



**ZONING BOARD  
OF ADJUSTMENTS  
PACKET**

**August 1, 2024**

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## ZONING BOARD OF ADJUSTMENT AGENDA

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Notice is hereby given that the Rockport Zoning Board of Adjustment will hold a Meeting on Thursday, August 1, 2024, at 5:30 p.m. The meeting will be held at City of Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

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



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

### Opening Agenda

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1. Call meeting to order.

### Public Hearing

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2. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.

### Regular Agenda

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3. Deliberate and act on October 3, 2023, regular meeting minutes.
4. Deliberate and act on a request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.
5. Adjournment

### Special Accommodations

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This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/729-2213 ext. 225 or FAX 361/790-5966 or E-Mail [citysec@cityofrockport.com](mailto:citysec@cityofrockport.com) for further information. Braille is not available.

### Certification

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I certify that the above notice of meeting was posted on the bulletin board at Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Monday, July 29, 2024, by 5:00 p.m. and on the City's webpage at [www.cityofrockport.com](http://www.cityofrockport.com). I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot, and Corpus Christi Caller Times.*

*Carey Dietrich*

Carey Dietrich, Asst Director Building & Development

## **Zoning Board of Adjustment AGENDA**

### **Called Meeting: Thursday August 1, 2024**

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#### **AGENDA ITEM: 2**

Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.

**SUBMITTED BY:** Community Planner / Carey Dietrich

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**BACKGROUND:** Property owner, Jeff Fulbright, is requesting a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, July 13, 2024 edition and mailed out to Thirteen (13) property owners within a 200-foot radius of the property. One letter For and no Against the request have been received at time of PH.

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**RECOMMENDATION:** No action required. Public hearing only.



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## PUBLIC HEARING

### Zoning Board of Adjustment

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**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Thursday, August 1, 2024, at 5:30 p.m., **City of Rockport Service Center- 2751 State Highway 35 Bypass, Rockport, Texas,** to consider a request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 Acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.

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

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**POSTED:** this the 12th day of July, 2024, at 5:00 p.m., on the bulletin board at City Rockport Service Center, 2751 S.H. 35 Bypass, Rockport, Texas and on the webpage [www.cityofrockport.com](http://www.cityofrockport.com).

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**PUBLISHED:** in *The Rockport Pilot* in the Saturday, July 13, 2024 Edition, in accordance with the City of Rockport Code of Ordinances.

**CITY OF ROCKPORT, TEXAS**

*Carey Dietrich*

Carey Dietrich,  
Asst Director Building & Development  
Community Planner

**STAFF REPORT**

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

**PROPERTY ADDRESS/LOCATION**

218 Coastal Wildwood Dr.

**APPLICANT/PROPERTY OWNER**

Jeff Fulbright, Owner

**PUBLIC HEARING DATE**

ZBA – Thursday, August 1, 2024  
CC – N/A

**ZBA DATE**

ZBA – Thursday, August 1, 2024

**CITY COUNCIL DATE(S)**

1<sup>st</sup> Reading – N/A  
2<sup>nd</sup> Reading – N/A

**BRIEF SUMMARY OF REQUEST**

Property owner, Jeff Fulbright, is requesting a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, July 13, 2024 edition and mailed out to thirteen (13) property owners within a 200-foot radius of the property. One letter For and no Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 – 1st Single Family Dwelling District	Main dwelling + accessory structure	<b>N</b> – R-1 (1 <sup>st</sup> Single Family Dwelling District) <b>S</b> – R-1 (1 <sup>st</sup> Single Family Dwelling District) <b>E</b> – R-1 (1 <sup>st</sup> Single Family Dwelling District) <b>W</b> – R-1 (1 <sup>st</sup> Single Family Dwelling District)	Accessory Use Structure	3.248 acres  Lot Size:

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

The Current Future Land Use Map suggests Residential Use

**PROPERTY HISTORY**

There is an existing main structure on the property. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

**Staff recommends approval of the Variance Request**

**ATTACHMENTS**  
(CIRCLE)**SUBMITTED PLANS****PUBLIC HEARING PETITION/ APPLICATION FORM****LEGAL NOTICE****LEGAL DESCRIPTION****PUBLIC COMMENTS****AGENCY COMMENTS****RESPONSE TO STANDARDS****OTHER** (DESCRIBE)

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## **ZONING BOARD OF ADJUSTMENTS MINUTES**

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On this the 3rd day of October, 2023, the Zoning Board of Adjustments held a Meeting at 5:30 p.m., at City of Rockport Service Center 2751 S H 35 Bypass, Rockport. Texas. Notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

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### **Members Present**

Warren Hassinger  
Thomas J. Blazek  
Rick Smith – Via Facetime  
Pamela Dixon Frost

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### **Members Absent**

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### **Staff Members Present**

Mike Donaho, Director of Public Works & Building Services  
Carey Dietrich, Asst Dir Building & Development / Community Planner  
Belinda Garcia, Administrator Coordinator

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### **Open Meeting**

1. Called meeting to order at approximately 5:30 p.m.

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### **Public Hearing**

Chairman Hassinger opened the Public Hearing at approximately 5:33pm.

2. Conduct a Public Hearing to consider a request for relief from the Zoning Ordinance for property located at 105 S. Magnolia Street; also known as S5120 Rockport Cultural Arts District (RCAD) Depot Subdivision Block 1, Lot 1, .126 acres, City of Rockport Aransas County, Texas. The purpose of the request is for a variance to the City's set back requirement to add an awning and deck to restore the Depot structure as closely as possible to its original form.

Jennifer Day – Executive Director of Rockport Cultural Arts District spoke in favor. Letters of support came from Aransas County Historical Society and 6 more in favor:

- Shelly Stuart – 319 Broadway
- Romana Day/Latitude 28-02 – 105 N. Austin St.
- Jennifer Day – 902 E. Cornwall
- Sharon Miller – 103 S. Austin St.
- Rockport Little Theater – 99 N. Austin St.
- Michelle Simmons – 410 S. Austin St.

## **Regular Agenda**

Chairman Hassinger opened the regular meeting at approximately 5:40pm

3. Deliberate and act on February 27, 2023, regular meeting minutes.

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

4. Deliberate and act on a request for relief from the Zoning Ordinance for property located at 105 S. Magnolia Street; also known as S5120 Rockport Cultural Arts District (RCAD) Depot Subdivision Block 1, Lot 1, .126 acres, City of Rockport Aransas County, Texas. The purpose of the request is for a variance to the City's set back requirements to add an awning and deck to restore the Depot structure as closely as possible to its original form.

Community Planner Carey Dietrich spoke in favor. Staff recommends approval.

Chairman Hassinger read the ten (10) Finding of Facts, which must be determined in the affirmative for the variance to be granted.

Member Pamela Dixon Frost made a motion to approve the request. Member Rocky Gudim seconded the motion. With all 10 questions determined in the affirmative and with all 4 members answering in the affirmative to all questions the variance was granted. **Motion passed unanimously.**

## **Adjournment**

Member Pamela Dixon Frost made a motion to adjourn. Member Rocky Gudim seconded the motion.

Chairman Hassinger adjourned the meeting at approximately 6:02 p.m.

Prepared By:

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Patti Dodson, Planning Technician

Approved By:

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Warren Hassinger, Chairman

## **Zoning Board of Adjustment AGENDA**

### **Called Meeting: Thursday, August 1, 2024**

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#### **AGENDA ITEM: 4**

Deliberate and act on a request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.

**SUBMITTED BY:** Community Planner / Carey Dietrich

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**BACKGROUND:** Property owner, Jeff Fulbright, is requesting a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, July 13, 2024 edition and mailed out to Thirteen (13) property owners within a 200-foot radius of the property. One letter For and no Against the request have been received at time of PH.

Please see the accompanying variance request application and Section 118-24 of Code of Ordinances for detail information.

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**FISCAL ANALYSIS:** N/A

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**RECOMMENDATION:** Staff recommends approval of the request for relief from the Zoning Ordinance for property located at 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.



**STAFF REPORT**

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

**PROPERTY ADDRESS/LOCATION**

218 Coastal Wildwood Dr.

**APPLICANT/PROPERTY OWNER**

Jeff Fulbright, Owner

**PUBLIC HEARING DATE**

ZBA – Thursday, August 1, 2024  
CC – N/A

**ZBA DATE**

ZBA – Thursday, August 1, 2024

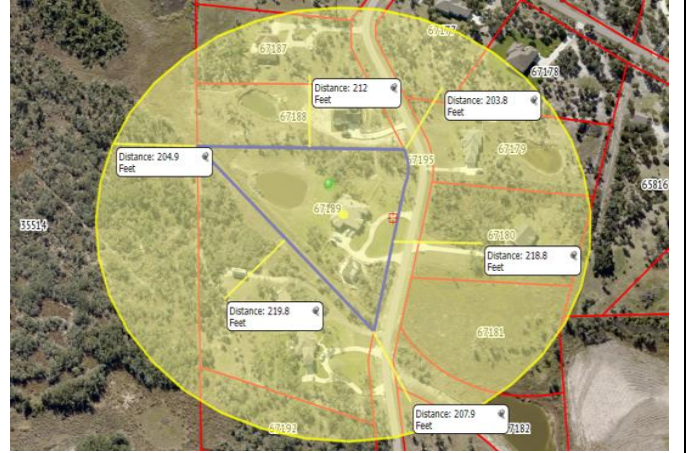
**CITY COUNCIL DATE(S)**

1<sup>st</sup> Reading – N/A  
2<sup>nd</sup> Reading – N/A

**BRIEF SUMMARY OF REQUEST**

Property owner, Jeff Fulbright, is requesting a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

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MAP SOURCE: Pictometry

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

The Current Future Land Use Map suggests Residential Use

**PROPERTY HISTORY**

There is an existing main structure on the property. The accessory structure was added under the assumption it could have a separate electrical meter. The property owner was unaware of the requirement set out in Section 118-24 and now faces a hardship to be able to connect the structure's electrical to his home's electrical service.

**Staff recommends approval of the Variance Request**

**ATTACHMENTS**  
(CIRCLE)**SUBMITTED PLANS****PUBLIC HEARING PETITION/ APPLICATION FORM****LEGAL NOTICE****LEGAL DESCRIPTION****PUBLIC COMMENTS****AGENCY COMMENTS****RESPONSE TO STANDARDS****OTHER** (DESCRIBE)



## City of Rockport

City Hall – 622 E. Market Street, Rockport, TX 78382 • (361) 729-2213 • FAX (361) 790-5968  
www.cityofrockport.com

RECEIVED  
JUN 06 2024  
BY: *[Signature]*

### VARIANCE APPLICATION

A separate variance application for each (non-compliant) condition within a single building or facility must be submitted by the owner (or owner's designated agent) and must include a \$150.00 **non-refundable application fee**.

In addition, the application must be accompanied by plans (site and/or architectural) of all affected areas and any supporting documentation that provides adequate proof to the Zoning Board of Adjustment that compliance with the City of Rockport's Code of Ordinances is impractical or irrelevant to the nature, use, or function of the building or facility.

### \*\* IMPORTANT INFORMATION \*\*

The appeal shall be made within 10 business days after the decision of the administrative official is made, by filing with the administrative official a completed application for appeal and filing fee. Incomplete applications and applications received without the required fee(s) will not be processed.

#### FORM MUST BE COMPLETED IN FULL

#### PLEASE PRINT OR TYPE

1. Has this project been reviewed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. If yes, name of reviewer: <i>City of Rockport/windshore eng.</i>
3. Has this project been inspected? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	4. If yes, name of inspector & date of inspection: <i>City of Rockport/windshore eng.</i>

5. Project Name: <i>Fulbright Shop</i>			
6. Building/Facility Name: <i>Fulbright Shop</i>			
7. Address: <i>218 Coastal Wildwood Dr.</i>	Suite #:	City: <i>Rockport</i>	Zip Code: <i>78382</i>

8. Description: Indicate the type of project: <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration <i>shop</i>	9. Scope of Work (Describe the construction activities): <i>shop</i>
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10. Square Footage of Building: <i>1200</i>	11. Square Footage Per Floor: <i>1200</i>
12. Is this building a qualified historic building: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: <i>NONE - Need meter in</i>

14. Intent to Apply: I hereby apply for a variance from the City of Rockport Zoning Board of Adjustment. (Check one) I am the <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Owner's Agent			
15. Name: <i>Jeff Fulbright</i>		16. Company/Firm:	
17. Address: <i>218 Coastal Wildwood Dr.</i>	18. City: <i>Rockport</i>	19. State: <i>TX</i>	20. Zip Code: <i>78382</i>
21. Phone #: <i>903.738.0399</i>	22. Fax #: <i>—</i>	23. E-mail: <i>jeffreyfulbright@gmail.com</i>	
24. Signature: <i>[Signature]</i>		25. Date: <i>6/3/24</i>	

EXHIBIT A

<b>Property ID</b>	<b>Property Owner</b>	<b>Situs Address</b>	<b>Mailing Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
67189	Jeffrey C. Fulbright	218 Coastal Wildwood Dr.	218 Coastal Wildwood Dr.	Rockport	TX	78382
67190	Anthony & Patricia Webb	226 Coastal Wildwood Dr.	226 Coastal Wildwood Dr.	Rockport	TX	78382
67192	Leslie & Teri Spain	230 Coastal Wildwood Dr.	1736 Winding Ridge Cir SE	Palm Bay	FL	32909
67183	Troy H. Ruiz	231 Coastal Wildwood Dr.	1014 Santa Catalina	Portland	TX	78374
67182	Aransas First	219 Coastal Wildwood Dr.	P.O. Box 266	Rockport	TX	78381
67181	Paula Schoenherr	215 Coastal Wildwood Dr.	1117 Pasadena St.	Portland	TX	78374
67180	Paul & Diane Hutchinson	211 Coastal Wildwood Dr.	211 Coastal Wildwood Dr.	Rockport	TX	78382
67179	Amy & Ian Fisher	207 Coastal Wildwood Dr.	207 Coastal Wildwood Dr.	Rockport	TX	78382
67178	Brandon & Brooke Hochgraber	32 West Wildwood Dr.	32 West Wildwood Dr.	Rockport	TX	78382
67177	Blayne & Lindsay Scott	203 Coastal Wildwood Dr.	203 Coastal Wildwood Dr.	Rockport	TX	78382
67187	Robert & Kathryn Patteson	210 Coastal Wildwood Dr.	P.O. Box 1084	Rockport	TX	78381
67188	Terra & Keith Thomas	214 Coastal Wildwood Dr.	241 Coastal Wildwood Dr.	Rockport	TX	78382
35514	State of Texas	160 Lamar Dr.	1700 N. Congress Ave.	Austin	TX	78701
	Warren Hassinger	Zoning Board of Adjustment	2517 Turkey Neck Circle	Rockport	TX	78382
	Patt (Patricia) Bemrose	Zoning Board of Adjustment	1435 S Water	Rockport	Tx	78382
	Pamela Dixon Frost	Zoning Board of Adjustment	412 Cherry Hills Dr	Rockport	TX	78382
	Richard W. Smith	Zoning Board of Adjustment	131 Pecan Harbor St	Rockport	TX	78382
	Janetta Davis	Zoning Board of Adjustment	474 Augusta Drive	Rockport	TX	78382
	Rocky Gudim	Zoning Board of Adjustment	1016 S Magnolia St	Rockport	Tx	78382
	Brandi Picton	Zoning Board of Adjustment	1803 Picton Ln	Rockport	Tx	78382





## NOTICE OF PUBLIC HEARING

### Rockport Zoning Board of Adjustments

*Resch. to Aug. 1<sup>ST</sup>*

**NOTICE** is hereby given that the Rockport Zoning Board of Adjustment will hold a Public Hearing on Wednesday, July 10, 2024, at 5:30 p.m., **City of Rockport Service Center- 2751 State Highway 35 Bypass, Rockport, Texas**, to consider a request for relief from the Zoning Ordinance for property located 218 Coastal Wildwood Drive; also known as Coastal Wild Wood Phase 2, Lot 26, 3.248 Acres, City of Rockport, Aransas County, Texas. The purpose of the request is for a variance to the City's Accessory Use regulations requiring an accessory structure to be dependent on the main structure for utilities.

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 Planning & Zoning Commission meeting or to the City Secretary by 4:00 p.m. on the day of the City Council 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: Amy Fisher Jan Fisher AC  
Address: Amy R. Fisher 267 Coastal Wildwood City/State: Rockport, Tx

☒ IN FAVOR ( ) IN OPPOSITION

Phone: \_\_\_\_\_

REASON:

Signature

See map on reverse side.

June 3, 2024

TO: City of Rockport  
622 E. Market Street  
Rockport, TX 78382

FROM: Jeff Fulbright  
218 Coastal Wildwood Dr.  
Rockport, TX 78382

To Whom It May Concern:

AEP came out and located their existing line that goes to the green box next to the shop slab (8') to the shop. AEP also advised me how to run the new line to the shop, so we did not have to cross any other existing electrical lines.

I then advised the builder to run the new cable. AEP came out and unlocked the box for the builder to run the new line. (as they Advised) This line is in place and ready for the meter to be installed to finish the project.

**Hardship: If I run a completely new line, I will have to rip out all the electrical main panel and reinstall a new panel rated for 400 amps. AEP tells me that I will be without power for 3 to 5 days because of this.**

Also, my right hand is partially paralyzed, and I can't patch all the irrigation, water, sewer, sprinklers system and electrical lines that must be cut to do the above tasks, not by myself.

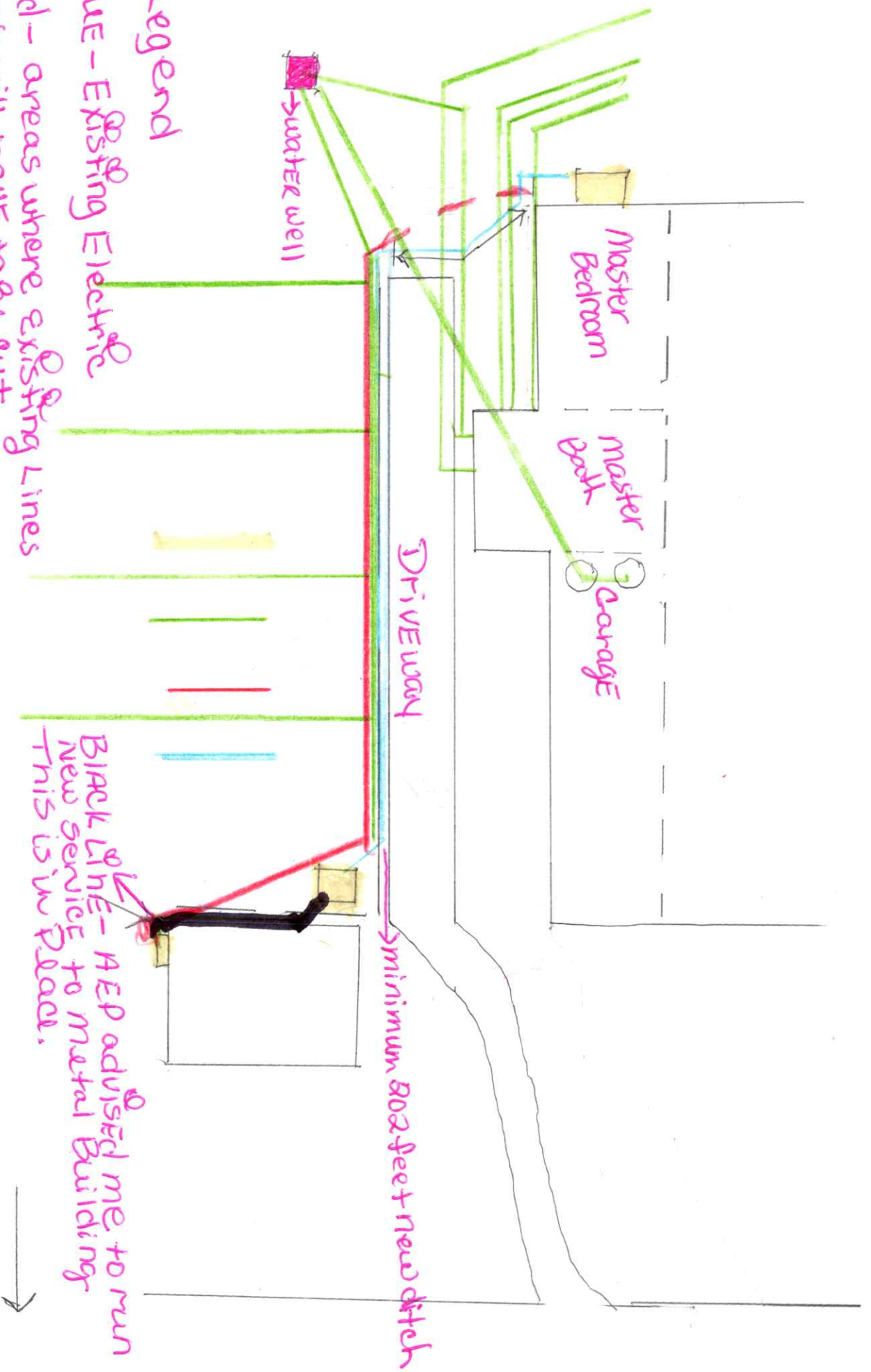
Simply plugging in a meter will solve all the above listed problems.

Please reference to the photos that are attached.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Fulbright". The signature is written in dark ink and is positioned below the word "Sincerely,".

Jeff Fulbright



# Legend

Blue - Existing Electric

Red - areas where existing lines that will have to be cut

Total of 12

Yellow - Electrical Boxes

Green - Existing water + sewerage lines

Black line - AED advised me to run new service to metal building. This is in place.

minimum 802 feet new ditch





SPRINKLERS

SPRINKLERS







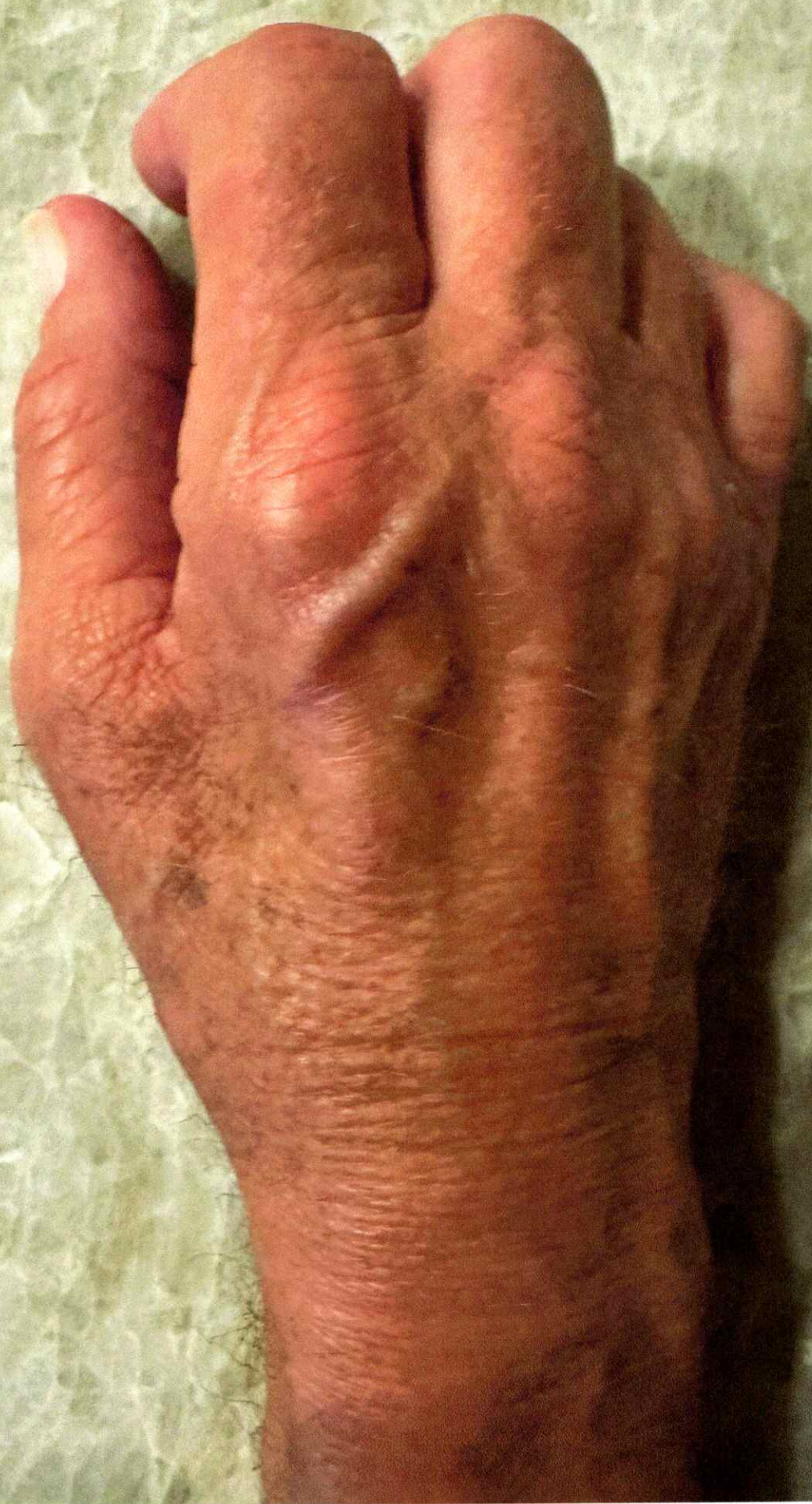




The only thing needed  
is to plug in meter  
Project is 100%  
completed.









ZONING MAP (R-1)

