



City of Rockport
ZONING BOARD OF ADJUSTMENT REGULAR MEETING
AGENDA
TUESDAY, DECEMBER 16, 2025 - 5:30 PM
CITY HALL
212 N. LIVE OAK
ROCKPORT, TEXAS 78382

Notice is hereby given that Rockport Zoning Board of Adjustment will hold a Regular Meeting on Tuesday, December 16, 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 for further information. Braille is not available.

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 approval of the regular Zoning Board of Adjustments meeting minutes of November 18, 2025. (Stacy Cantu, Building & Development Planning Tech.)

IV. PUBLIC HEARING AND RELATED ACTIONS

2. 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.
 - i. Staff Report.
 - ii. Applicant Presentation.
 - iii. Public Hearing to receive comments in favor or against the request.
 - iv. Consider the recommendation for approval or denial of the request. (Carey Dietrich, Director of Community Development & Building)
3. Consider a request for relief from the Zoning Ordinance for the Setbacks for pool installations and accept recently added Part 27 in the Key Allegro Island Estates Design Code, for properties located in the Key Allegro Subdivision, City of Rockport, Aransas County, Texas.
 - i. Staff Report.
 - ii. Applicant Presentation.
 - iii. Public Hearing to receive comments in favor or against the request.
 - iv. Consider the recommendation for approval or denial of the request. (Carey Dietrich, Director of Community Development & Building)

V. ADJOURN

CERTIFICATION

This is to certify that I, Carey Dietrich, posted this Agenda at 5 p.m. on December 10, 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

ZONING BOARD OF ADJUSTMENTS MINUTES

On the 18th day of November 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.

Members Present

Warren Hassinger, Chair
Rocky Gudim
Pamela Dixon Frost
Patt Bemrose

Members Absent

Janetta Davis
Brandi Picton

Staff Members Present

Carey Dietrich, Director of Building & Development / Community Planner
Robert Decker, Assistant Director of Building & Development / Building Official
Belinda Garcia, Administrator Coordinator
Stacy Cantu, Building & Development Planning Technician
Kimberly Henry, Assistant to the City Manager

Guest(s) Present – Five (5)

Shane Cupic & Reggie Cupic, 703 Water St.
Robert Gum, 627 Water St. Apt 202
Joan Cupic, 627 Water St. Apt. 302
James Kissling, 18 Catalina

I. OPENING AGENDA

1. Chair, W. Hassinger, called the Zoning Board of Adjustments meeting to order at 5:30 p.m.

II. APPROVAL OF MINUTES

2. Consider the approval of the Zoning Board of Adjustments Minutes for the July 24, 2025, Meeting (Carey Dietrich, Director of Community Development & Building)

Motion: Member, P. Dixon Frost motioned to approve July 24, 2025, regular meeting minutes as presented. Member R. Gudim seconded the motion. Motion passed unanimously.

III. PUBLIC HEARING AND REGULAR AGENDA

3. Consider a request for relief from the Zoning Ordinance to reduce the 20' setback from the right-of-way to 4'10" for a swimming pool located at 703 Water Street otherwise known

as Lot 1, Block 1, Doughty House Subdivision.

i. Staff Report.

ii. Applicant Presentation.

iii. Public Hearing to receive comments in favor or against the request.

Building Official, R. Decker, stated that the City is recommending Approval for their pool request, but we must bring it before the board to enforce the ordinance. Technically the pool request is to be built in the front yard of property and due to the ordinance pools cannot be placed in the front yard and it must be built 20' away from the City right of way. The pool will have a fence around it. Four (4) mail out notices have been received and in favor for the pool variance request.

Member B. Picton - had recused herself, due to working for the engineering firm on the project.

A Public Hearing was opened at 5:34 p.m. And returned mail outs and some of public spoke. Four (4) mail out notices have been received and wrote in favor for the pool variance request.

Robert Gum, 627 Water St., Apt 202 spoke in favor of the pool variance request for the condos.

Joan Cupic, 627 Water St. Apt 302 spoke in favor of the pool variance request for the condos.

Natasha Tessier, 627 Water St., Apt 301 spoke in favor of the pool variance request for the condos.

Motion: Member R. Gudim made a motion to approve the variance requested for the pool at 703 Water st. Member P. Dixon Frost seconded the motion. **Motion passed unanimously.**

Findings of Fact were read, and the variance was granted to place the swimming pool in the front setback of the condominium project located at 703 Water Street at 4' 10" from the property line due to limited space. 5 members were present; all were in favor and 1 member (Brandi Picton) abstained from the vote.

4. Consider a request for relief from the Zoning Ordinance to allow modification to the legal non-conforming structure that encroaches on the 20' setback on property located at 18 Catalina otherwise known as Lot 11, Block 14, Key Allegro Unit #4.

i. Staff Report.

ii. Applicant Presentation.

iii. Public Hearing to receive comments in favor or against the request.

Building Official, R. Decker, stated the property owners want to do a remodel on the existing legal non-conforming home that sits on the property. They need the variance because they are encroaching on the front setbacks by expanding the footprint of the home but will be staying inside property lines. Staff recommend approval of the variance, as they are improving the home and neighborhood.

Mr. James Kissling spoke on the non-conforming bathrooms that fall below the base flood elevation zone (B.F.E) and plan on adding the floor but bringing it up approximately 4 feet that way it is out of the BFE. They are asking for some leniency to make these improvements for the better of the home.

We had four (4) mail out notices returned. Two (2) in opposition, one being at 19 Bimini, the other at 17 Bimini. While two (2) returned in favor, one at 19 Catalina and the other at 17 Catalina. Member Gudim asked when the house was built, and the home was built in 1972.

Motion: Member B. Picton made a motion to approve the variance for the home at 18 Catalina. Member R. Gudim seconded the motion. **Motion passed unanimously.**

Findings of Fact were read, and the variance was granted to allow modification to the legal non-conforming structure that encroaches on the 20' setback on the property located at 18 Catalina otherwise known as Lot 11, Block 14, Key Allegro Unit #4. 5 Members were present; all was in favor.

5. Discussion regarding filling in a Zoning Board of Adjustments Vacancy.

Member B. Picton asked to fill in the seat remaining before increasing the number of board members. Because we don't want to increase the board members and up the numbers for a quorum. A few people were suggested to Director C. Dietrich, and she stated she would forward them the application for the board. Member B. Picton asked if alternates could be moved into full board member status. And Director C. Dietrich said alternates could be up, they would just have to submit a request.

IV. ADJOURNMENT

Motion: Member P. Dixon Frost made a motion to adjourn. Member R. Gudim seconded the motion. **Motion passed unanimously.** Zoning Board of Adjustments meeting adjourned at 6:08 p.m.

Prepared By:

Stacy Cantu, Building & Development Planning Technician

Approved By:

Warren Hassinger, Chairman



AGENDA MEMO

DEPARTMENT: Building & Development

TO: Zoning Board of Adjustments Commissioners

FROM: Carey Dietrich, Director of Community Development & Building

MEETING DATE: December 16, 2025

CATEGORY: Action Item

CAPTION:

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.

i. Staff Report.

ii. Applicant Presentation.

iii. Public Hearing to receive comments in favor or against the request.

iv. Consider the recommendation for approval or denial of the request.

SUMMARY:

The property owners of 1128 Water Street are requesting a variance for the 25' front setback to be reduced to 20' given the odd shape of his property, which would line up with the home closest to his property.

BACKGROUND:

This request was originally scheduled to be heard by the Board on November 18, 2025; however, due to the lack of a quorum, the November meeting was canceled.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the 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.

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. PH - 1128 Water st_(P.H for December Meeting)
2. Variance Application - 1128 Water st
3. Pictometry

4. Zoning Map
5. Future Land Use Map
6. December 16th Mailouts
7. ZBA Findings of Facts - Gary McBee

APPROVAL/REVIEW:

Carey Dietrich, Director of Community Development & Building

Date: December 12, 2025

Kimberly Henry, Assistant to the City Manager

Date: December 12, 2025



PUBLIC HEARING

Zoning Board of Adjustment

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Tuesday, December 16, 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 for further information. Braille is not available.

POSTED: this the 26th day of November, 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.

PUBLISHED: in *The Rockport Pilot* in the Thursday, November 27, 2025 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Carey Dietrich,
Director Building & Development
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? ☐ 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: <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: ☒ New Construction ☐ Addition ☐ Alteration	9. Scope of Work (Describe the construction activities): <u>CONSTRUCTION OF NEW HOME</u>
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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? ☐ 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: <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) ☒ I am the Owner ☐ 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 MCB

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

(name)

who are personally known by me or who has

produced

TDL

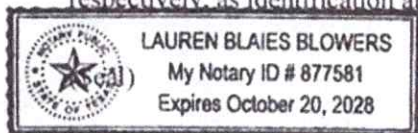
(document)

and

N/A

(document)

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



[Signature]

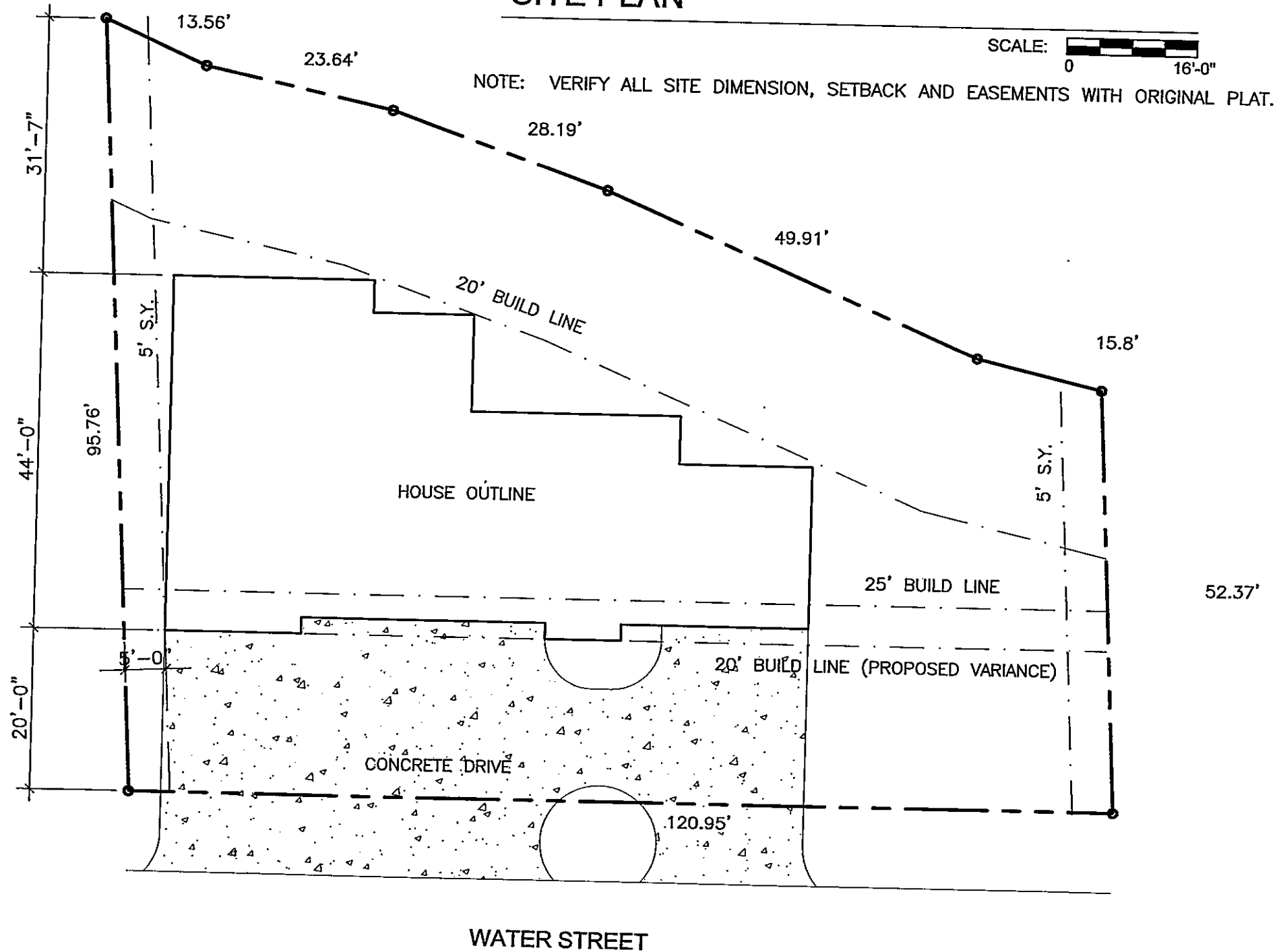
Notary Public Signature

My Commission Expires: 10-20-28

LAUREN BLAIS BLOWERS

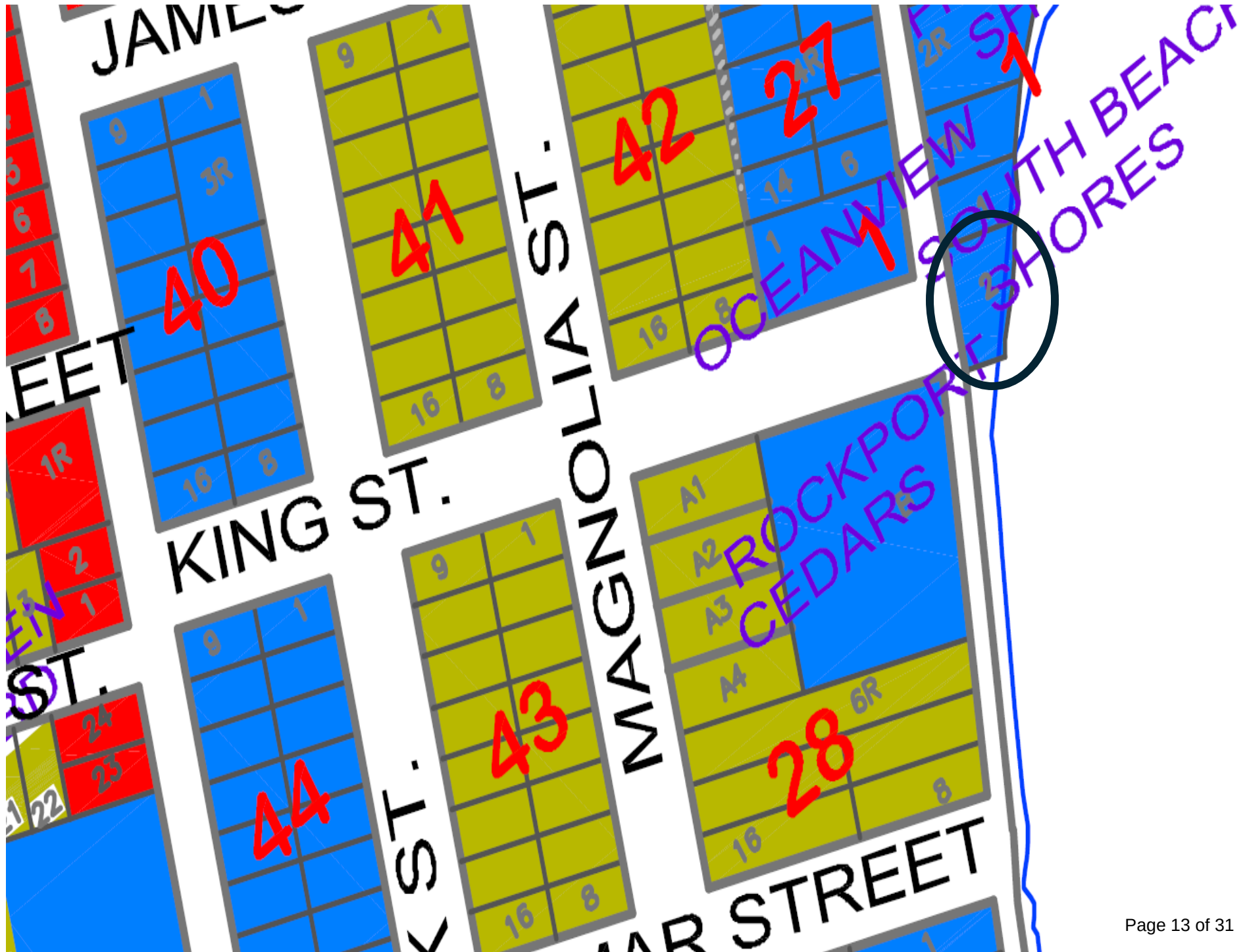
Printed Name

SITE PLAN

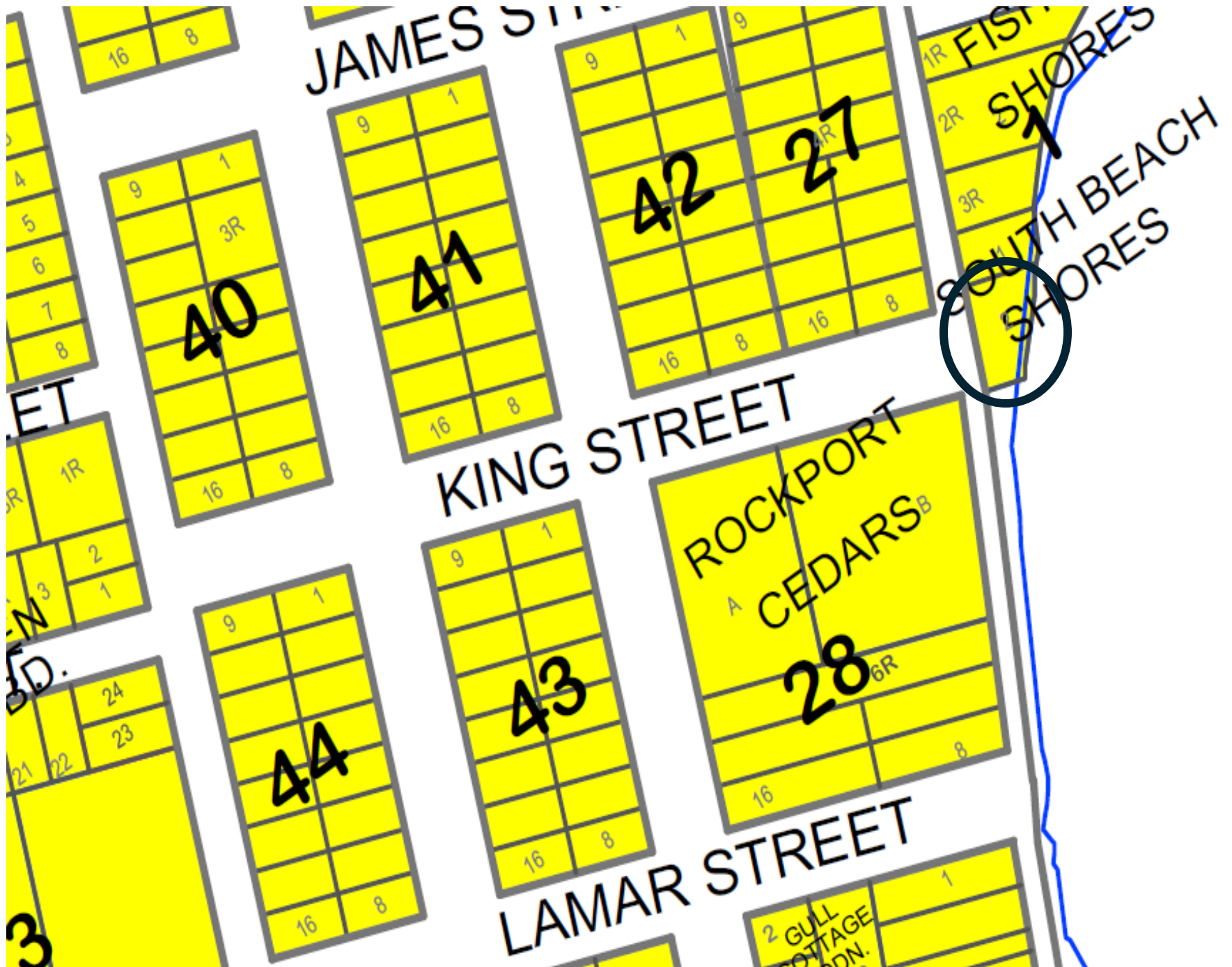




ZONING MAP



FUTURE LAND USE MAP





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, **December 16, 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: _____

Address: _____ City/State: _____

() IN FAVOR () IN OPPOSITION

Phone: _____

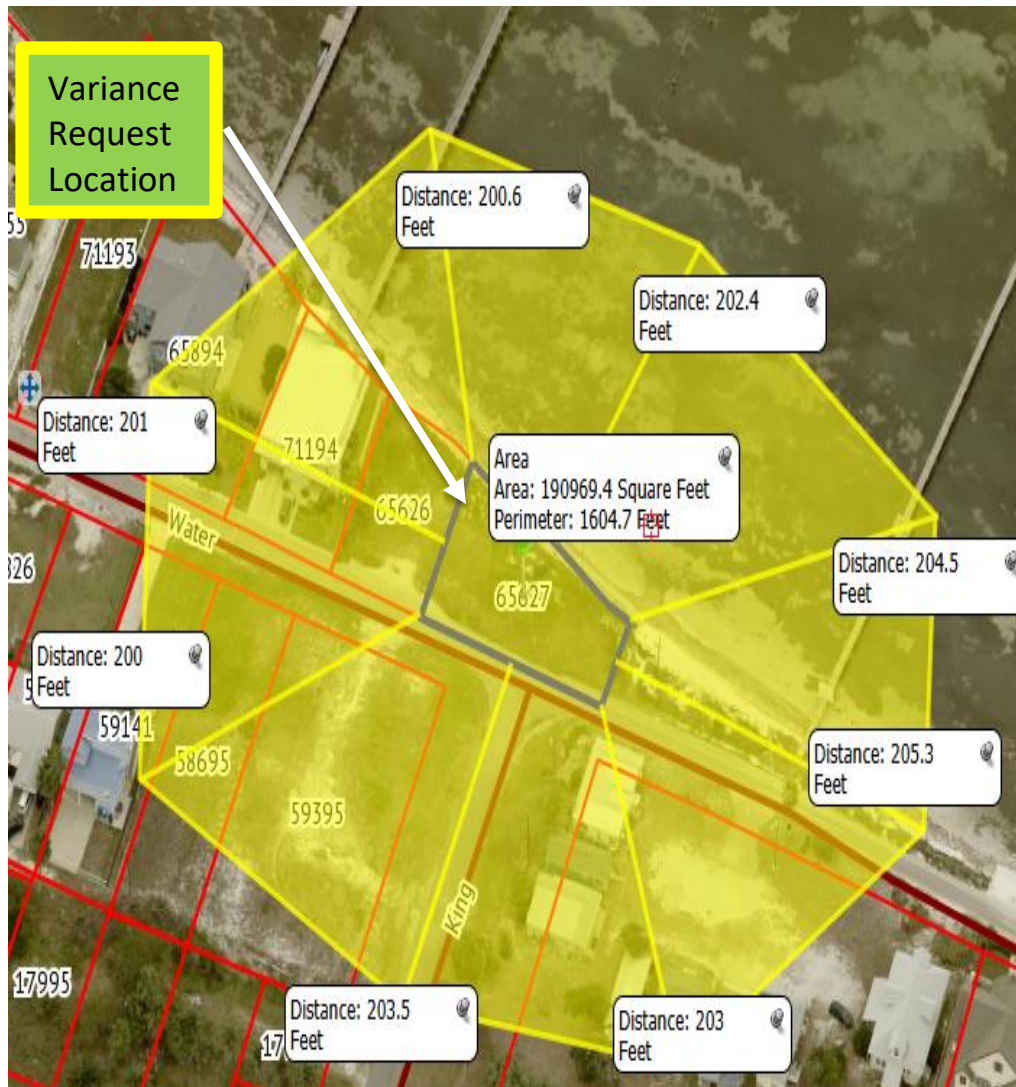
REASON:

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:

**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

Gary & Laura McBee
28 Rollingwood Dr.
Houston, TX 77080

SITUS ADDRESS: 1128 Water St.



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

Applicant: Gary McBee – 1128 Water St

Lot/Tract/: South Beach Shores, Lot 2, ACRES 0.206

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

DEPARTMENT: Building & Development

TO: Zoning Board of Adjustments Commissioners

FROM: Robert Decker, Chief Building Official

MEETING DATE: December 16, 2025

CATEGORY: Action Item

CAPTION:

Consider a request for relief from the Zoning Ordinance for the Setbacks for pool installations and accept recently added Part 27 of the Key Allegro Design Code, for properties located in the Key Allegro Subdivision, City of Rockport, Aransas County, Texas.

i. Staff Report.

ii. Applicant Presentation.

iii. Public Hearing to receive comments in favor or against the request.

iv. Consider the recommendation for approval or denial of the request.

SUMMARY:

The ZBA approved a variance to the Key Allegro Design Code regarding building setbacks in September 2024. A new section has been added allowing pools to be built five feet (5') from the bulkheads and foundations of homes in the Key Allegro subdivision. The City's required setbacks are currently ten feet (10') from the bulkheads and foundations. The KACPOA is requesting a variance to allow these 5' setbacks within the Key Allegro subdivision.

“Part 27” has been added to the Key Allegro Design Code to allow 5’ setbacks for both rear and side property lines as well as the foundation of the home.

BACKGROUND:

There have been several instances where staff has had to deny permit requests for new pool construction on Key Allegro due to the setback conflict. In each case, the current adopted setbacks in Sec 118-24.2.4 requiring 10’ from abutting property lines, specifically from the bulkhead on the rear property line, appear to be an issue on most Key Allegro lots.

The staff's concern is the integrity of the deadmen anchors used to support the bulkhead as well as the integrity of the exterior beam of the home's foundation. The City of Rockport does not permit bulkhead installations and, therefore, staff does not have access to the plans to determine 1) if deadmen anchors were utilized, and 2) the location and depth of the anchors in relation to the excavation for the pool installation.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

Staff recommend that if the Board chooses to grant the variance for Part 27 of the Key Allegro Design Code, the Variance will include a stipulation requiring an Engineer's stamped/signed approval of the location and depth of the pool with the statement that the construction of the pool will not adversely affect the bulkhead or the foundation of the home. This engineer's statement is to be submitted along with all pool permits seeking a setback less than the 10' allowed by the City code.

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. PH - Key Allegro Design Code
2. Variance App Pools
3. 20251212081253
4. Pictometry
5. Mail Outs (KA to provide to owners) pool code variance
6. 1883 Bay Shore Dr_Received Mailouts
7. 36 Curlew_Received Mailouts
8. ZBA Findings of Fact - K.A Pools

APPROVAL/REVIEW:

Carey Dietrich, Director of Community Development & Building

Date: December 12, 2025

Kimberly Henry, Assistant to the City Manager

Date: December 12, 2025



PUBLIC HEARING

Zoning Board of Adjustment

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PUBLISHED: in *The Rockport Pilot* in the Thursday, November 27, 2025 Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Carey Dietrich,
Director Building & Development
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

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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:

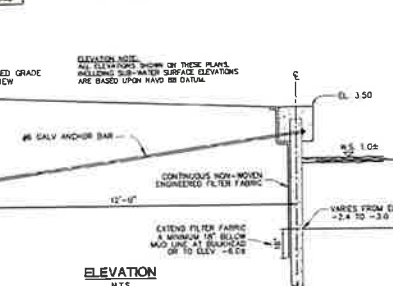
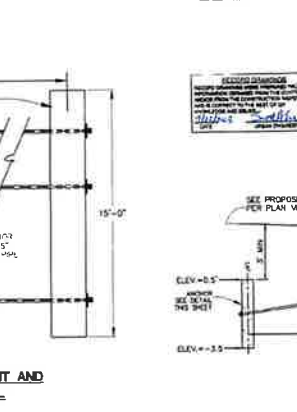
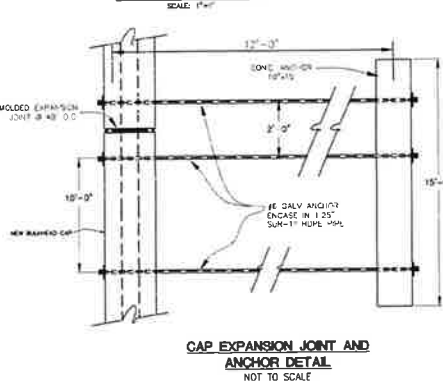
5. Project Name: <u>Key Allegro Design Code - Pool Amendment</u>			
6. Building/Facility Name: <u>KACPOA</u>			
7. Address: <u>29 Mazatlan</u>	Suite #: <u></u>	City: <u>Rockport</u>	Zip Code: <u>78382</u>

8. Description: Indicate the type of project: ☒ New Construction ☐ Addition ☐ Alteration	9. Scope of Work (Describe the construction activities): <u>Pool set backs</u>
---	---

10. Square Footage of Building: <u>0</u>	11. Square Footage Per Floor: <u>0</u>
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: <u>Chris Veatch</u>		16. Company/Firm: <u>KACPOA</u>	
17. Address: <u>29 Mazatlan</u>	18. City: <u>Rockport</u>	19. State: <u>TX</u>	20. Zip Code: <u>78382</u>
21. Phone #: <u>361-557-4252</u>	22. Fax #: <u>—</u>	23. E-mail: <u>cveatch@spectrumam.com</u>	
24. Signature: <u>[Signature]</u>		25. Date: <u>11/4/2025</u>	

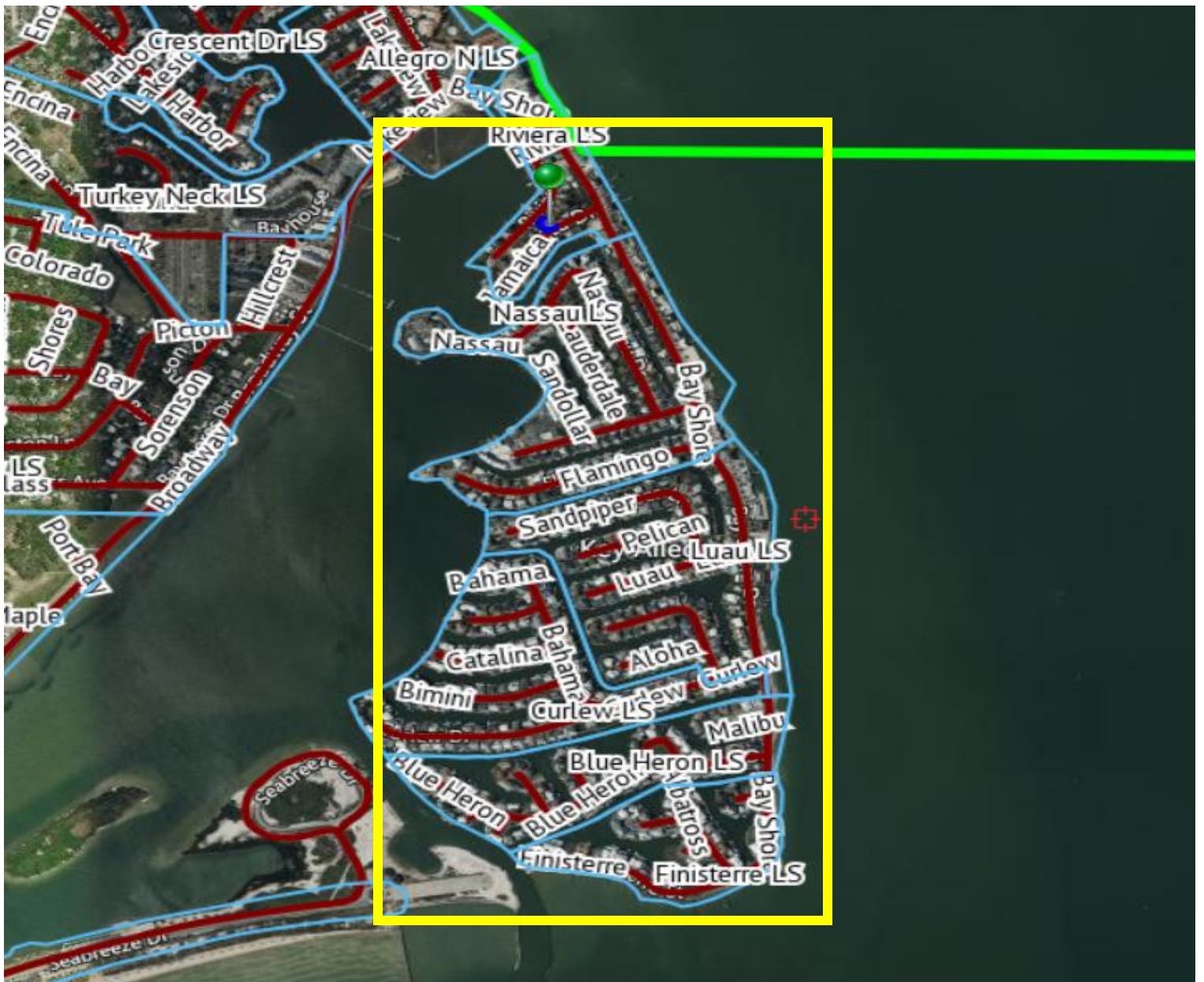
EXHIBIT A



 URBAN ENGINEERING 1000 N. 10th Street, Suite 100 Phoenix, AZ 85006 (602) 944-1000 www.urban-engineering.com	SHEET 4 OF 10	BULKHEAD DETAILS GLO CRBG-DR 20-085-090-C252 MASSAU DRIVE BULKHEAD REPLACEMENT		DATE: 05/13/2013	CHECKED: SAE	DESIGNED: SAE	DRAWN: SAE	SCALE: 1/8" = 1'-0"	PROJECT: 20-085-090-C252
				PROJECT: 20-085-090-C252					

[illegible]

VIOLATION OF THE ABOVE AND COMPLETELY VIOLATE A PERSON'S DEFENSE
 RIGHTS BY DENYING THEM AND USE OR MIMICRY OF ALL TIMES AND
 OCCASIONS TO PERFORMANCE OF THE CONTRACT AND FOR LOSS
 OF REPUTATION AND OTHER RIGHTS TO THE PERSON OR PERSONS.





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, December 16, 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 Setbacks for pool installations and accept recently added Part 27 in the Key Allegro Island Estates Design Code. The Variance will include a stipulation requiring an Engineer's stamped/signed approval of the location and depth of the pool with the statement the construction of the pool will not adversely affect the bulkhead or the foundation of the home. This engineer's statement is to be submitted along with all pool permits seeking a setback less than the 10' allowed by City code for properties located in the Key Allegro Subdivision, City of Rockport, Aransas County, Texas.

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 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: _____
Address: _____ City/State: _____

() IN FAVOR () IN OPPOSITION

Phone: _____

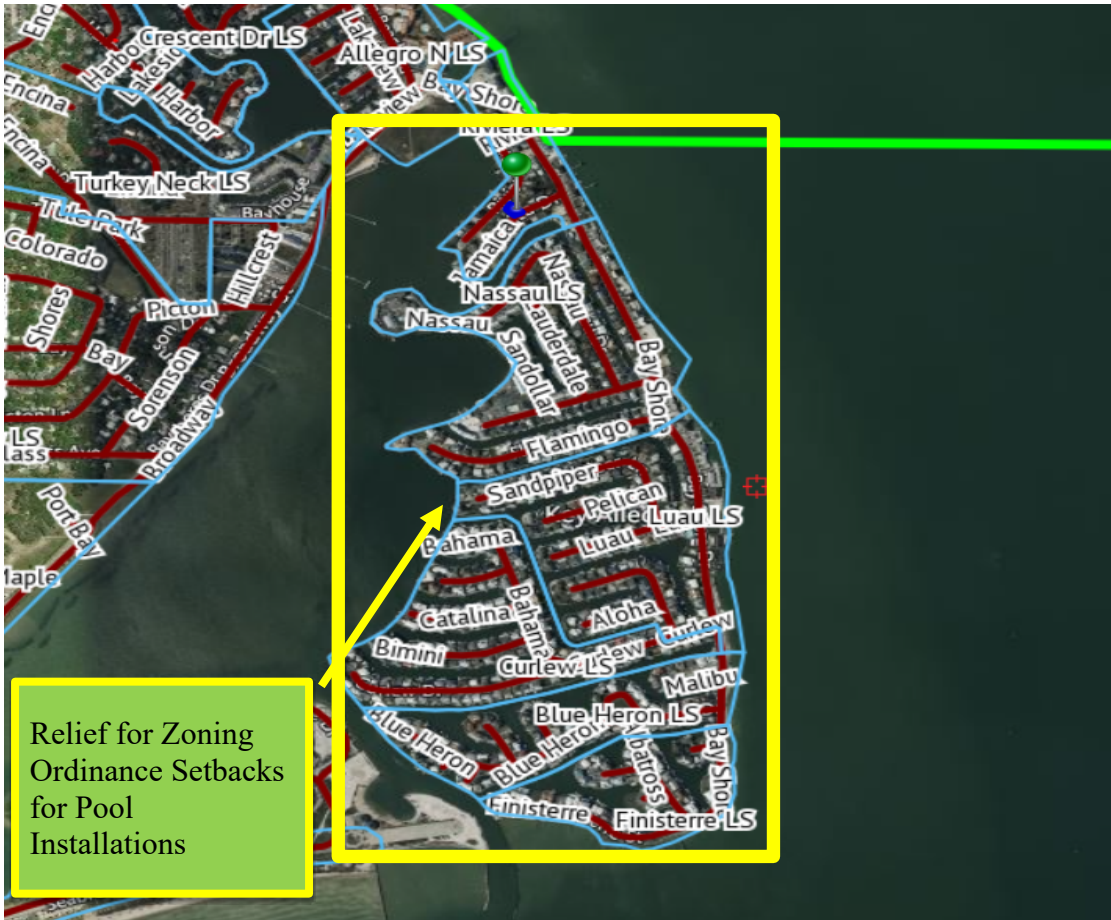
REASON:

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.)



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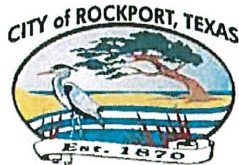
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City of Rockport
Building & Development Department
2751 S.H. 35 Bypass
Rockport, TX 78382

«Property_Owner»
«Mailing_Address»
«City», «State» «ZIP»

SITUS ADDRESS: «Situs_Address»



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Printed Name: Stanley Gates, LLC by Christie L. Gates, Member/Manager

Address: 1883 Bay Shore Dr.

City/State: Rockport, TX 78382

(X) IN FAVOR () IN OPPOSITION

Phone: 210-724-8317

REASON:

This request for relief is in line with historic practices and approvals. Failure to grant this relief would essentially prohibit most new pool construction in Key Allegro, due to the lot sizes. This would unfairly penalize property owners seeking to construct a pool – devaluing homes and affecting future resale. Further, pools serve to beautify and increase the value of homes and the overall neighborhood, which increases the tax base. Finally, the required engineering statement proposed (although it will cost additional money and time for owners) should alleviate any concerns of the Zoning Board. Thank you for your consideration.

Christie Gate

Signature

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

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Printed Name: Dave Foster

Address: 36 Curlew

City/State: Rockport, Texas

(X) IN FAVOR () IN OPPOSITION

Phone: 214-986-2297

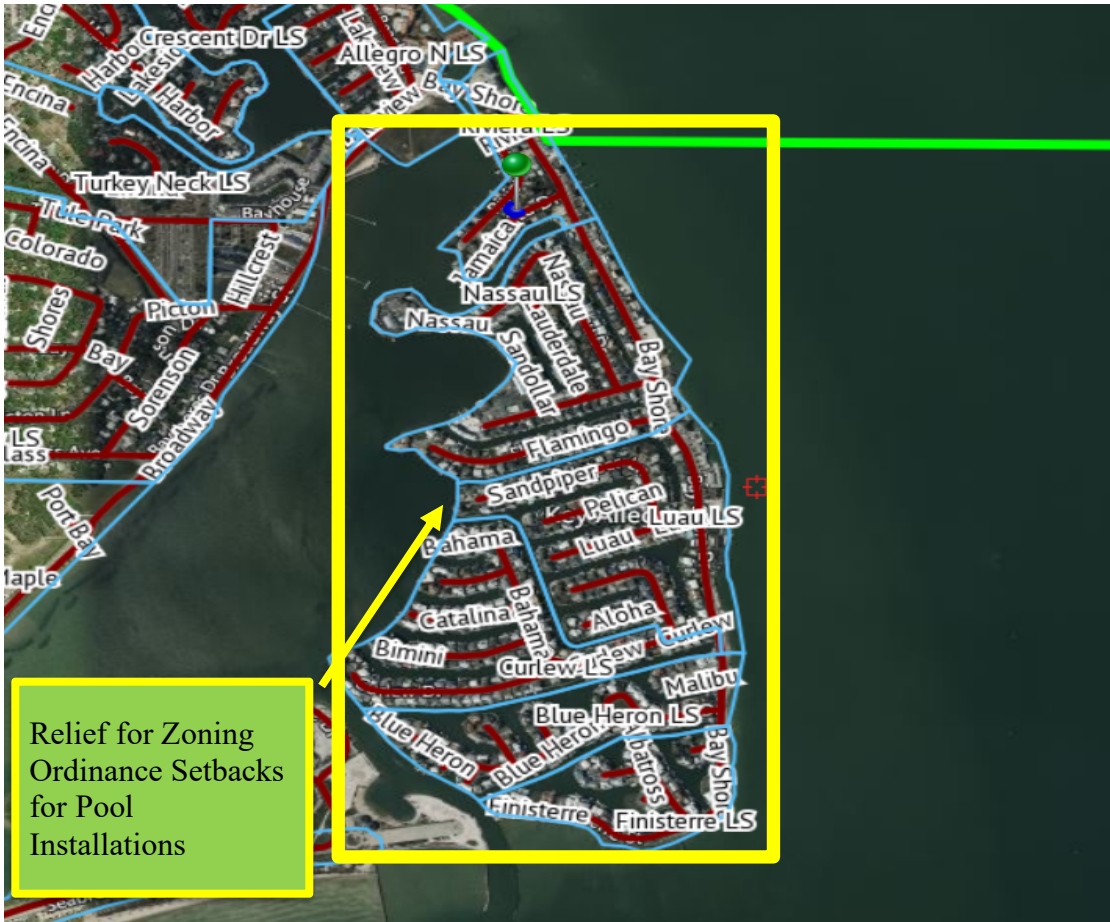
REASON:

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«Property_Owner»
«Mailing_Address»
«City», «State» «ZIP»

SITUS ADDRESS: «Situs_Address»



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

Applicant: Key Allegro Design Code – Pool Amendment

Lot/Tract/: KACPOA

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