

ZBA15-14 (5931 Meadowside Drive – Hall Elementary School)

Request	<p>A variance from the requirement in Section 125-74.C. that structures zoned “PS” maintain a 40 foot rear-yard setback when adjacent to residential land uses.</p> <p>The applicant is proposing to place four temporary buildings (three portable classrooms and one portable restroom) in anticipation of an increase in the student body size. Given the limited developable space remaining on the property and building separation requirements, the applicant has indicated that it is impossible to relocate these temporary buildings outside of the required 40 foot rear-yard setback. In order to maintain continuity with existing portable buildings and prevent the elimination of essential outdoor recreation space, the applicant is proposing to reduce the setback by 21 feet from 40 feet to 19 feet.</p>
Applicant	Gregory Prince, PBK.
Owner	Clear Creek Independent School District
Zoning	“PS” (Public/Semi-Public)
Location	Generally located north of Cross Colony Drive and south/east of FM 646 with an approximate address of 154 Easton Glen Lane.
Citizen Response	<p>179 – Notices Mailed to Property Owners within 500 feet</p> <p>0 – Letters of Support Received</p> <p>0 – Letter of Opposition Received</p>
Attachments	<ol style="list-style-type: none"> 1. Property Owners’ Notification / Zoning Map 2. Proposed Site Plan 3. Applicant Letter 4. Variance Findings Form

The Board shall make findings based upon the following tests:

Public Interest	<p><i>Test #1: Such variance will not be contrary to the public interest.</i></p> <p>The purpose and intent of a building setback is to provide adequate separation between structures. Setbacks are determined based upon the zoning district and in turn, desired density and proposed use of the site. Given that the zoning ordinance calls for a minimum of 40 feet separation, this request is contrary to the public interest.</p>
Authorization of Contrary Use	<p><i>Test #2: Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance sought is located.</i></p> <p>The applicant does not request any other uses than those authorized by the district.</p>
Injury to Conforming, Adjacent Property	<p><i>Test #3: Such variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district.</i></p> <p>The proposed use will not impact the appropriate use of adjacent conforming properties.</p>

Essential Character of District	<p><i>Test #4: Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.</i></p> <p>The Comprehensive Plan’s Future Land Use Plan calls this district out as Enhanced Auto Dominant Residential with Hall Elementary School being Public/Institutional. The Comprehensive Plan characterizes this district as having small single family lots with a considerable portion of the front yard consisting of the driveway with sufficient setback so as to allow cars to park off of the street. These characteristics are clearly visible when passing through this district. The neighborhood is already developed with older homes and large mature trees, connected by a comprehensive sidewalk system. If approved, this variance would not impact the character of the surrounding district.</p>
Harmony with Spirit and Intent of Zoning Ordinance	<p><i>Test #5: Such variance will be in harmony with the spirit and purposes of this Ordinance.</i></p> <p>See Tests #1.</p>
Plight of the Owner	<p><i>Test #6: The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.</i></p> <p>Representatives from the school have projected an increase in the student population for Hall Elementary School. This site has very limited space for additional development and the school must be able to accommodate additional students prior to the construction of a new school. The only available location in which these portable structures could be located is east of the primary building, in a space allocated for outdoor recreation. As these accommodations are necessary and there are no reasonable alternatives to the space chosen for these portable structures, the hardship can be considered to be non-self-imposed.</p>
Integrity of Zoning Ordinance	<p><i>Test #7: The variance will not substantially weaken the general purposes of this Ordinance or the regulations herein established for the specific district.</i></p> <p>See Tests #1.</p>
Health, Safety and Public Welfare	<p><i>Test #8: The variance will not adversely affect the health, safety, and welfare of the public.</i></p> <p>Staff does not foresee that the request would adversely affect the health, safety and welfare of the public.</p>
Recommendation	<p>The granting of variances for hardships should be “peculiar and unique” to a relatively small area of land and should not be financial in nature, nor self-imposed. The ZBA may grant a variance if it is “not contrary to the public interest and, due to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done.”</p> <p>Although the size, shape and configuration of this lot are not unique, as an elementary school, it is required to accommodate projected increases in the student body. This site lacks alternative developable space aside from an area set aside for essential outdoor recreation space. Given that the proposed development would meet all other requirements found in the “PS” zoning district, and that these alterations are in conformity with the Comprehensive Plan, staff recommends approval, subject to the following conditions:</p>

1. The variance shall apply only to the temporary structures now being proposed. Once removed, the applicant will be required to meet all setback requirements.

For additional information, you may contact Matthew Grooms, Planner at 281-554-1079 or at matthew.grooms@leaguecity.com.



Department of Planning and Development
300 West Walker Street
League City, Texas 77573
(281) 554-1080

Case Number: ZBA15-14

December 28, 2015

The City of League City's Zoning Board of Adjustments will:

Hold a public hearing and take action on a Zoning Board of Adjustments Application, **ZBA15-14 (5931 Meadowside – Hall Elementary School)**, a variance request to the minimum rear-yard setback (Schedule 125-74.C.) for a property zoned "PS" (Public and Semi-Public District) on approximately 7.544 acres, legally described as Reserve I in Section 3 of the Countryside Subdivision, generally located north of Country Place Lane, south of FM 518 and east of Morningside Drive.

Zoning Board of Adjustments Meeting:

Date: January 7, 2016

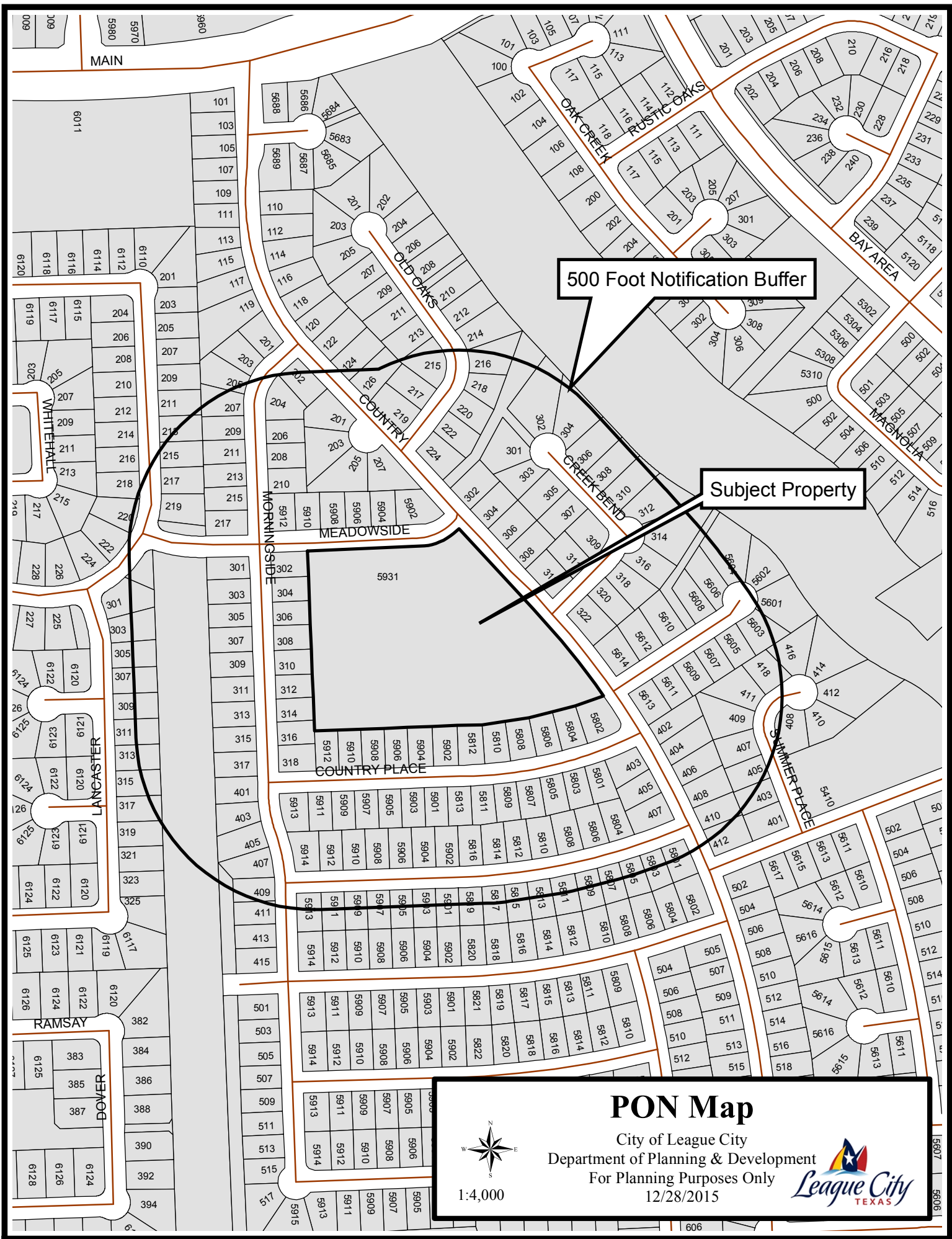
Time: 6:00 p.m.

Location: Council Chambers, 200 W. Walker St.

You have received this notice because you are a property owner within 500 feet of the request **and** listed on the most recently approved municipal tax roll.

A copy of the vicinity map is on the back of this notice. To view the presentation or staff report and other information for this application, please go to the City website at www.leaguecity.com/planning. Click on 'Zoning Board of Adjustments (ZBA)', then click on '2015 ZBA Case Log'. Items will be posted no less than 72 hours prior to the listed ZBA meeting above. The public may formally submit letters of support or objection for this application by mail to the Planning Department or via email to the project manager. For additional information, contact the project manager – Matthew Grooms at 281-554-1079 or via e-mail at matthew.grooms@leaguecity.com. Please reference case #**ZBA15-14**.



The above item is available for public inspection by appointment Monday-Thursday, between 8:00 a.m. – 6:00 p.m., and Friday, between 8:00 a.m. – 12:00 p.m. in the Planning Department, City Hall, 300 W. Walker St, as well as the City's website at www.leaguecity.com/pandz. Call 281-554-1080 for an appointment or more information. The City of League City's public facilities are wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request. Requests must be made forty-eight (48) hours prior to meetings, services or programs. To make a request, please call the City Secretary's Office at 281-554-1030 or fax to 281-554-1020, or contact 281-554-1030 via Relay Texas at 711 or 1-800-735-2988 for TTY Services.



500 Foot Notification Buffer

Subject Property

PON Map
City of League City
Department of Planning & Development
For Planning Purposes Only
12/28/2015



1:4,000



December 22, 2015

VIA: Hand Delivery

Matthew Grooms
League City Planning Department
300 W Walker St
League City, TX 77573

Re: **ZBA Setback Variance Request** - Temporary Portable Buildings @ Hall Elementary School

Dear Mr. Grooms:

In regards to the above-referenced project, and on behalf of the Clear Creek Independent School District, please accept our application for a setback variance to be heard by the ZBA on 1/7/16. We have enclosed the application along with our revised drawings addressing all other comments received on the DRC Status Report and will be in attendance for this review to answer any questions as necessary.

To recap the scope of this project, we propose to relocate four (4) temporary portable buildings to the Walter Hall Elementary School Campus and install them adjacent to the existing portable classroom buildings already in place. This layout is shown on our Site Plan submitted to the Building and Planning Departments. They include three (3) classroom portables (6 additional classrooms) and one (1) restroom portable.

This project is being proposed by the School District to provide additional classrooms to relieve overcrowding that presently exists in the school and allow for an improved teacher-to-student ratio, as well as in anticipation of an increased student population due to the on-going construction of additional housing developments nearby. We have submitted this project for permit and have gone through an initial submittal with the Development Review Committee and have addressed all outstanding comments with exception of one regarding the setbacks along the south property line. As we have discussed previously with the Building Department and most recently with the Planning Department, the school's property is very limited in regards to available space for these portable buildings and the proposed locations cannot be shifted out of the 40'-0" required setback due to separation requirements from the existing adjacent buildings. The current layout would provide for 19'-0" of setback from the property line. The locations we have proposed are the most sensible locations as they are an extension of the portable buildings already in place and provide the safest and most efficient routing for the students to and from the Main School Building. Shifting the portables near the playground areas would eliminate necessary outdoor physical education and recess space. The proposed location is also within close proximity to the necessary existing utilities (power, sewer, water) which will provide the most efficient means for those connections. Lastly, locating the buildings here would keep them out of public view and away from the areas along the streets providing a better appearance for the property and the surrounding community.

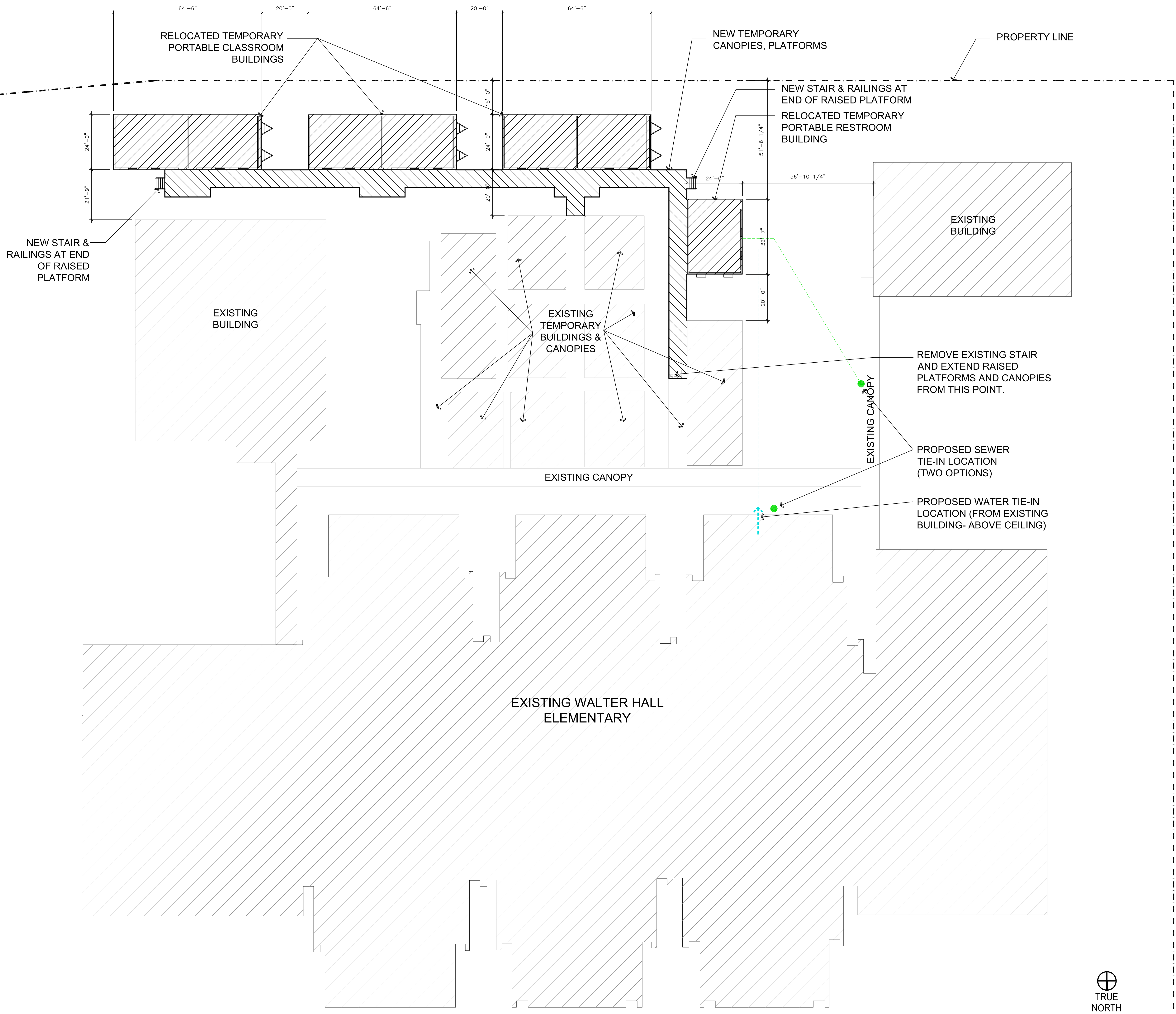
We ask that you consider our request and allow us the opportunity to serve the needs of Hall Elementary School and its' students. Thank you so much for your consideration on this project.

Sincerely,

Gregory Prince, RA
Project Executive

Cc: Paul Miller, Clear Creek ISD
Danny Ravey, Clear Creek ISD
Rick Blan, PBK

**HALL ELEMENTARY SCHOOL
TEMPORARY BUILDINGS RELOCATION
CLEAR CREEK ISD**



CLIENT	CLEAR CREEK INDEPENDENT SCHOOL DISTRICT	
PROJECT NUMBER	9901-09	
DATE	12/4/2015	
DRAWN BY		
CHECKED BY		
REVISIONS		
No.	Description	Date

FOR PERMIT

SITE PLAN

TB-002

APPLICANT: GEORGE PRINCE
PROPERTY: ABST 9 PAGE 10 RESERVE I (0-9) COUNTRYSIDE SEC 3
ADDRESSED AS: 3951 MEADOWSIDE DRIVE
HEARING ON: JANUARY 7, 2015
BEFORE LEAGUE CITY ZONING BOARD OF ADJUSTMENTAS:
ZBA15-14 (3951 MEADOWSIDE DRIVE – HALL ELEMENTARY SCHOOL)

Members present and voting: [At least 75% of the members (4) must hear the case and is required to reverse any administrative action or to decide in favor of any applicant or grant a variance].
(League City Code of Ordinances § 125-22).

The members voting (not additional nonvoting alternates) are designated by an “x” below:

_____ James R. Christiansen, Chair	_____ Lianne Russell
_____ Kathleen Benoit	_____ Tamra Gann-Curry
_____ Michael Hendershot	_____ Ed Rainey

VARIANCE FINDINGS PURSUANT TO SECTION 125.47 OF THE LEAGUE CITY CODE

The issuance of a variance may not be granted unless the Zoning Board of Adjustment shall determine that all the following criteria have been met:

(1) Such variance will not be contrary to public interest.

True: _____

False: _____

(2) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

True: _____

False: _____

(3) Such variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district.

True: _____

False: _____

(4) Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.

True: _____

False: _____

(5) Such variance will be in harmony with the spirit and purposes of this chapter.

True: _____

False: _____

- (6) The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.

True: _____

False: _____

- (7) The variance will not substantially weaken the general purposes of this chapter or the regulations herein established for the specific district.

True: _____

False: _____

- (8) The variance will not adversely affect the health, safety, and welfare of the public.

True: _____

False: _____

The League City Zoning Board of Adjustment, after reviewing Applicant's application, and reviewing the evidence presented, has determined in accordance with the League City Code of Ordinances that:

VARIANCE:

_____ **APPROVED**

_____ **DENIED**

_____ **APPROVED WITH THE FOLLOWING CONDITIONS:**

This variance was determined by a concurrence vote of at least four members of the League City Zoning Board of Adjustment on this the _____ day of _____, 20____, and is filed in the Zoning Board's office as of this date, as certified by the signature of the Chairman, below, and is not valid without original signature.

James R. Christiansen, Chair
Zoning Board of Adjustment