

CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES

May 13, 2019

The meeting minutes herein are a summarization of meeting proceedings, not a verbatim transcription.

A regular meeting of the Board of Adjustment was held on May 13, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Arlen Thielemann, Chairman
Jon Hodde, Vice Chairman
MaLisa Hampton
Thomas Painter
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

Lori Sanguedolce, Development Services Director
Stephanie Doland, Assistant Development Services Director
Lowell Ogle, Assistant City Manager
Kim Hodde, Planning Technician

Citizens present:

Pat Carrigan

1. Call Meeting to Order

Chairman Thielemann called the meeting to order at 5:17 p.m. with a quorum of five (5) Commissioners present.

2. Public Comments and Receipt of Petitions

There were no public comments and/or receipt of petitions.

3. Reports and Announcements

Stephanie Doland informed the BOA that the update of the Comprehensive Plan is progressing at a rapid pace. Three committee meetings have been held with the next one scheduled for May 30th. Two joint BOA/P &Z/City Council workshop meetings have been held and the next one will be held next month. The final input meetings will also be held next month. Ms. Doland thanked the Board members for their support and input into this valuable resource.

CONSENT AGENDA

4. Statutory Consent Agenda

The Statutory Agenda includes non-controversial and routine items that the Commission may act on with one single vote. A Commissioner may pull any item from the Consent Agenda in order that the Commission discuss and act upon it individually as part of the Regular Agenda.

4-a. Minutes from the March 11, 2019 Board of Adjustments Meeting

Chairman Thielemann called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Hodde and seconded by Commissioner Painter to approve the minutes from the March 11, 2019 meeting, as presented. The motion carried unanimously.

REGULAR AGENDA

Ms. Doland asked Chairman Thielemann to switch the order of the items and consider Item Number 6 first.

6. Public hearing, Discussion and Possible Action on Case Number B-19-003: A request by MC Property Holdings/Dara Childs for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05 (1)(a)(1) to allow a 20-foot front yard setback where a minimum 25-foot front yard setback is required for a single-family residence located at 1103 E. Main Street, described as Lot 16G of the Davidson Addition, in Brenham, Washington County, Texas.

Stephanie Doland presented the staff report (on file in the Development Services Department). Ms. Doland stated that this vacant lot is approximately 90-feet deep and appears to have been platted prior to the lot size/setback requirements. Four other properties along the same block face do not meet the front setback requirements and two do not meet the rear setback requirements; thus, allowing this request to be eligible for a Special Exception rather than a variance. One citizen called and expressed support of this redevelopment. Staff recommends approval of the requested special exception as presented.

Chairman Thielemann opened the Public Hearing at 5:23 pm and asked for any comments. There were no public comments.

Chairman Thielemann closed the Public Hearing at 5:24 pm and re-opened the Regular Session.

A motion was made by Commissioner Painter and seconded by Commissioner Hodde to approve a special exception to reduce the front yard setback for the proposed single-family residence located at 1103 E. Main Street (Case No. P-19-003) to 20-feet, as presented. The motion carried unanimously.

5. Public hearing, Discussion and Possible Action on Case Number B-19-002: A request by Circle K for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 3.05 (2)(a)(iii) to allow a 5-foot rear yard setback where a minimum 10-foot rear yard setback is required for a convenience store located at 1708 State Highway 105, described as Lot 1 of Post Oak Grove Replat SE Portion, in Brenham, Washington County, Texas.

Stephanie Doland presented the staff report (on file in the Development Services Department). Ms. Doland stated that this property is currently developed with a convenience store, fuel sales, and a car wash. The applicant has requested a 5-foot rear setback instead of a 10-foot setback in order to completely re-develop the site for use as a convenience store with fuel sales. Ms. Doland stated that several factors make this property unique and constrict the developable area:

- Existing drainage easements
- Public Utility Easement/utilities at south of property
- Rear property line is unusual (zig-zag)

Staff recommends approval of the requested special exception as presented.

Questions were raised about why the drawing does not show a side-building setback on the east side and if the hatched area around the building is sidewalk. Ms. Doland responded that the B-1 Zoning District does not require side setbacks. Ms. Doland stated that the hatched areas appear to be sidewalks.

Chairman Thielemann opened the Public Hearing at 5:30 pm and asked for any comments. The applicant, Pat Carrigan, clarified that the hatched areas around the building are classified as building perimeter

sidewalks since they are actually attached to the slab so that the elevations do not change over time and cause someone to stumble or fall. There were no other public comments.

Chairman Thielemann closed the Public Hearing at 5:32 pm and re-opened the Regular Session.

A motion was made by Commissioner Painter and seconded by Commissioner Winkelmann to approve a variance to reduce the rear yard setback for the proposed convenience store located at 1708 State Highway 105 (Case No. P-19-002) to 5-feet, as presented. The motion carried unanimously.

7. Adjourn

A motion was made by Commissioner Hodde and seconded by Commissioner Painter to adjourn the meeting at 5:33 pm. The motion carried unanimously.

The City of Brenham appreciates the participation of our citizens, and the role of the Board of Adjustment in this decision-making process.

Certification of Meeting Minutes:

Arden Thielemann
Chairman, Board of Adjustment

July 8, 2019
Meeting Date

Kim Hodde
Attest, Staff Secretary

July 8, 2019
Meeting Date