

**CITY OF BRENHAM
BOARD OF ADJUSTMENT MINUTES**

September 13, 2021

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 September 13, 2021, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Jon Hodde, Chairman
Thomas Painter, Vice Chairman
Walt Edmunds
Danny Goss
Mary Lou Winkelmann

Commissioners absent:

Arlen Thielemann (out of town)

Staff present:

Stephanie Doland, Director of Development Services
Kim Hodde, Planning Technician

Citizens / Media present:

Sireta Cuerington
Mary Colvin
Farris Colvin
Joyce McFarland
Bridget McFarland

1. Call Meeting to Order

Chairman Hodde 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

There were no reports or announcements.

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 August 9, 2021, Board of Adjustment Meeting

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Painter and seconded by Commissioner Edmunds to approve the minutes from the August 9, 2021, meeting, as corrected. The motion carried unanimously.

REGULAR AGENDA

5. **Public hearing, Discussion and Possible Action on Case Number B-21-004: A request by Titan Premier Investments, LLC / Kevin Kuklis for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 1.05(1)(a) to allow a 20-foot front yard setback where a minimum 25-foot front yard setback is required for a single-family residence at 904 W. Jefferson Street, described as Lot 21, West Block of J. Wilkins Addition, in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. B-21-004 (on file in the Development Services Department). Ms. Doland stated that the applicant, Kevin Kuklis, could not be at the meeting. Ms. Doland stated that the subject property is a vacant lot located at 904 W. Jefferson Street. The property is zoned R-1, Single Family Residential and the Future Land Use Map shows the property's use as single-family residential. The lot is a legally non-conforming lot that is approximately 6,650 square feet and is approximately 70-feet wide by 95-feet deep. Current minimum lot requirements are 7,000 square feet or approximately 60-feet side by 115-feet deep. The applicant proposes to construct a 1,440 square foot home on the lot. The applicant is requesting a 5-foot special exception to allow for the porch and overhangs.

Staff finds that:

- The property was platted before Subdivision and Zoning Regulations were adopted in 1967.
- Seven (7) neighboring structures on the block front encroach into the front yard setback with four (4) of them having a front yard setback of less than twenty feet.
- The requested front setback is in character with the surrounding properties.

Notifications were mailed to property owners within 200-feet of the subject property on September 2, 2021. Two written citizen comments were received in opposition to this request. One of the comments was from Debra Lott who lives at 906 W. Jefferson Street. Ms. Lott felt that the location of the survey stakes was not correct. Ms. Doland met with Ms. Lott. After research was completed, it was determined that in 1973, Lockett Street was abandoned and one-half of the abandoned right-of-way (twenty feet) was conveyed to each of the adjoining property owners, 904 and 906 W. Jefferson Street. There was a misconception about where the property line actually was and it was shown that Ms. Lott's fence actually encroaches onto the subject property.

Staff has reviewed the request and recommends approval of the requested special exception to allow a 20-foot front setback where a 25-foot front setback is required for a single-family residence.

Chairman Hodde opened the Public Hearing at 5:33 p.m. and asked for any comments. Various comments were presented by Sireta Cuerington including:

- There are already two homes in the neighborhood that look like "Noah's Ark" sitting on blocks.
- Putting a shot-gun house in between two brick homes lessens neighborhood property values.
- The taxable value of the homes in the neighborhood is higher than you can actually sell them for.

Farris Colvin stated that he has been cutting the property for many years just to keep the neighborhood looking nice. Nobody knew the property was for sale or who owned it. He stated that that the Sr. Citizens apartment Complex is already on one side and the residents of the neighborhood would just like to keep the neighborhood looking nice and uniform.

Commissioner Goss stated that the City cannot regulate building materials such as brick, wood, steel, pier and beam, or a slab-built home. The Board's decision is only regarding the request for a 5-foot reduction in the front building setback.

In response to a question about what will happen if the special exception is denied, Chairman Hodde stated that although the Board understands the citizen concerns, the Board's decision will likely not affect whether or not the applicant builds. It will just affect whether his front setback will be twenty feet or twenty-five feet.

Chairman Hodde closed the Public Hearing at 5:55 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Painter to approve the request by Titan Premier Investments, LLC / Kevin Kuklis for a Special Exception to allow a 20-foot front yard setback where a minimum 25-foot front yard setback is required for a single-family residence at 904 W. Jefferson Street. Due to lack of a second, the motion died on the table.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Edmunds to postpone any action on this item until the next Board of Adjustment meeting or the next meeting when the applicant can be present. The motion carried unanimously.

6. Adjourn

A motion was made by Commissioner Painter and seconded by Commissioner Goss to adjourn the meeting at 5:57 p.m. The motion carried unanimously.

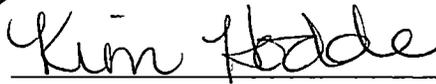
The City of Brenham appreciates the participation of our citizens, and the role of the Board of Adjustment in this decision-making process.

Certification of Meeting Minutes:



Jon E. Hodde, Chairman

October 11, 2021
Meeting Date



Attest, Staff Secretary

October 11, 2021
Meeting