood, hay bales, scrap material, glass containers, cans, barricade material, tape, metal panels and any kind of sheathing material.
- iii Solid fences shall only be constructed of wood lumber (not wood/plastic composite or wood structural panel as defined by the building code), stone or masonry or combinations of same.
- iv Maintenance of all fences shall be the responsibility of the respective property owner and/or occupant.

22.2.1 When annexed rural or farm land exists, barbed wire fences may be permitted.

22.2.2 Except, as otherwise allowed in this subsection, fences in R-1 through R-7 districts shall not exceed six (6) feet in height. Fences adjacent to city parks or public space shall not exceed eight (8) feet in height. Fences on a property adjacent to business or industrial districts shall not exceed the maximums allowed for the adjacent district, whichever is higher. For the purpose in this subsection, when a street right-of-way divides two districts, it is considered to be a separation between the districts, and a property on one side of the street is not considered adjacent to the district on the other.

22.2.3 Except, as otherwise allowed in this subsection, fences in B districts shall not exceed eight (8) feet in height. Fences on a property adjacent to industrial districts shall not exceed the maximum allowed for the adjacent district, whichever is higher. For the purpose in this subsection, when a street right-of-way divides two districts, it is considered to be a separation between the districts, and a property on one side of the street is not considered adjacent to the district on the other.

22.2.4 Fences in I districts shall not exceed ten (10) feet in height. For the purpose in this subsection, when a street right-of-way divides two districts, it is considered to be a separation between the districts, and a property on one side of the street is not considered adjacent to the district on the other.

22.2.5 The zoning administrator may approve special enhancements (arches) to gates or other openings within a fence.

22.2.6 Easements may be fenced as long as access is provided either through gates or removable fence sections. Replacement, removal or maintenance of fencing is the responsibility of the property owner.

22.2.7 Fence heights are measured by the following methods: