



City of Rockport
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA
THURSDAY, JUNE 25, 2026 - 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 Thursday, June 25, 2026, at 5:30 PM. The meeting will be held in person in the Council Chambers in City Hall, 212 N. Live Oak, Rockport, Texas 78382. The live stream link to view the meeting is <https://rockporttx.portal.civicclerk.com/>.

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

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

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

Sign up in person.

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

Rules for Citizen Participation.

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

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

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

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

I. CALL TO ORDER AND ROLL CALL

II. SELECTION OF OFFICERS

1. Deliberate and act on the selection of a Zoning Board of Adjustments member to serve as Chair. (Amanda Torres, Director of Building & Development)
2. Deliberate and act on the selection of a Zoning Board of Adjustments member to serve as Vice Chair. ()

III. 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.

IV. APPROVAL OF MINUTES

3. Deliberate and act on the approval of the Zoning Board of Adjustments regular meeting minutes of May 28, 2026 (Stacy Cantu, Building & Development Planning Tech.)

V. PUBLIC HEARING AND RELATED ACTIONS

4. Consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 3 ft. to install a planned improvement in the backyard (pool) on the property located at 14 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18.
 - 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 at property located at 14 Luau Ln. (Robert Decker, Chief Building Official, Stacy Cantu, Building & Development Planning Tech.)
5. Consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 5ft. 4 inches and the rear setback be reduced from 20 ft. to 5 ft. to install planned improvements in the backyard (pool) on the property located at 415 Augusta Dr., otherwise known as ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20.
 - 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 at property located at 415 Augusta Dr. (Robert Decker, Chief Building Official, Stacy Cantu, Building & Development Planning Tech.)

VI. UPDATES

Development Services will provide updates on their department, rule and form changes as well as future meeting announcements.

6. Development Services Updates (Amanda Torres, Director of Building & Development)

VII. ADJOURN

CERTIFICATION

This is to certify that I, Stacy Cantu, posted this Agenda before 5:00 p.m. on June 19, 2026, 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.

A handwritten signature in black ink that reads "Stacy M. Cantu". The signature is written in a cursive style with a large, stylized 'S' and 'C'.

Stacy Cantu
Development Services — Planning Technician

ZONING BOARD OF ADJUSTMENTS MINUTES

On the 28th day of May 2026, the Zoning Board of Adjustments held a Meeting at 5:30 p.m., at Rockport City Hall 212 N Live Oak, Rockport. Texas. Notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

Members Present

Members Absent

Carey Dietrich, Appointed Chair (for this meeting) Brandi Picton

Pamela Dixon

Patt Bemrose

Traci Baucum

Rocky Gudim

Michael Harm

Staff Members Present

Amanda Torres, Director of Development Services Dept / Community Planner

Robert Decker, Assistant Director of Development Services Dept / Building Official

Belinda Garcia, Administrator Coordinator

Stacy Cantu, Development Services Planning Technician

Brad Brundrett, City Council Liaison

Kimberly Henry, Assistant to the City Manager

Guest(s) Present – Five (5)

Kenneth McKinney, 618 N. Moline

Jeff Fuechec, 15 Luau Ln,

Chris Veatch, Key Allegro HOA rep.

John McDavid, 905 Patton

Steve Haynes, 905 Patton

I. CALL TO ORDER AND ROLL CALL

The Zoning Board of Adjustments meeting was called to order at 5:30 p.m. by Development Services Director, A. Torres. Roll call was taken with the acknowledgement of a quorum being present.

The board had to appoint a temporary chair for this Zoning Board of Adjustments meeting. A motion was made by Member P. Dixon to appoint Member Carey Dietrich as temporary Chair for this meeting, Member T. Baucum seconded. The motion passed unanimously.

II. CITIZENS TO BE HEARD

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

III. APPROVAL OF MINUTES

1. Consider the approval of the Zoning Board of Adjustments Minutes for the March 5, 2026, Meeting.

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

IV. PUBLIC HEARING AND RELATED ACTIONS

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

i. Staff Report.

ii. Applicant Presentation.

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

Building Official, R. Decker, stated the property owner came to us for a Pre-Development Meeting on April 15th, 2026, to discuss building on his property. His lot is 60' x 40' and zoned R-2 (2nd Single Family Dwelling District). Mr. McKinney would like to rebuild a home that has been demolished. He wants to rebuild a house for his mom, with one off-street parking spot. The proposed house is 576 sq ft. The proposed front setback is 11 ft., and the proposed rear is 5 ft. The minimum lot width in this zone district is 50 ft, and the minimum lot size is 5,000 sq ft. The minimum dwelling size is 600 sq ft. Also, two off-street parking spots are required for single family dwellings. The required front setback is 25 ft, and the required rear setback is 20 ft. This lot is a non-conforming, pre-existing lot of record that is smaller than the prescribed zoning requirements within R-2 2nd Single Family Dwelling District. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request meets the standard for hardship. Staff recommend approval of a variance for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline.

Planning Technician, Stacy Cantu, spoke on the public hearing notice being published in the Corpus Christi Caller Times on Thursday, May 14, 2026. Eighteen (18) public notices were mailed out on Thursday, May 14, 2026. At the time of agenda posting, we received no notices/comments back.

Applicant (Property Owner), Kenneth McKinney stated the home that had been on the property was built in the 1950's and had since been demolished. He is wanting to replace that home, to get his mother moved down here from San Marcos.

A Public Hearing was opened at 5:38 p.m. and closed at 5:38 p.m.

Councilman, B. Brundrett spoke from a surveyor point of view and stated where this location is if he is held at the setbacks prescribed for his lot, it essentially becomes an unbuildable lot. Line of sight is also an issue brought up with corner lots, and he does not see that affecting this area.

Motion: Member R. Gudim made a motion to accept the request for the lot size, lot width, minimum square footage, building setbacks and parking requirements on the property located at 618 N. Moline, Member P. Dixon seconded the motion.

Moving forward with the Findings of Fact form: with 6 members present, and upon a vote of 6 members all 10 items on the Findings of Facts form was unanimously voted in the affirmative. Following the vote of the Findings of Facts a vote for the motion to approve the variance was taken and approved unanimously.

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

i. Staff Report.

ii. Applicant Presentation.

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

Building Official, R. Decker, stated that the property owner has requested a variance for their property, which is in zoning district R-2 (2nd Single Family Dwelling District) and has a minimum lot size requirement of 5,000 sq ft. With setbacks of 20 ft in the front, 5 ft in the rear. On December 16, 2025, the Zoning Board of Adjustments approved a subdivision-wide variance adopting the Key Allegro Design Code Part 27 as the setback standards for pool installations. Mr. and Mrs. Fuechec are requesting a setback of 15 ft in front when they begin construction on the new home to increase the backyard square footage for future planned improvements, such as a swimming pool. Reducing the front yard setback would give Mr. Fuechec adequate space to meet the pool setback requirements outlined in Part 27 of the Key Allegro Design Code. If this variance were to be approved, Mr. Fuechec can begin the permitting process for a swimming pool. He would also need to provide an engineering report on the foundation and bulkhead as per Part 27 of the Key Allegro Design Code. Staff opinion is that this request does not meet the standard for a hardship.

Planning Technician, Stacy Cantu, spoke on the public hearing notice being published in the Corpus Christi Caller Times on Thursday, May 14, 2026. Nineteen (19) public notices were mailed out on Thursday, May 14, 2026. At the time of agenda posting, we received no notices/comments back. By the time the meeting was held, we received one (1) phone call – opposing the variance being granted, and two (2) written comments mailed in – in favor of the variance being granted.

Mr. Fuechec briefly spoke on his lot and home being built. Key Allegro HOA / ACC rep. Chris Veatch, spoke in favor of the variance being granted and that the HOA/ACC would follow suit with what the board votes on. Councilman B. Brundrett spoke briefly and did not see an issue with this home build following neighboring homes and pulling the house forward into that front setback.

It would still align with the homes in that area.

A Public Hearing was opened at 5:49 p.m. and closed at 5:51 p.m.

Motion: Member R. Gudim made a motion to accept the request for relief from the zoning ordinance for the front setback to be reduced from 20 ft. to 15 ft. to increase backyard square footage for planned improvements in the future on the property located at 15 Luau Ln., Member M. Harm seconded the motion.

Moving forward with the Findings of Fact form:

1. That there are special circumstances or conditions peculiar to the property involved: **vote was 3 – yes and 3 – no**

2. That the strict application of the terms of the Ordinance will impose upon the applicant unusual and practical difficulties or particular hardship: **vote was 3 – yes and 3 – no**

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: **vote was 3 – yes and 3 – no**

4. That the proposed variance is in harmony with the Ordinance's general purpose and intent: **vote was 3 – yes and 3 – no**

5. That the granting of the variance will not merely serve as a convenience to the applicant: **vote was 3 – yes and 3 – no**

6. That the granting of the variance will alleviate some demonstrable and unusual hardship or difficulty for the applicant: **vote was 3 – yes and 3 – no**

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: **vote was 3 – yes and 3 – no**

8. That the variance is in the public interest and will ensure that public substantial justice will be done: **vote was 3 – yes and 3 – no**

9. That the surrounding property will be properly protected: **vote was 6 – yes**

10. Remaining regulations are adequate to govern the project: **vote was 6 – yes**

Following the vote of the Findings of Fact, the motion was denied.

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

i. Staff Report.

ii. Applicant Presentation.

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

Building Official, R. Decker, stated Property owner John McDavid submitted a variance application to reduce setbacks required for accessory uses. He would like to build an outdoor

kitchen/cabana and swimming pool with a reduced accessory use setback of six (6) feet. The applicant explains that the hardship arises from physical, legal, and environmental constraints unique to this property. This is a corner lot that is adjacent to two streets and therefore would need to conform to street side setback requirements. The applicant also explains that there are also five-foot utility easements and mature oak trees on the property that further constrain building placement. Per Section 118-24.2.3, an accessory building must maintain a ten (10) foot open space between all other buildings. Swimming pool setback standards are found within Section 118-24.2.4 and are considered as a private/semi-private recreation facility. The setbacks required for that are ten (10) foot from any abutting property and twenty (20) foot from any street right-of-way. This lot is 113 ft. x 117 ft. and 19,587 square feet. It meets the prescribed standards for the R-1 (1st Single Family Dwelling District) with no unique characteristics of the lot to which it could not adapt. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request does not meet the standard for a hardship.

Planning Technician, Stacy Cantu, spoke on the public hearing notice being published in the Corpus Christi Caller Times on Thursday, May 14, 2026. Twelve (12) public notices were sent out on Thursday, May 14, 2026. At the time of agenda posting, we have received no notices/ comments. By the time the meeting was held, we received three (3) written comments mailed in – in favor of the variance being granted.

Mr. McDavid spoke briefly on the history of the home and the history of the property. With it being situated on a corner lot in “old Rockport” in 1890 it has an interesting cluster of oak trees / root system that they are trying to avoid damaging. As well as a dated cistern.

A Public Hearing was opened for questions at 6:11 p.m. and closed at 6:13 p.m.

Councilman B. Brundrett, Ward 3 rep, spoke on the difficulties of the lots in this area of Rockport. He spoke in favor of trying to save the oak trees in this situation. Member C. Dietrich questioned Mr. Steve Haynes about the setbacks from sides of patio/bbq space to side setbacks. They clarified the large size of the oak tree system on the property.

Motion: Member P. Dixon made a motion to accept the request for relief from the zoning ordinance for the setbacks required for an accessory use installation on the property (pool and outdoor kitchen) to be reduced from 10 ft to 6 ft, at the property located at 905 Patton, Member P. Bemrose seconded the motion.

Moving forward with the Findings of Fact form: with 6 members present, and upon a vote of 6 members all 10 items on the Findings of Facts form was unanimously voted in the affirmative. Following the vote of the Findings of Facts a vote for the motion to approve the variance was taken and approved unanimously.

V. ADJOURN

Motion: Member P. Dixon made a motion to adjourn. Member T. Baucum seconded the motion. **Motion passed unanimously.** Zoning Board of Adjustments meeting adjourned at 6:20 p.m.

Prepared By:

Stacy Cantu, Development Services - Planning Technician

Approved By:

Carey Dietrich, Appointed Temporary Chair



AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustments Commissioners

FROM: Robert Decker, Chief Building Official, Stacy Cantu, Building & Development Planning Tech.

MEETING DATE: June 25, 2026

CATEGORY: Action Item

CAPTION:

Consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 3 ft. to install a planned improvement in the backyard (pool) on the property located at 14 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18.

- 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 at property located at 14 Luau Ln.
-

SUMMARY:

The property owner, Anthony Seeliger, is requesting relief from the Zoning Ordinance for the Accessory Use Structure (pool) setback be reduced from 5 ft to 3ft from the foundation of the home. Mr. Mario Garcia, Pool Builder, will meet the rear set back from the bulkhead being 5 ft for the property located at 14 Luau Ln, otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18.

BACKGROUND:

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

Mr. and Mrs. Seeliger are requesting the setback from the Accessory Use Structure to the home foundation be reduced from 5 ft to 3 ft in order to fit their proposed pool. The pool setback requirement is outlined in Part 27 of the Key Allegro Design Code. If this variance were to be approved, Mr. and Mrs. Seeliger could begin the permitting process for their swimming pool. They would also need to provide an engineer report on the foundation and bulkhead as per Part 27 of the Key Allegro Design Code.

The public hearing notice was published in the Corpus Christi Caller Times on Thursday, June 11, 2026. Nineteen (19) public notices were sent out on Thursday, June 11, 2026. At the time of

agenda posting, we had received one (1) returned mail out — in favor of the variance request.

This lot is 80 ft. x 80 ft. and 6,400 square feet. It meets the prescribed standards for the R-2 2nd Single Family Dwelling District with no unique characteristics of the lot. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request does not meet the standard for a hardship.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

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

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. PH - 14 Luau Ln
2. Variance Application_14 Luau ln
3. Pictometry_14 Luau ln
4. ZONING MAP_14 LUAU LN
5. FUTURE LAND USE MAP_14 LUAU LN
6. Public Mailout
7. Mailouts_14 Luau Ln.
8. RETURNED Mailouts_14 Luau
9. ZBA Findings of Fact _14 Luau Ln

APPROVAL/REVIEW:

Amanda Torres, Director of Building & Development

Date: June 19, 2026



PUBLIC HEARING

Zoning Board of Adjustment

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday June 25, 2026, at 5:30 p.m., at the **City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382**, to consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 3 ft. to install a planned improvement in the backyard (pool) on the property located at 14 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18

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

POSTED: this the 11th of June 2026, on the City of Rockport website @ www.rockporttx.gov.

PUBLISHED: in the *Corpus Christi Caller Times* on Thursday, June 11, 2026, Edition, in accordance with the City of Rockport - Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Amanda Torres,
Development Services Department
Director/Community Planner

RECEIVED
MAY 20 2026



City of Rockport

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

BY: Scam

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>Tony Seeliger</u>			
6. Building/Facility Name:			
7. Address: <u>14 Luau</u>	Suite #:	City: <u>Rockport</u>	Zip Code: <u>78381</u>

8. Description: Indicate the type of project: ☒ New Construction ☐ Addition ☐ Alteration	9. Scope of Work (Describe the construction activities): <u>Swimming Pool</u>
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10. Square Footage of Building: <u>218 sqft</u>	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: <u>Mario Garcia</u>		16. Company/Firm: <u>Pools By Mario LLC</u>	
17. Address: <u>5340 W Rview</u>	18. City: <u>Robstown</u>	19. State: <u>TX</u>	20. Zip Code: <u>78380</u>
21. Phone #: <u>361-720-1100</u>	22. Fax #:	23. E-mail: <u>mario@poolsbymario.com</u>	
24. Signature: <u>[Signature]</u>		25. Date: <u>4/22/26</u>	

EXHIBIT A

**City of Rockport
Variance Application**

OWNER'S AFFIDAVIT

I, ANTHONY CARTER SEELIGER, 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.

ANTHONY CARTER SEELIGER
Printed Name of Owner

Anthony Carter Seeliger
Signature of Owner

14 LUAN LANE
Physical Address

8806 LANELL LANE
Mailing Address

Rockport, TX 78382
City/State/Zip Code

Houston, TX 77055
City/State/Zip Code

STATE OF TEXAS

§

COUNTY OF Aransas

§

The foregoing instrument was acknowledged before me on this 22nd, day of

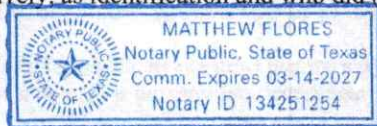
April, 2026, by Anthony Carter Seeliger and

n/a who are personally known by me or who has

produced Owners Affidavit and drivers license,

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

(Seal)



Matthew Flores
Notary Public Signature

My Commission Expires: 3.14.2027

Matthew Flores
Printed Name

City of Rockport
Variance Application

AGENT'S AFFIDAVIT

I, Mario Garcia, 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.

Mario Garcia
Printed Name of Agent

14 Luau
5340 W River View Dr
Physical Address

Robstown
City/State/Zip Code

[Signature]
Signature of Agent

5340 W River View Dr
Mailing Address

Texas 78380
City/State/Zip Code

STATE OF TEXAS

COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____, day of _____, 20____, by _____, (name) _____, who are personally known by me or who has produced _____ and _____, respectively, as identification and who did (did not) take an oath:

(Seal)

Notary Public Signature

Printed Name

My Commission Expires: _____



5340 W. Riverview Robstown, Texas 78380
Ph. (855) 387-7946

Mr & Mrs Tony Seeliger 14 Luau
Rockport, Texas
281-387-2947

Dear Members of the Board of Adjustments,

Please accept this letter as an application for a variance for the property located at 14 Luau, Rockport, Texas. The property has limited rear space, with only 15'6" between the house foundation and the bulkhead. The pool will be 3 feet away from the house. Installing a swimming pool in this location will not impact neighboring properties. Granting this variance will not alter the character of the neighborhood nor impact the canal in any way, as we will maintain a 5' easement at the rear of the property. We will install helical piles under the swimming pool to support its weight; these piles will be installed at 7,000 foot-pounds, capable of holding 104,000 lbs per pile. During excavation, we will install shore panels to prevent soil erosion from the house foundation and bulkhead.

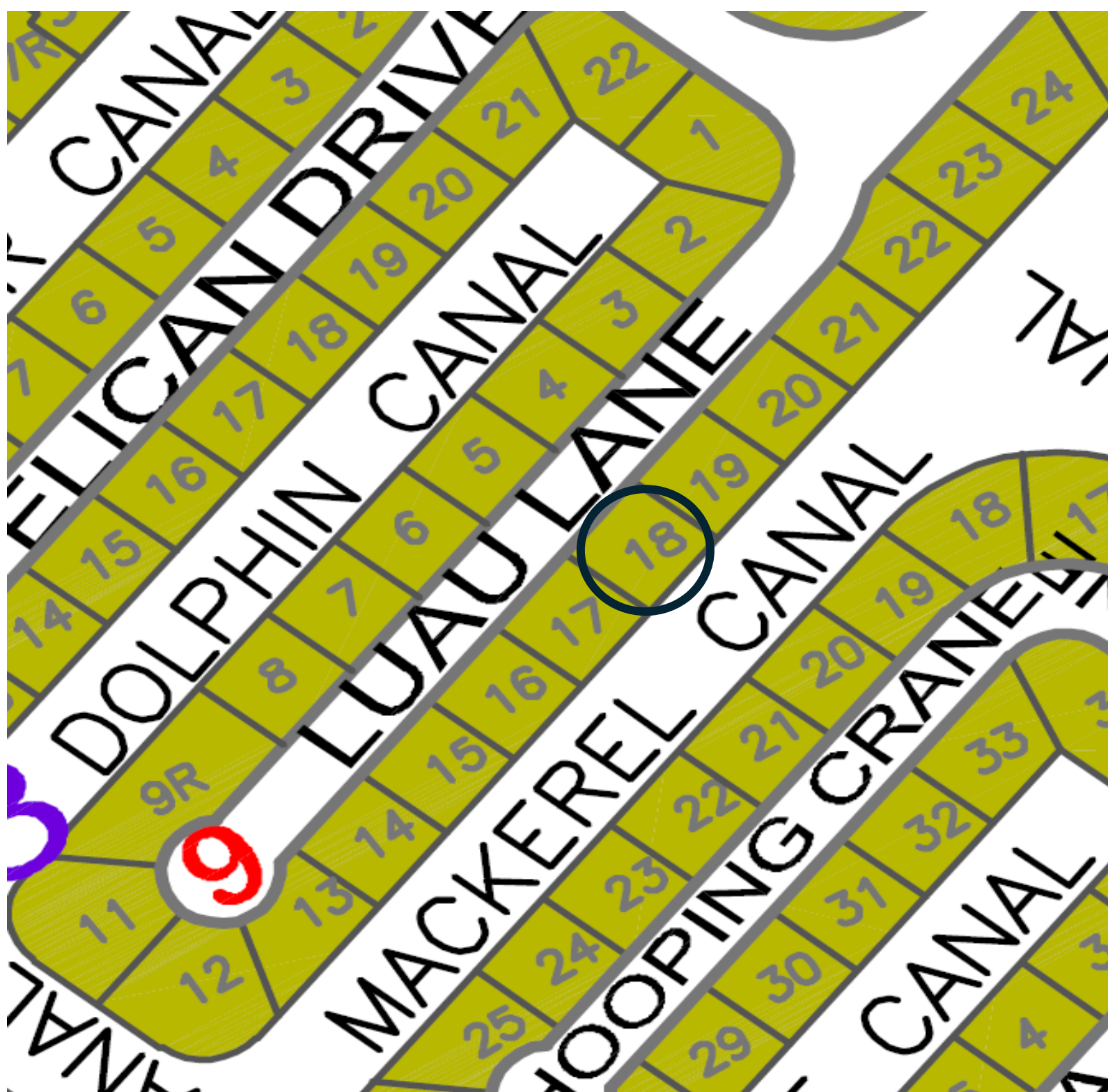
We have also provided pool plans, renderings, and engineering letter confirming that the pool's weight will not jeopardize the house foundation in any way or the bulkhead.
Respectfully,
Mario Garcia

Pools By Mario LLC
5340 W Riverview Dr
Robstown Texas 78380
361-900-8140 O
361-246-7989 C

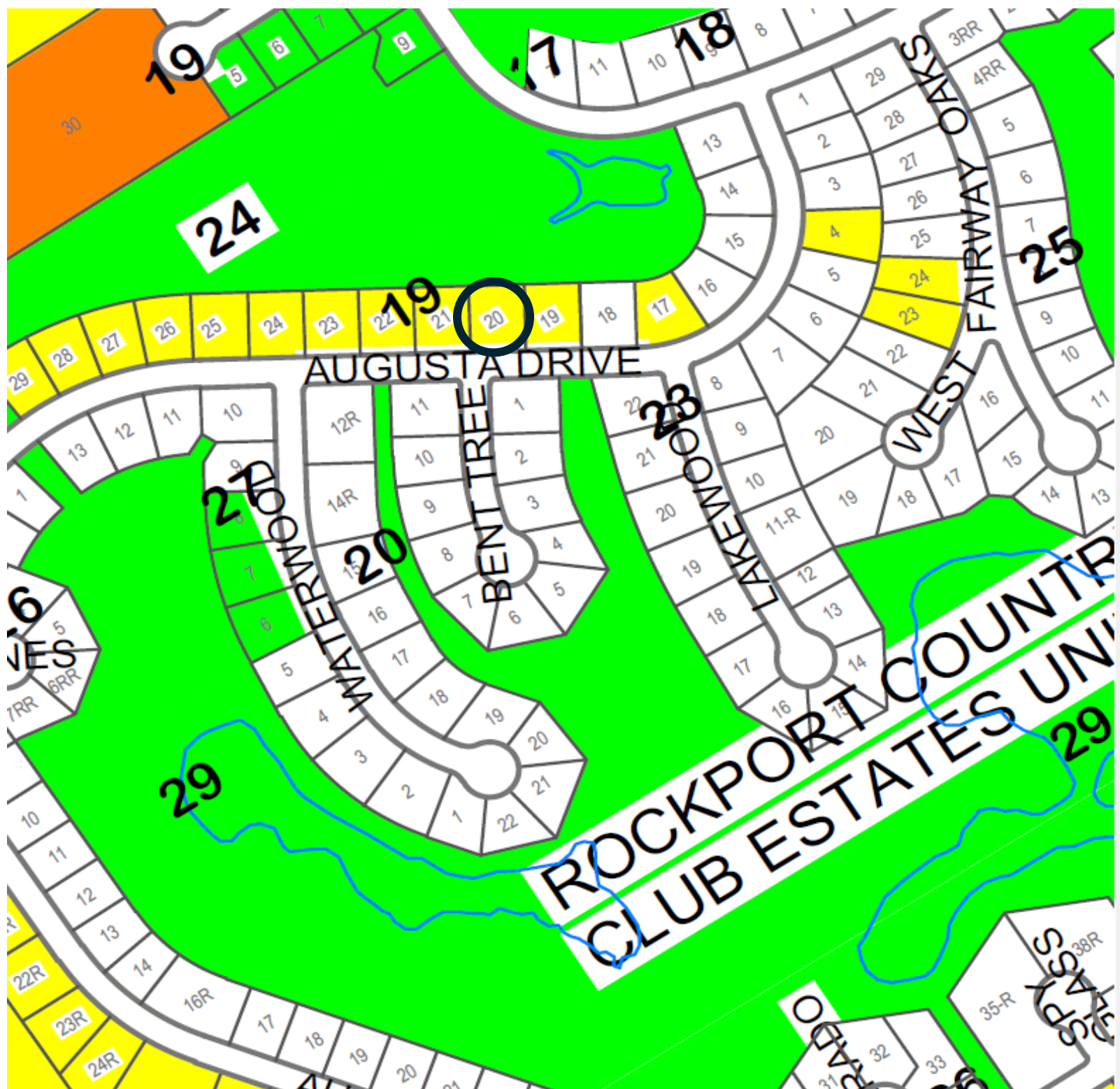
14 Luau Dr - KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18
(Prop ID 24949)



ZONING MAP (R-2 : 2nd Single Family Dwelling District)
14 Luau Dr - KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18
(Prop ID 24949)



FUTURE LAND USE MAP (R1: 1st SINGLE FAMILY DWELLING DISTRICT)



<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
24949	Luau Landing LLC	14 Luau Ln	412 Chippendale Dr	Heath	TX	75032
24950	3GG Properties LTD	12 Luau Ln	8510 Greaves Ln	Schertz	TX	78154
24951	LMMIR LTD	10 Luau Ln	11931 Wickchester Ln # 1	Houston	TX	77043
24952	5 Hermanas LLC	8 Luau Ln	410 Crossroads St	Laredo	TX	78045
24974	Joseph Bonnot	13 Whooping Crane	12826 N Palomino Lake Ct	Cypress	TX	77429
24975	Kiss My Ice LLC	15 Whooping Crane	218 Geddington	Shavanno Park	TX	78249
24976	Kiss My Ice LLC	17 Whooping Crane	218 Geddington	Shavanno Park	TX	78249
24977	Peter Johnson and Julie Muntz	19 Whooping Crane	5507 Ashby St	Houston	TX	77005
24978	Chad and Bridget Chapman	21 Whooping Crane	P0 Box 2205	Rockport	TX	78381
24979	LH & TP Holdings LLC	23 Whooping Crane	494 Hwy 95 S	Elgin	TX	78621
24948	Kathleen Gray	16 Luau Ln	2507 Bartons Bluff Ct	Austin	TX	78746
24947	Jennifer and Glenn Muniz	18 Luau Ln	8412 Lime Creek Rd	Volente	TX	78641
24946	Louise Gonzlaes	20 Luau Ln	20 Luau Ln	Rockport	TX	78382
24938	Jennifer and Glenn Muniz	17 Luau Ln	8412 Lime Creek Rd	Volente	TX	78641
24937	Jeffery and Julie Fuechec	15 Luau Ln	1206 Meadow Creek Dr	El Campo	TX	77437
24936	Gerald and Julie Hill	13 Luau Ln	3215 Oakleaf	San Antonio	TX	78209
24935	David and Kathleen Pluchinsky	11 Luau Ln	3710 Bellefontaine St	Houston	TX	77015
24934	Michael Rios	9 Luau Ln	6548 N Nokomis Ave	Lincolnwood	IL	60712
24933	Richard and Lynda Rarick	7 Luau Ln	7 Luau Ln	Rockport	TX	78382
	Patt (Patricia) Bemrose	Zoning Board of Adjus	1435 S Water St	Rockport	TX	78382
	Carey Dietrich	Zoning Board of Adjus	602 Fulton Ave	Rockport	Tx	78382
	Michael Harm	Zoning Board of Adjus	801 W Market St	Rockport	TX	78382
	Pamela Dixon	Zoning Board of Adjus	412 Cherry Hills Dr	Rockport	Tx	78382
	Traci Baucum	Zoning Board of Adjus	493 Augusta Dr	Rockport	Tx	78382
	Rocky Gudim	Zoning Board of Adjus	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjus	1803 Picton Ln	Rockport	Tx	78382



NOTICE OF PUBLIC HEARING

Rockport Zoning Board of Adjustments

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday June 25, 2026, at 5:30 p.m., at the City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382, to consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 3 ft. to install a planned improvement in the backyard (pool) on the property located at 14 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18

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

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

CITY OF ROCKPORT, TEXAS

/s/ Shelley Goodwin, City Secretary

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

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

Printed Name: _____
Address: _____ City/State: _____

() IN FAVOR () IN OPPOSITION

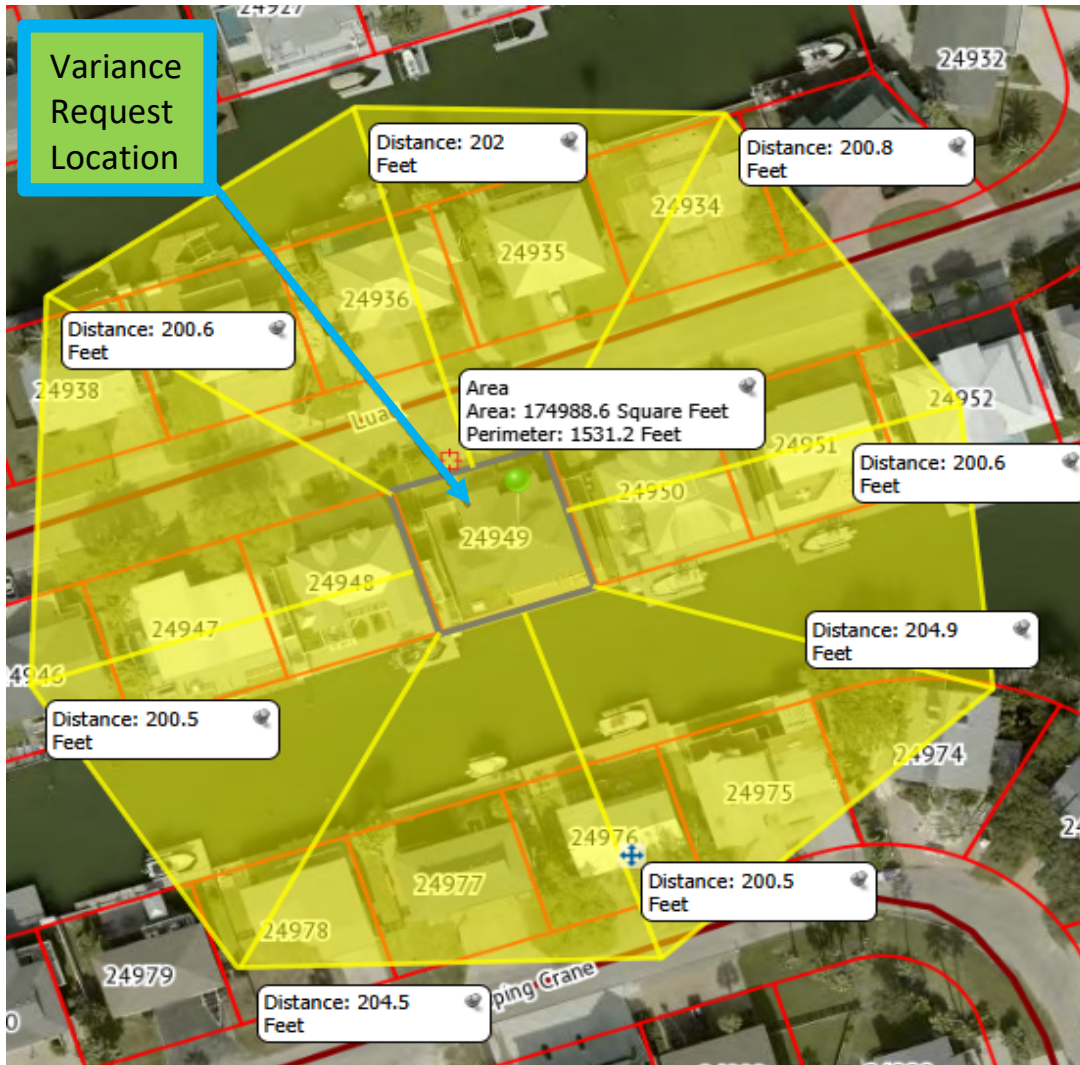
Phone: _____

REASON:

Signature
See map on reverse side.

Location Map of Proposed Zoning Variance Request

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



FAQ

Why am I receiving this notice?

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

What do I do now?

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

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

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



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

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

SITUS ADDRESS: «Situs_Address»



NOTICE OF PUBLIC HEARING
Rockport Zoning Board of Adjustments

RECEIVED
JUN 18 2026
BY: Scamtr

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday June 25, 2026, at 5:30 p.m., at the City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382, to consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 3 ft. to install a planned improvement in the backyard (pool) on the property located at 14 Luau Ln., otherwise known as KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18

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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: Chad Chapman
Address: 21 Whooping Crane (PO Box 2205) City/State: Rockport, TX 78382

☒ IN FAVOR () IN OPPOSITION

Phone: 361-386-0570

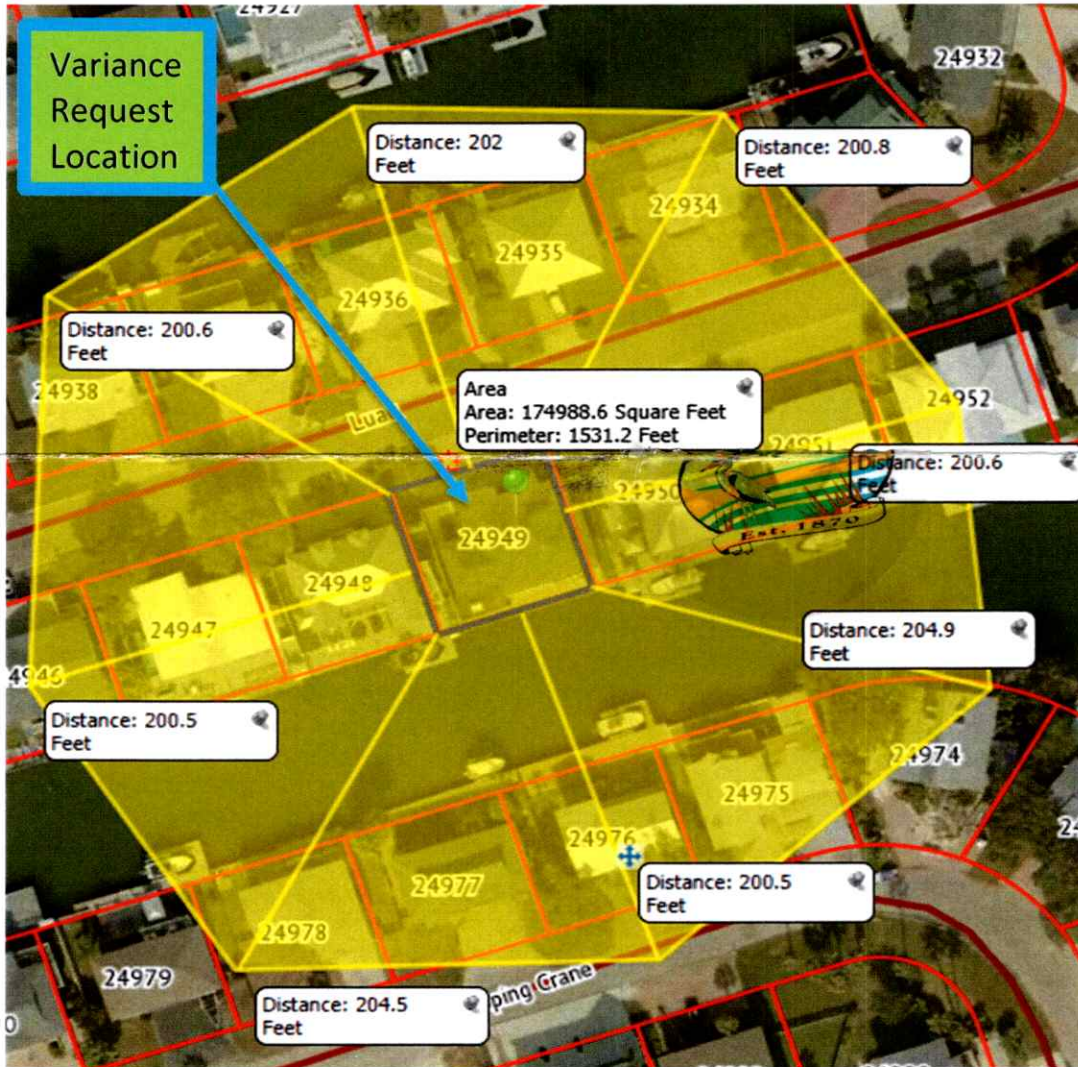
REASON: most houses do not have room for a pool in key Allegro with a 10' setback. the yards are not big enough,

Shelley Goodwin
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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Development Services
Department
City of Rockport
2751 SH 35 Bypass
Rockport, TX 78382

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



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

FIRST-CLASS



US POSTAGETM PITNEY BOWES



ZIP 78382
02 7H
0006090064 \$ 000.74⁰
JUN 11 2026

Chad and Bridget Chapman
PO Box 2205
Rockport, TX 78381

SITUS ADDRESS: 21 Whooping Crane

7838132205 B013





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

Applicant: 14 Luau Ln – Seeliger Residence

Lot/Tract/: KEY ALLEGRO UNIT #3, BLOCK 9, LOT 18

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: Development Services

TO: Zoning Board of Adjustments Commissioners

FROM: Robert Decker, Chief Building Official, Stacy Cantu, Building & Development Planning Tech.

MEETING DATE: June 25, 2026

CATEGORY: Action Item

CAPTION:

Consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 5ft. 4 inches and the rear setback be reduced from 20 ft. to 5 ft. to install planned improvements in the backyard (pool) on the property located at 415 Augusta Dr., otherwise known as ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20.

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 at property located at 415 Augusta Dr.

SUMMARY:

The property owners, Mr. and Mrs. Claiborne, are requesting relief from the Zoning Ordinance for the setbacks required for an accessory use installation on the property (pool) be reduced from 10 ft to 5 ft 4 inches, at the property located at 415 Augusta Dr, otherwise known as ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20.

BACKGROUND:

Property owners, Mr. and Mrs. Claiborne, submitted a variance application to reduce setbacks required for an accessory use structure. They would like to build a 14' x 24' swimming pool with hot tub and grass patios with a reduced accessory use setback of five (5) feet, four (4) inches between the residence and the pool.

Section 118-22.1.1 (2) of the City of Rockport — Zoning Ordinance classifies what is considered an accessory use or structure, which includes "swimming pools, hot tubs, spas, tennis courts, permanent barbecue grills, ornamental gates and structures, storage/utility sheds, wells/well houses, gazebos, patios, etc."

Section 118-22.1.6 of the Zoning Ordinance indicates "[a]ny 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.

The site plan as presented does meet the five (5) foot rear yard setback and, therefore, that request stated in the caption can be administratively approved. However, it does not meet the minimum open space requirement of ten (10) feet between all unattached buildings and would need a variance from this in order to move forward with permitting.

A public hearing notice was published in the Corpus Christi Caller-Times on Thursday, June 11, 2026. Thirteen (13) mail outs were mailed out on Thursday, June 11, 2026. At the time of agenda posting, no comments or notices had been received.

This lot is 95 ft. x 120 ft. and 11,400 square feet. It meets the prescribed standards for the R-1 1st Single Family Dwelling District with no unique characteristics of the lot to which it could not adapt. Zoning hardships are typically based on the physical characteristics of the land such as the size, shape, and slope of the property. Therefore, staff opinion is that this request does not meet the standard for a hardship.

FUNDING SOURCE:

FUNDING IMPACT:

STAFF RECOMMENDATION:

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

STRATEGIC INITIATIVES:

Action Item

ATTACHMENTS:

1. PH - 415 Augusta
2. Variance Application_415 Augusta
3. KZ_ProxLtr_415Augusta
4. Site Plan_415 Augusta
5. Pictometry_415 Augusta
6. ZONING MAP_415 AUGUSTA DR
7. FUTURE LAND USE MAP_415 AUGUSTA DR
8. Public Mailout
9. Mail Outs_415 Augusta Dr
10. ZBA Findings of Fact _415 Augusta

APPROVAL/REVIEW:

Amanda Torres, Director of Building & Development

Date: June 19, 2026



PUBLIC HEARING

Zoning Board of Adjustment

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

POSTED: this the 11th of June 2026, on the City of Rockport website @ www.rockporttx.gov.

PUBLISHED: in the *Corpus Christi Caller Times* on Thursday, June 11, 2026, Edition, in accordance with the City of Rockport - Code of Ordinances.

CITY OF ROCKPORT, TEXAS

Amanda Torres,
Development Services Department
Director/Community Planner

RECEIVED
MAY 20 2026

BY: scantn



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>CLAIBORNE</u>			
6. Building/Facility Name: <u>N/A</u>			
7. Address: <u>415 AUGUSTA</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>14'x24' SWIMMING POOL w/ HOT TUB AND GRASS PATIOS</u>
---	---

10. Square Footage of Building: <u>400 sq</u>	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: <u>POOL IS WITHIN 10' OF PROPERTY LINE & WITHIN 5' OF HOUSE PATIO.</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>BRIAN ZARS</u>		16. Company/Firm: <u>KEITH ZARS POOLS</u>	
17. Address: <u>17427 SAN PEDRO</u>		18. City: <u>SAN ANTONIO</u>	19. State: <u>TX</u>
20. Zip Code: <u>78216</u>		21. Phone #: <u>210-789-0992</u>	
22. Fax #: <u></u>		23. E-mail: <u>bzars@keithzarspools.com</u>	
24. Signature: <u>[Signature]</u>		25. Date: <u>5/19/2026</u>	

EXHIBIT A

City of Rockport
Variance Application

AGENT'S AFFIDAVIT

I, BRIAN ZARS, KEITH ZARS POOL, 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.

BRIAN ZARS
Printed Name of Agent

[Signature]
Signature of Agent

17427 San Pedro
Physical Address

17427 San Pedro
Mailing Address

SAN ANTONIO, TX, 78232
City/State/Zip Code

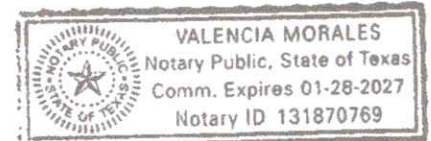
San Antonio TX 78232
City/State/Zip Code

STATE OF TEXAS

COUNTY OF Bexar

§

§



The foregoing instrument was acknowledged before me on this 19th day of May, 2026, by Valencia Morales and Brian Zars who are personally known by me or who has produced Variance application and _____ respectively, as identification and who did (did not) take an oath:

(Seal)

My Commission Expires: 1/28/27

[Signature]
Notary Public Signature

Valencia Morales
Printed Name

**BUILDING & DEVELOPMENT DEPARTMENT
EVENT CALENDAR FOR
APPEAL / VARIANCE TO ZONING CODE**

(Refer to City of Rockport Code of Ordinances, Chapter 118 for specific details.)

WEEK 1

- Submit application for appeal or variance to the City Building & Development Department.
- Submit additional documentation, pictures, survey of other information as needed along with legal description if required.

WEEK 2

- City notifies ZBA members of submitted application.
- City posts and publishes required 15-day public notice(s).
- City sends required 10-day notice(s) to the applicant(s) and to affected property owner(s) within 200 feet of subject property.

WEEK 2 to 3

- City posts agenda for the respective board.

WEEK 5 to 6

- Public Hearing held with the ZBA.
- Board action taken unless ZBA tables item, in which case final action completed in 20 days.

AFTER WEEK 5 or 6

After approval received for appeal/variance, **REQUEST BUILDING PERMIT** if building permit required. If no building permit required then a Certificate of Occupancy is issued. Allow approximately two to three weeks for review of construction plans, drainage plans, utilities, etc., by both City Staff and City Engineer before building permit issued (longer if tree plan, a plat, or other special approval is necessary).



Rhonda & Adam Claiborne
415 Augusta Drive
Rockport, Texas 78382
Attention: Amy Clubb, Keith Zars Pools

PROBLEM: Excavation near a residence and construction of a swimming pool can cause damage to the foundation and structure of the residence. The City of Rockport requires an engineer's letter addressing the possibility of structural damage to the house or its foundation and retaining walls prior to issuing a permit to construct closer than ten feet (10') to an existing dwelling or structure, including fences. The potential of foundation damage by soil swelling due to water leakage or ponding of surface water exists in areas where heavy clay soils are found. Soil slope stability must also be considered for excavations close to the house to avoid undermining the foundation. Additionally, the potential of lifting rock strata under the foundation exists where rock excavation is required near the structure.

FINDINGS: The planned swimming pool is to be constructed behind the house separate from the house foundation and will be approximately **four feet four inches (4'-4")** as measured from the pool excavation to the existing concrete patio deck. The pool is to be constructed of steel reinforced gunite concrete. Surface drainage of the proposed pool area is to the back of the lot.

CONCLUSION: The proposed pool design is very sturdy and not likely to leak. The swimming pool installation will not have a detrimental effect on the performance of the residence foundation. Therefore, approval of the proposal to construct a swimming pool is recommended.

PREPARED BY

John R. Clark, P.E.
Clark Engineering, LLC
Firm No. F-22197

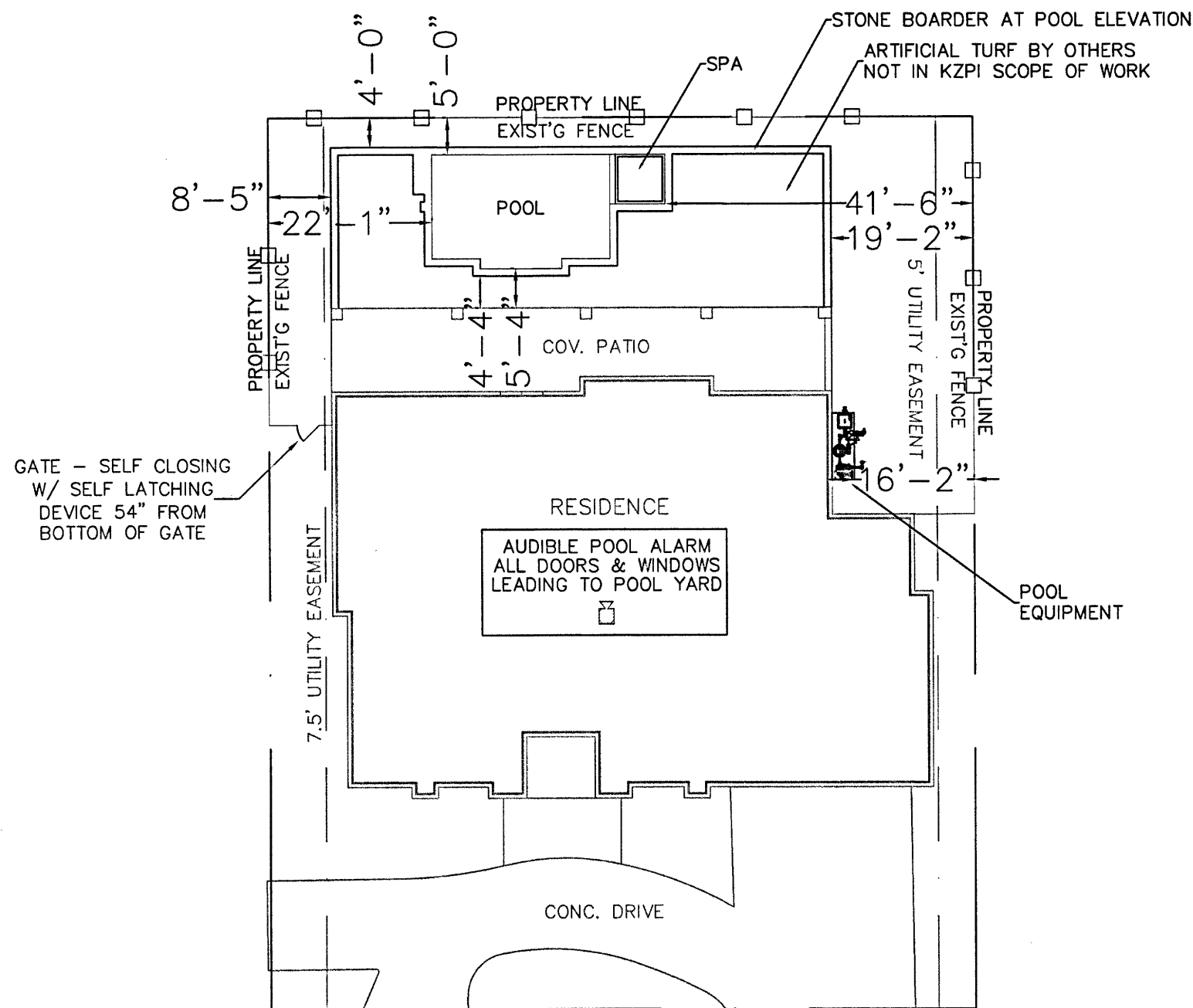


5/10/2026



17427 SAN PEDRO
SAN ANTONIO, TEXAS
(210) 494-0800

POOL - 4200 PSI CONC.
W/ #4 BARS 9" O.C.B.W.



RHONDA & ADAM CLAIBORNE
415 AUGUSTA DR
ROCKPORT, TX 78382
LOT# 20 BLK# 19
ROCKPORT COUNTRY CLUB ESTATES, UNIT 2
SCALE: 1" = 20'-0"
ANSI B (11.00 X 17.00 INCHES)

POOL 15'-4" X 24'-0"
40 SQ. FT. SPA
182 SQ. FT. FLATWORK (COPING)
0 LF OF STEPS BY KZPI
0 LF OF SEAT WALL
12" OUT OF GRADE AVERAGE
LICENSE# H-922675

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. the Provisions of this chapter shall control the design of the barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drowning and near drowning by restricting access to swimming pools, spas and hot tubs.

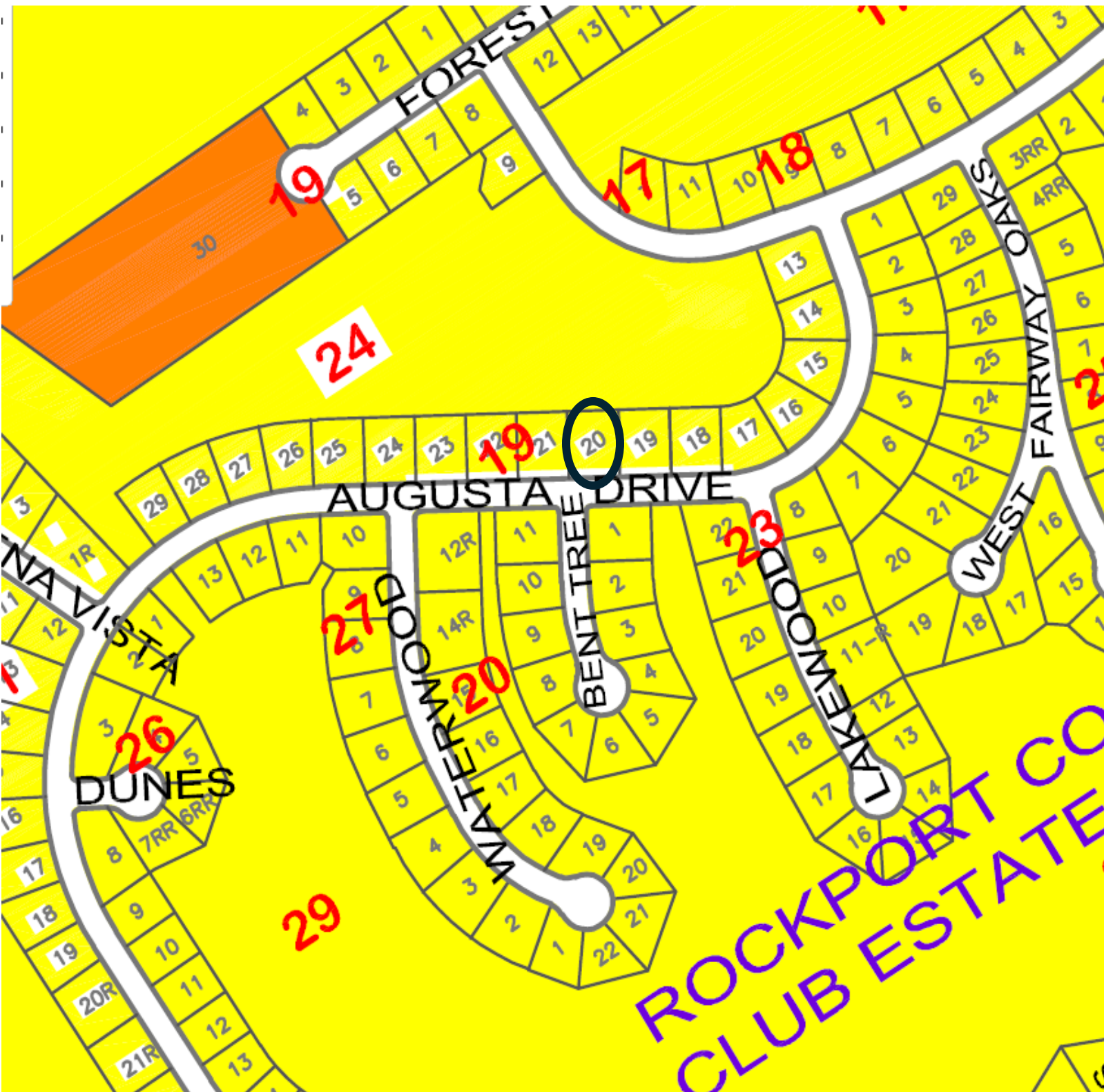
AG105.2 An outdoor swimming pool. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tube or spa shall be surrounded by a barrier which shall comply with the following.

- 1) The top of the barrier shall be at least 48 inches (1219MM) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51MM) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inch (102MM).
- 2) Openings in the barrier shall not allow passage of 4 inch diameter (102MM) sphere.
- 3) Solid barrier which do not have openings, such as a masonry or stonewall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
- 4) Where the barrier is composed of horizontal and vertical members and the distance between the top of the horizontal member is less than 45 inches (1143MM), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 3 4 1 inches (44MM) in width. where there are decorative cutouts within vertical members, spacing within the cutouts 3 4 shall not exceed 1 inches (44MM) in width.
- 5) Where the barrier is composed of horizontal and vertical members the distance between the tops of the horizontal member is 45 inches (1143MM) or more, spacing between vertical members shall not exceed 4 inches (102MM). Where there are decorative cutouts within vertical members, spacing 3 4 within the cutouts shall not exceed 1 inches (44MM) in width.
- 6) Maximum mesh size for chain link fences shall be 1 2 4 inch (57MM) square unless the fence has slats fastened at the top or the bottom which reduce 3 the openings to not more than 1 4 inches (44MM)
- 7) Where the barrier is composed of diagonal members such as a lattice fence, the maximum opening formed by 3 the diagonal members shall not be more than 1 4 inches (44mm).
- 8) Access gates comply with the requirements of section AG105.2 Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372MM) from the bottom of the gate, the release mechanism and openings shall comply with the following. 8.1) The release mechanism shall be located on the pool side of the gate at least 3 inches (76MM) below the top of the gate; and 8.2) The gate barrier shall have no opening larger 1 than 2 (12.7mm) within 18 inches (457MM) of the release mechanism.
- 9) Where a wall of a dwelling services as part of the barrier, one of the following conditions shall be met. 9.1) The pool shall be equipped with a powered safety cover in compliance with ADTMF 1346; or 9.2) Doors with direct access to the pool through that wall shall be be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372MM) above the threshold of the door; or 9.3) Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard 9.4) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by item 9.1 or 9.2 described above.
- 10) Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps; 10.1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or 10.2) The ladder or steps shall be surrounded by a barrier which meets the requirements of the section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4 inch (102MM) sphere.

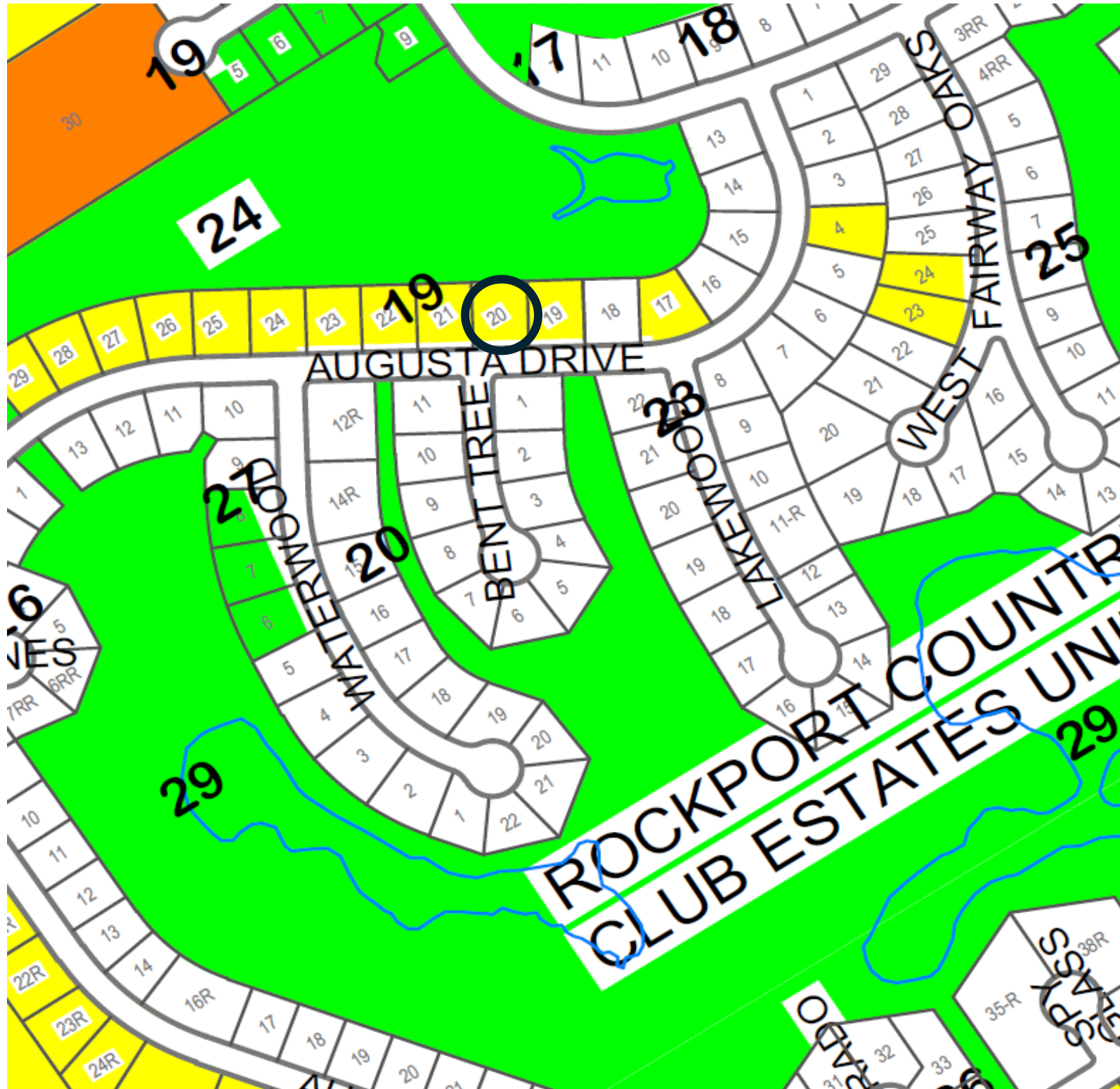
415 Augusta Dr - ROCKPORT COUNTRY CLUB #2,
BLOCK 19, LOT 20 (Prop ID 31480)



CLUB #2, BLOCK 19, LOT 20 (Prop ID 31480)



FUTURE LAND USE MAP (R1: 1st SINGLE FAMILY DWELLING DISTRICT)
415 Augusta Dr - ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20 (Prop ID 31480)



<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
31480	James and Rhonda Claiborne	415 Augusta Dr	415 Augusta Dr	Rockport	TX	78382
31479	John and Charla Marlatt	413 Augusta Dr	413 Augusta Dr	Rockport	TX	78382
31478	Joseph and Cathryn Hickamn	411 Augusta Dr	411 Augusta Dr	Rockport	TX	78382
31477	Fred & Elyce Kahn	409 Augusta Dr	409 Augusta Dr	Rockport	TX	78382
31579	Travis and Jacinta Albrecht	421 Augusta Dr	421 Augusta Dr	Rockport	TX	78382
31483	Charles and Marie Montgomery Kocu	419 Augusta Dr	419 Augusta Dr	Rockport	TX	78382
31482	Charles and Marie Montgomery Kocu	419 Augusta Dr	419 Augusta Dr	Rockport	TX	78382
31481	Michael and Barbara Jenkins	417 Augusta Dr	417 Augusta Dr	Rockport	TX	78382
31500	Fern Mei Ling Olson	601 Bent Tree	601 Bent Tree	Rockport	TX	78382
31501	James and Aida Valenti	702 Waterwood	702 Waterwood	Rockport	TX	78382
31490	Douglas and Sharon Marks	602 Bent Tree	602 Bent Tree	Rockport	TX	78382
31491	Tommy King	604 Bent Tree	604 Bent Tree	Rockport	TX	78382
31578	Martin and Elaine Perea	501 Lakewood Dr	501 Lakewood Dr	Rockport	TX	78382
	Patt (Patricia) Bemrose	Zoning Board of Adjustment	1435 S Water St	Rockport	TX	78382
	Carey Dietrich	Zoning Board of Adjustment	602 Fulton Ave	Rockport	Tx	78382
	Michael Harm	Zoning Board of Adjustment	801 W Market St	Rockport	TX	78382
	Pamela Dixon	Zoning Board of Adjustment	412 Cherry Hills Dr	Rockport	Tx	78382
	Traci Baucum	Zoning Board of Adjustment	493 Augusta Dr	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



NOTICE OF PUBLIC HEARING

Rockport Zoning Board of Adjustments

NOTICE is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, June 25, 2026, at 5:30 p.m., at the City of Rockport - City Hall, 212 N Live Oak, Rockport, Texas 78382, to consider a request for relief from the Zoning Ordinance for the accessory use structure setback be reduced from 10 ft. to 5ft. 4 inches and the rear setback be reduced from 20 ft. to 5 ft. to install a planned improvements in the backyard (pool) on the property located at 415 Augusta., otherwise known as ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20.

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

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

CITY OF ROCKPORT, TEXAS

/s/ Shelley Goodwin, City Secretary

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

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

Printed Name: _____
Address: _____ City/State: _____

() IN FAVOR () IN OPPOSITION

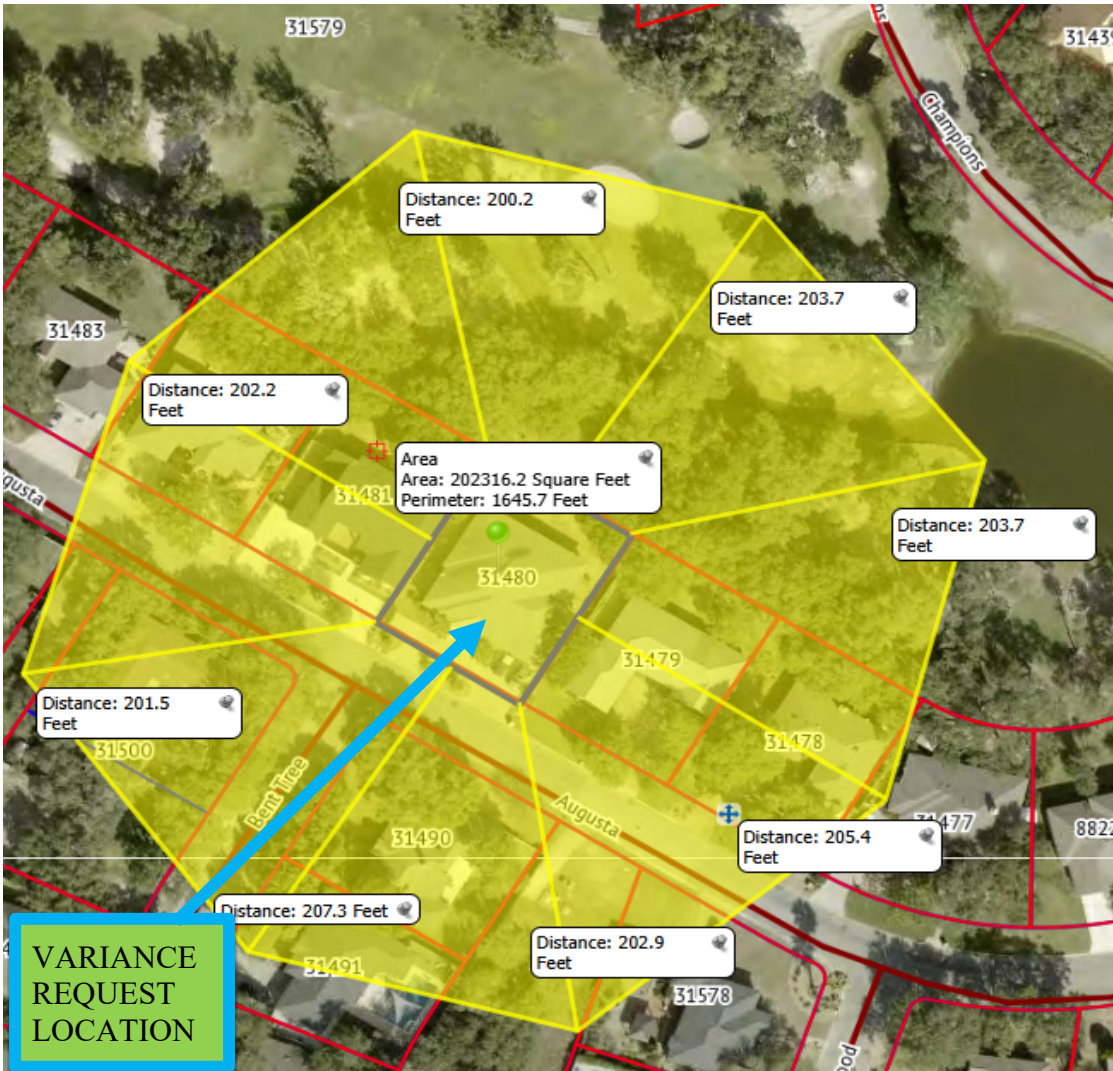
Phone: _____

REASON:

Signature
See map on reverse side.

Location Map of Proposed Zoning Variance Request

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



FAQ

Why am I receiving this notice?

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

What do I do now?

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

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

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



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

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

SITUS ADDRESS: «Situs_Address»



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

Applicant: 415 Augusta – Claiborne Residence

Lot/Tract/: ROCKPORT COUNTRY CLUB #2, BLOCK 19, LOT 20

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