



# City of Rockport

## ZONING BOARD OF ADJUSTMENT REGULAR MEETING

### AGENDA

**TUESDAY, OCTOBER 28, 2025 - 5:30 PM**  
**ROCKPORT CITY HALL**  
**212 N LIVE OAK ST**  
**ROCKPORT, TEXAS 78382**

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Notice is hereby given that Rockport Zoning Board of Adjustment will hold a Regular Meeting on Tuesday, October 28, 2025, 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.

## **I. Opening Agenda**

1. Call meeting to order. ()

## **II. Approval of Minutes**

2. Deliberate and act on approval of the regular meeting minutes of July 24, 2025. (Stacy Cantu, Building & Development Planning Tech.)

## **III. Public Hearing and Related Actions**

3. Conduct a Public Hearing and Consider a request for relief from the Zoning Ordinance for the 25-foot front setback be reduced to 20 feet, on the property located at 1128 Water St. otherwise known as South Beach Shores, Lot 2, ACRES 0.206.
  - i. Staff Report
  - ii. Applicant Presentation
  - iii. Public Hearing to receive comments in favor of or oppose the request.
  - iv. Consider the recommendation for approval of denial of the request. (Robert Decker, Chief Building Official)

## **IV. Adjournment**

### **CERTIFICATION**

This is to certify that I, Stacy Cantu, posted this Agenda at 1:30 p.m. on October 21, 2025, on the bulletin board of the City Hall, 212 N Live Oak St and Rockport Service Center, 2751 S. H. 35 Bypass, Rockport, Texas 78382.



Stacy Cantu  
Building and Development Planning Technician

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## **ZONING BOARD OF ADJUSTMENTS MINUTES**

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On the 24th day of July 2025, 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.

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### **Members Present**

Warren Hassinger, Chair  
Rocky Gudim  
Pamela Dixon Frost  
Janetta Davis

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### **Members Absent**

Patt Bemrose  
Brandi Picton

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### **Staff Members Present**

Carey Dietrich, Director Building & Development / Community Planner  
Belinda Garcia, Administrator Coordinator  
Stacy Cantu, Building & Development Planning Technician  
Kimberly Henry, Assistant to the City Manager  
Finn Klanica, IT  
  
Brad Brundrett, Council Representative

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### **Guest(s) Present**

Two (2)  
  
Jose Trevino, 1026 Patton St.  
Mark Emery, 1856 Bay Shore

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### **Open Meeting**

1. Call meeting to order at 5:30 p.m.

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### **Public Hearing**

Chairman Hassinger opened the Public Hearing at approximately 5:30 p.m.

2. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for the 20-foot rear setback be reduced to 5 feet on property located at 1026 Patton St, otherwise known as the W ½ of Lot 9, N 12 ½ 'of the W ½ of Lot 10
3. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for the 20' front setback to be reduced to 15' on property located at 1856 Bay Shore, otherwise known as Lot 30, Block 1, Key Allegro Unit #1

Chairman Hassinger, closed the Public Hearing at 5:34 p.m.

## **Regular Agenda**

Chairman Hassinger opened the regular meeting at approximately 5:34 p.m.

4. Deliberate and act on March 27, 2025, regular meeting minutes.

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

5. Deliberate and act on a request for relief from the Zoning Ordinance for the 20-foot rear setback be reduced to 5 feet on property located at 1026 Patton St, otherwise known as the W ½ of Lot 9, N 12 ½ ' of the W ½ of Lot 10.

**Building Director C. Dietrich spoke on the plans submitted were for a bathroom as well as outdoor stairs and an upper deck. Staff recognize the need for the ADA bathroom, needed to meet a family member's need. But we cannot find the hardship for the upper deck and outdoor stairs. Staff recommend denial of the 5-foot setback but approval of a 10-foot setback because that is what the bathroom would need. Brad Brundrett addressed the Board to explain the area of "old Rockport" stating he (Mr. Trevino) doesn't have much of a rear set back but does have a large right-a-way to the north of the property. One (1) public notice was mailed in, in favor of the variance being granted.**

**Motion:** Member Gudim made a motion to approve the Variance request, and Member Dixon Frost seconded. **Motion passed unanimously.**

**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 in the affirmative, and all voted "Yes" in favor of the Motion to Approve the Variance.**

6. Deliberate and act on a request for relief from the Zoning Ordinance for the 20' front setback be reduced to 15' on property located at 1856 Bay Shore otherwise known as Lot 30, Block 1, Key Allegro Unit #1.

**Building Director C. Dietrich stated property is on the Aransas Bay side of Bay Shore in Key Allegro, as Builder, Mark Emery stated before. M. Emery is trying to protect the home as much as he can from sea spray and wave action. M. Emery is trying to move the home a little bit from being right on top of that sea wall (bulkhead). One (1) public notice was mailed in, in opposition with no explanation. Two (2) neighboring properties emailed the homeowner in favor of the variance being granted. They also received an "ok" from Key Allegro - Property Owners Association.**

**Motion:** Member Dixon Frost motioned to approve the Variance request, and Member Gudim seconded. **Motion passed unanimously.**

**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 in the affirmative, and all voted “Yes” in favor of the Motion to Approve the Variance.**

7. Adjournment.

**Motion:** Member Gudim made a motion to adjourn. Member Dixon Frost seconded the motion. **Motion passed unanimously.**

Chairman Hassinger adjourned the meeting at 6:00 p.m.

Prepared By:

\_\_\_\_\_  
Stacy Cantu, Building & Development Planning Technician

Approved By:

\_\_\_\_\_  
Warren Hassinger, Chairman



## 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No  | 2. If yes, name of reviewer:                       |
| 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: <u>MCBEE HOME (NEW)</u> |          |                       |                        |
| 6. Building/Facility Name:               |          |                       |                        |
| 7. Address: <u>1128 WATER STREET</u>     | Suite #: | City: <u>ROCKPORT</u> | Zip Code: <u>78382</u> |

|                                                                                                                                                                             |                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 8. Description: Indicate the type of project:<br><input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Alteration | 9. Scope of Work (Describe the construction activities):<br><u>CONSTRUCTION OF NEW HOME</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                             |                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 10. Square Footage of Building: <u>2076</u>                                                                                                                                                                                                                 | 11. Square Footage Per Floor: <u>1 LIVING FLOOR</u>                                                    |
| 12. Is this building a qualified historic building? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>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:<br><u>STREET OFF-SET</u> |

|                                                                                                                                                                                                                |                          |                                            |                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------|----------------------------|
| 14. Intent to Apply: I hereby apply for a variance from the City of Rockport Zoning Board of Adjustment. (Check one) <input checked="" type="checkbox"/> I am the Owner <input type="checkbox"/> Owner's Agent |                          |                                            |                            |
| 15. Name: <u>GARY MCBEE</u>                                                                                                                                                                                    |                          | 16. Company/Firm:                          |                            |
| 17. Address: <u>28 ROLLINGWOOD DRIVE</u>                                                                                                                                                                       | 18. City: <u>HOUSTON</u> | 19. State: <u>TX</u>                       | 20. Zip Code: <u>77080</u> |
| 21. Phone #: <u>713 805-1861</u>                                                                                                                                                                               | 22. Fax #:               | 23. E-mail: <u>gary.m.mcbree@gmail.com</u> |                            |
| 24. Signature: <u>[Signature]</u>                                                                                                                                                                              |                          | 25. Date: <u>9/8/2025</u>                  |                            |

EXHIBIT A



City of Rockport  
Variance Application

OWNER'S AFFIDAVIT

I, GARY M MCBEE, 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.

GARY M MCBEE

Printed Name of Owner

GARY M MCBEE

Signature of Owner

28 ROLLINGWOOD DR

Physical Address

SAME

Mailing Address

HOUSTON, TX 77080

City/State/Zip Code

SAME

City/State/Zip Code

STATE OF TEXAS

§

COUNTY OF Harris

§

The foregoing instrument was acknowledged before me on this 8th day of September, 2025 by GARY MCBEE and

(name)

N/A who are personally known by me or who has

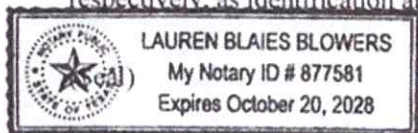
(name)

produced TDL and N/A

(document)

(document)

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



LAUREN BLAIS BOWERS

Notary Public Signature

My Commission Expires: 10-20-28

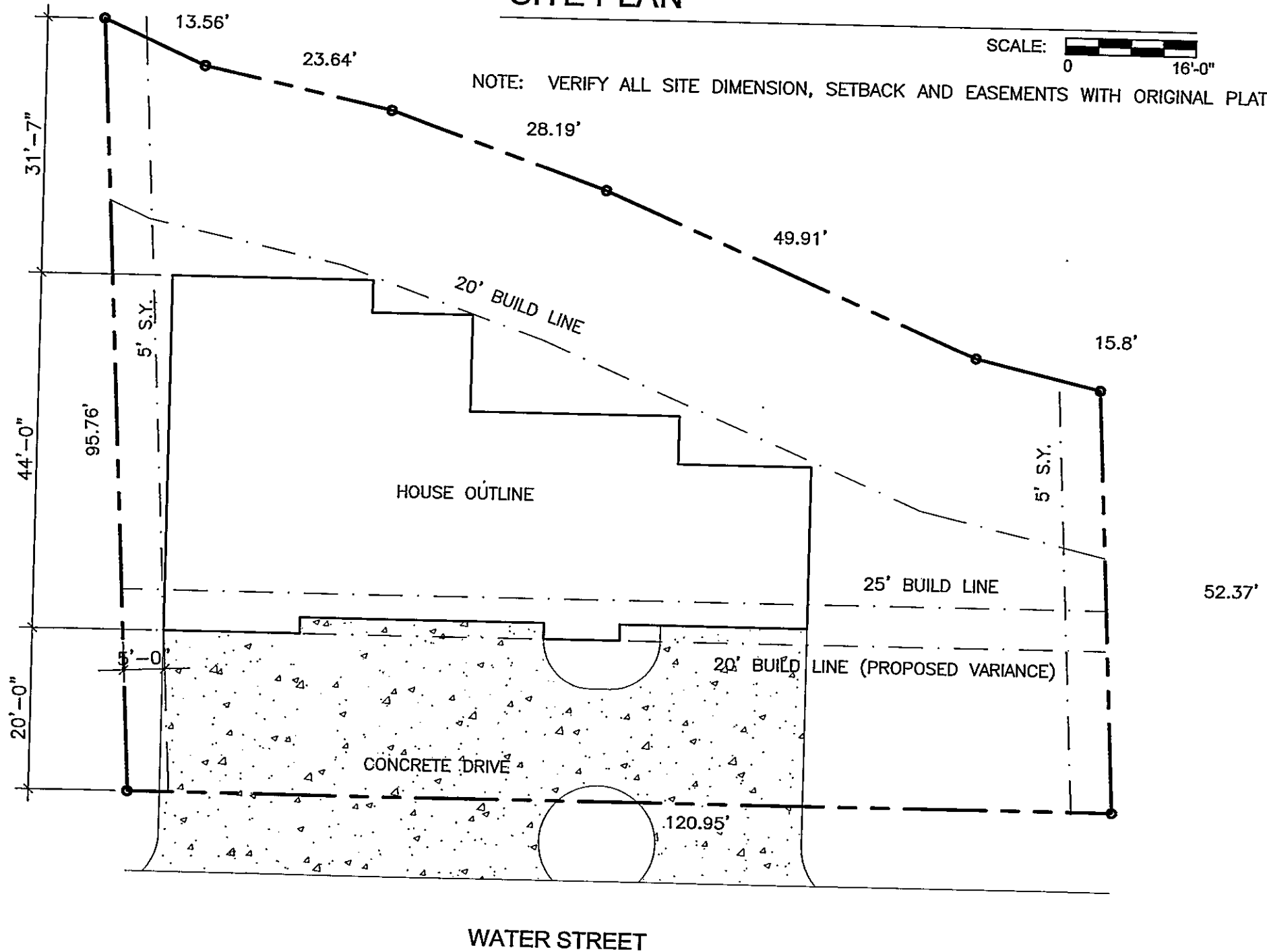
LAUREN BLAIS BOWERS

Printed Name

# SITE PLAN

SCALE: 0 16'-0"

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



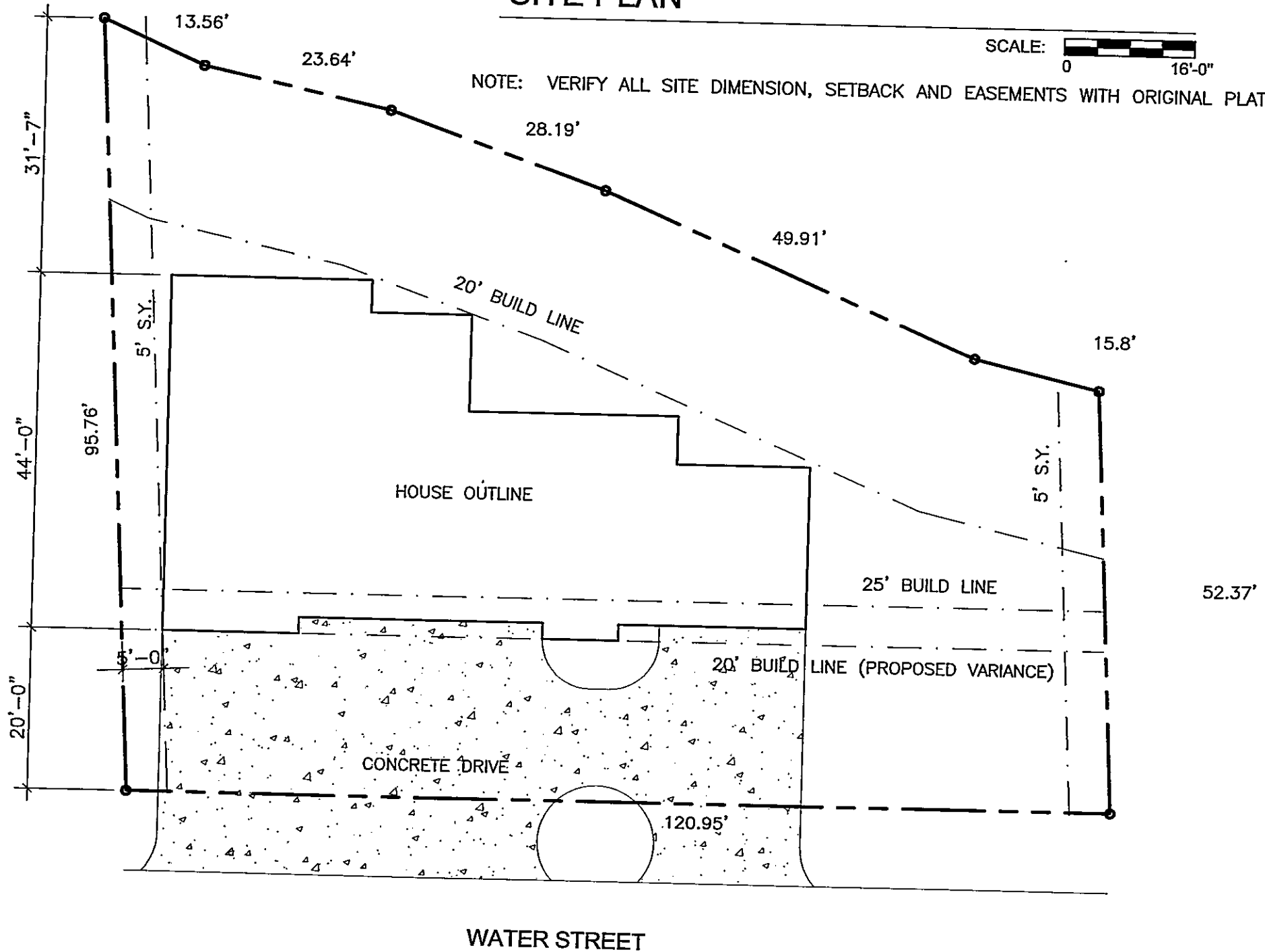
WATER STREET



# SITE PLAN

SCALE: 0 16'-0"

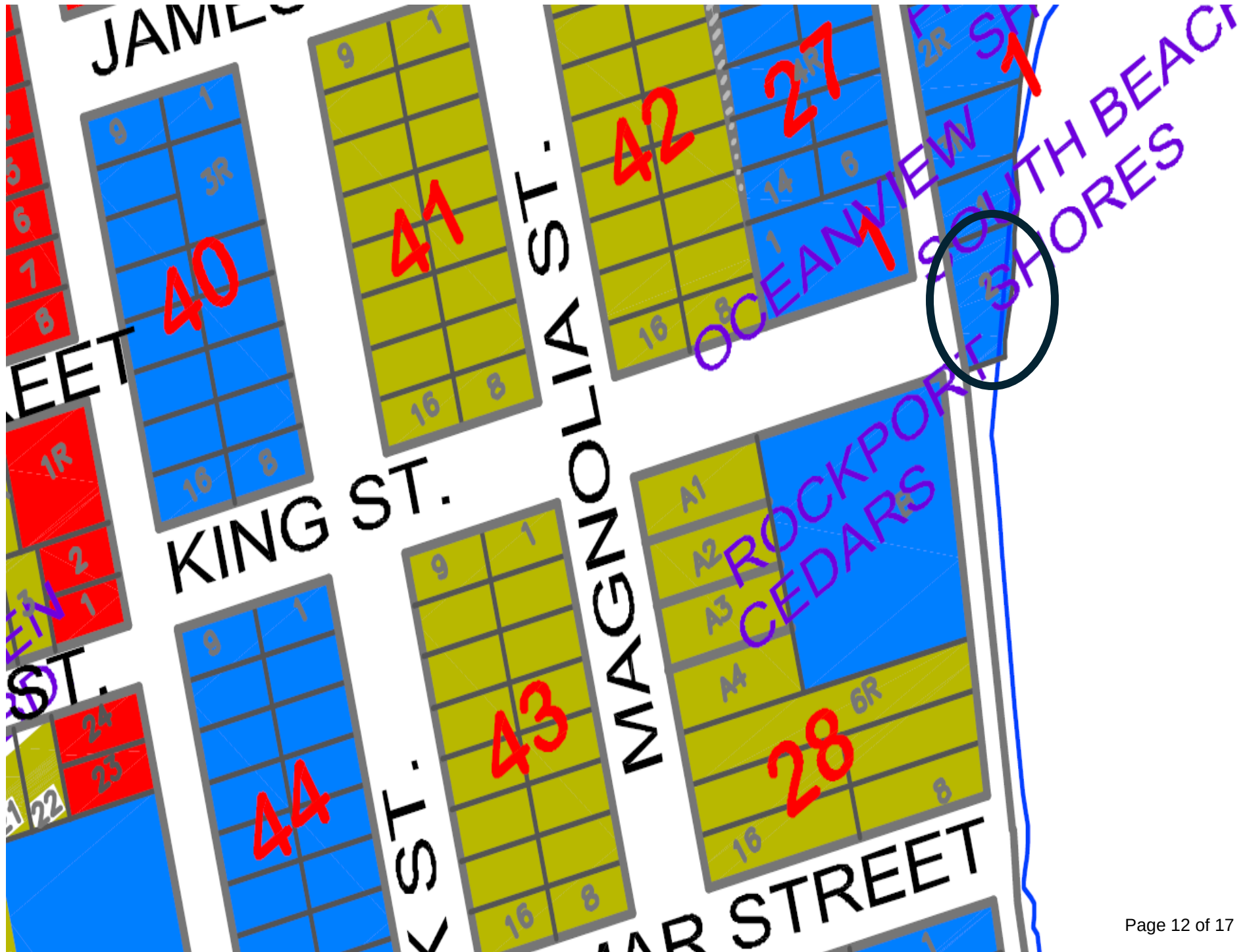
NOTE: VERIFY ALL SITE DIMENSION, SETBACK AND EASEMENTS WITH ORIGINAL PLAT.





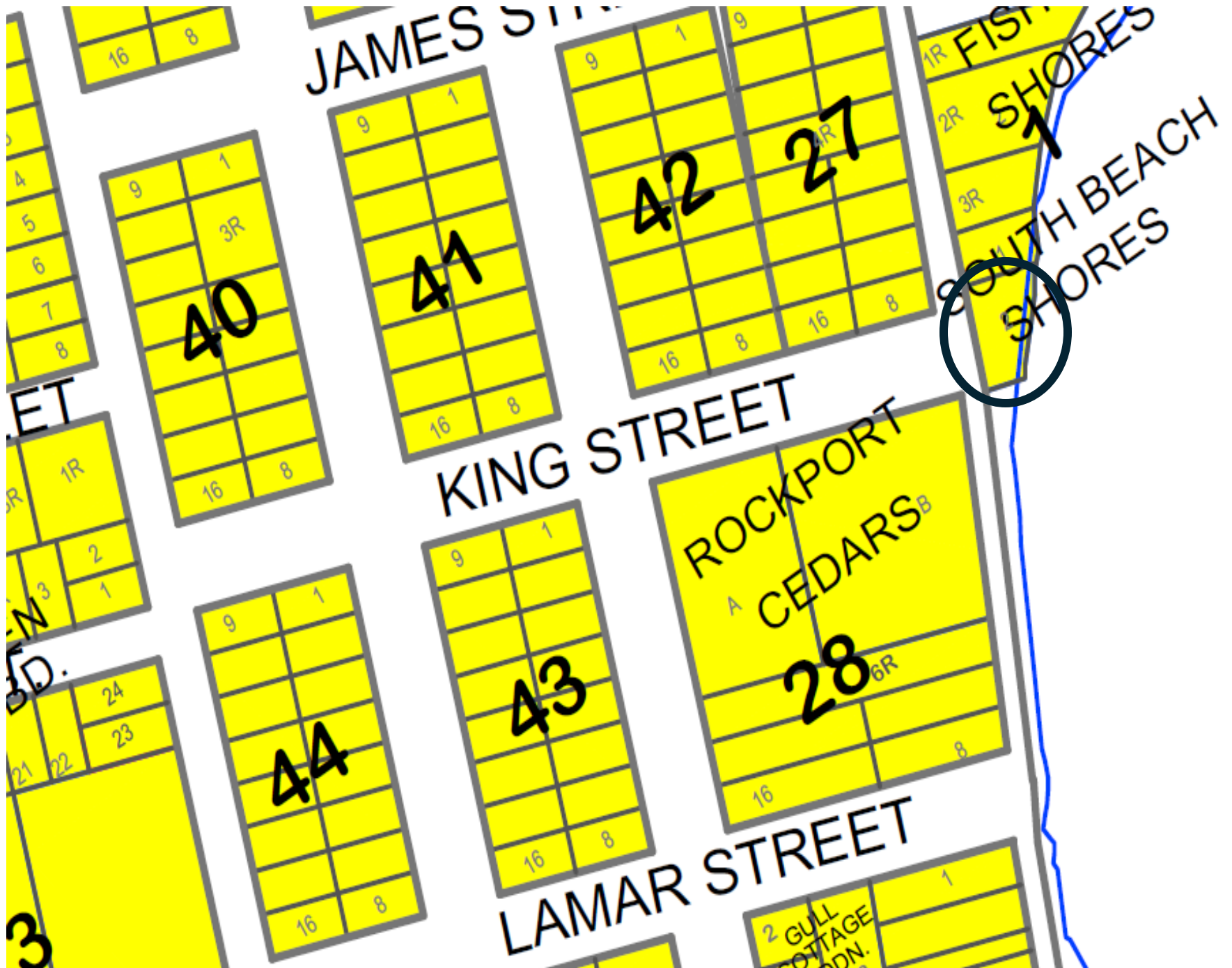


# ZONING MAP





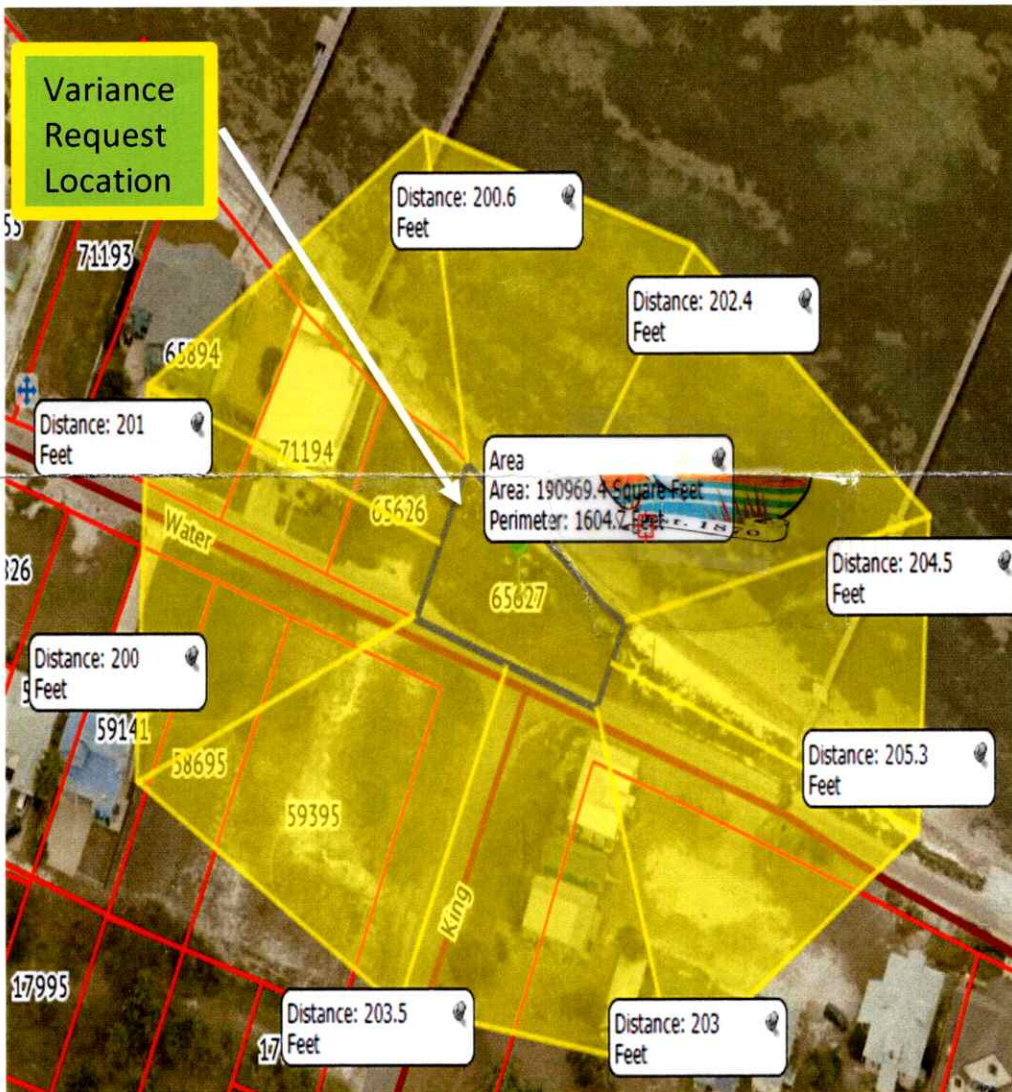
# FUTURE LAND USE MAP



| Property ID | Property Owner                         | Situs Address              | Mailing Address         | City      | State | ZIP   |
|-------------|----------------------------------------|----------------------------|-------------------------|-----------|-------|-------|
| 65627       | Gary & Laura McBee                     | 1128 Water St.             | 28 Rollingwood Dr.      | Houston   | TX    | 77080 |
| 65626       | Fulshear Ventures LLC                  | 1122 Water St.             | P O Box 1958            | Rockport  | TX    | 78381 |
| 71194       | Tim & Lori Brown                       | 1114 Water St.             | P O Box 291931          | Kernville | TX    | 78029 |
| 65894       | Brett & Lynda Bohn                     | 1112 Water St.             | 1798 Bay Shore Dr.      | Rockport  | TX    | 78382 |
| 59141       | Lala Living Trust (Lorraine Allemand T | 1120 S Austin St.          | 1905 Pagemill Ln.       | Conroe    | TX    | 77304 |
| 58695       | Fulshear Ventures LLC                  | 1123 Water St.             | P O Box 1958            | Rockport  | TX    | 78381 |
| 59395       | Fulshear Ventures LLC                  | 1131 Water St.             | P O Box 1958            | Rockport  | TX    | 78381 |
| 17856       | Barry McBee & Susanna Etal             | 1203 Water St.             | 1001 E 14th St.         | Austin    | TX    | 78702 |
|             | 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 |

# 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:**  
**Building Department**  
**City of Rockport**  
**2751 SH 35 Bypass**  
**Rockport, TX 78382**

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



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

CORPUS CHRISTI TX 784  
10 OCT 2025AM 2 L

FIRST CLASS



US POSTAGE<sup>TM</sup> PITNEY BOWES



ZIP 78382  
02 7H  
0006090064  
\$ 000.74<sup>0</sup>  
OCT 08 2025

Tim & Lori Brown  
P O Box 291931  
Kerrville, TX 78029

SITUS ADDRESS: 1114 Water St.





## 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 Tuesday, October 28, 2025, 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 25 foot front setback be reduced to 20 feet on property located at 1128 Water St. otherwise known as South Beach Shores, Lot 2, ACRES 0.206.

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 Building 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 BUILDING & 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: Tim Brown  
Address: 1114 Water St City/State: Rockport Tx

( ) IN FAVOR ☒ IN OPPOSITION

Phone: 830 329 2838

REASON: Drainage issues

Signature  
See map on reverse side.



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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 Tuesday, October 28 , 2025, 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 25 foot front setback be reduced to 20 feet on property located at 1128 Water St. otherwise known as South Beach Shores, Lot 2, ACRES 0.206.

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](mailto:citysec@cityofrockport.com) for further information. Braille is not available.

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**POSTED:** this the 9 day of October, 2025, by 4:00p.m. on the bulletin board at City of Rockport Service Center, 2751 S.H. 35 Bypass, and at Rockport City Hall, 212 N Live Oak, Rockport, Texas and on the webpage [www.cityofrockport.com](http://www.cityofrockport.com).

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**PUBLISHED:** in *The Rockport Pilot* in the Thursday, October 9th, 2025 Edition, in accordance with the City of Rockport Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

Carey Dietrich,  
Director Building & Development  
Community Planner