

# **CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES**

**July 14, 2025**

*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 July 14, 2025, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Jon Hodde, Chairman  
Dax Flisowski  
Darren Huckert  
Arlen Thielemann  
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

Shauna Laauwe, City Planner  
Megan Mainer, Assistant City Manager  
Kim Hodde, Planning Technician

Citizens / Media present:

Sarah Forsythe, Brenham Banner  
Walt Edmunds  
Jaime Lazcano  
Andrea Hand  
Shannan Canales  
Glen Vierus  
Cliff & Jane Fontenot  
Fred & Brenda Lowery  
Gil & Becky Japko

**1. Call Meeting to Order**

Chairman Hodde called the meeting to order at 5:20 p.m. with a quorum of five (5) Commissioners present.

**2. Public Comments and Receipt of Petitions**

There were no 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 discusses and act upon it individually as part of the Regular Agenda.

**4-a. Minutes from May 12, 2025, Board of Adjustment Meeting.**

**4-b. Minutes from June 16, 2025, Joint Planning and Zoning Commission, Board of Adjustment, Brenham City Council Meeting (training).**

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Thielemann and seconded by Commissioner Winkelmann to approve the Consent Agenda (items 4-a and 4-b) as presented. The motion carried unanimously.

## **REGULAR AGENDA**

**5. Public hearing, Discussion and Possible Action on Case Number VARIANCE-25-0006: A request by Our Integrity Works, LLC / Cliff J. and Jane M. Fontenot for a *Variance* from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 10.02(1) to allow a 3-foot south side yard setback, where a minimum 5-foot side yard setback is required for construction of an accessory structure (detached garage) at 1302 S Day Street, described as Lot 1B, Block 13 of the W.G. Wilkins Addition in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-25-0006. Ms. Laauwe stated that this is a request from Our Integrity Works, LLC, as the applicant and Cliff J. and Jane M. Fontenot as the property owner. The subject property is addressed as 1302 S Day Street and is identified as Lot 1, Block 13 of the W.G. Wilkins Addition. It is generally located on the west side of S. Day Street, south of Charles Lewis Street and north of West Tom Green Street. The subject property and adjacent properties to the north, are zoned R-1, Single Family Residential and developed with single family residences. The adjacent properties to the to the south and southeast are zone B-1, Local Business Mixed Use District and developed with a mix of residential and neighborhood commercial uses. The subject property is 0.31-acres and is currently developed with a 1,863 square foot single family home and a 20'x20' (400 SF) detached garage structure that is located 2-feet from the south side property line. The Washington County Appraisal District says that the garage structure was built in 1994 and the side setback requirement at that time was 3-feet. No record of a variance was located. The applicant proposes demolition of the existing garage and construction of a 24'x33' (792 SF) detached garage with a new patio and driveway slab. The garage is being proposed with a 3-foot south side setback, a 40-foot north side setback, and a 47-foot rear yard setback. Moving the garage over to meet the 5-foot side setback would offset the drive and make it hard for ingress and egress.

## **STAFF ANALYSIS**

- The 5' setback would increase the offset with the existing narrow drive, making backing out more difficult.
- The request would not be out of character with the neighborhood.
- The need for the side yard variance was not created by the applicant/property owner.
- Granting this variance will not be materially detrimental or injurious to adjacent or surrounding properties.

Notices were mailed to property owners within 200 feet of the subject property regarding these requests on July 2, 2025. Staff received 3 written comments in support of the request from:

- 404 W. Tom Green Street: Betty Rost Bradley
- 1301 S Day Street: Jerry McAlister
- 1307 S. Day Street: Steve Brannon

## STAFF RECOMMENDATION:

Staff has reviewed the request and **recommends approval** of the requested variance to allow a 2-foot reduction in the minimum required 5-foot south side yard for a setback of 3 feet for construction of an accessory structure (detached garage) to be located at the existing site at 1302 S. Day Street.

Chairman Hodde opened the Public Hearing at 5:33 p.m. and asked for any comments. Property owner, Cliff Fontenot, clarified that the garage was not built in 1994. He stated that there is a date on the garage cement that says 1951. He stated that the house was built in the 1920's.

There were no other comments.

Chairman Hodde closed the Public Hearing at 5:35 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Flisowski to **approve** the request by Our Integrity Works, LLC / Cliff J. and Jane M. Fontenot for a *Variance* to allow a 3-foot south side yard setback, where a minimum 5-foot side yard setback is required for construction of an accessory structure (detached garage) at 1302 S Day Street, as presented. The motion carried unanimously (5-0).

***At this point, Ms. Laauwe informed the Board and the audience that the City Attorney had just sent word that Item number 7 needs to be removed from today's agenda and postponed for action due to the necessity of an additional required variance which was not published or notified. Ms. Laauwe stated part of the Zoning Ordinance is contradictory in that it states that the minimum lot size for multifamily shall be 6,000 square feet and this development meets that requirement; however, further down in the ordinance there is a separate section that says Lot Area and it states that the minimum lot area shall be 2,000 square feet per dwelling unit. Ms. Laauwe noted that if Mr. Lazcano were to do a triplex, the variances/special exceptions for the bufferyard, height and parking would still be necessary although the additional lot area variance would not be required since the lot would meet the minimum requirements. She stated that the request would be properly notified then placed on the next available agenda.***

6. **Public hearing, Discussion and Possible Action on Case Number VARIANCE-25-0007: A request by Our Integrity Works, LLC / Andrea Hand for a *Special Exception* as described in Part IV, Division 4, Section 1.01(2) [extension or enlargement of a nonconforming structure] to allow a 3-foot north side yard setback, where a minimum 5-foot side yard setback is required for construction of a an accessory structure (carport attached to the existing detached garage) at 606 S. Park Street, described as Lot 14A, Block 94 of the Original Town Addition in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-25-0007. Ms. Laauwe stated that this is a request from Our Integrity Works, LLC as the applicant and Andrea Hand as the property owner. The subject property is addressed as 606 S. Park Street and is identified as Lot 14A, Block 94 of the Original Town Addition. It is generally located on the west side of S. Park Street, south of W. Second Street and north of Axer Street. The subject property and adjacent properties to the north, are zoned R-2, Mixed Residential District and is part of the Downtown Business / Retail Overlay District (DBROD). The subject property is 0.20-acres and is currently developed with a 1,227 square foot single family home and 288 SF detached garage structure that has a nonconforming 3-foot north side yard setback. The Washington County Appraisal District records show that the garage was constructed in 1999, when the side yard setback requirement for detached accessory structures was 3-feet. The applicant proposes to construct an attached 22'x21' (462 SF) carport to the front of the existing garage that would align with the existing width. The garage is being proposed with a 3-foot north side setback, a 36-foot south side setback, a 100- foot front yard setback, and a 25-foot rear yard setback. Moving the garage over to meet the 5-foot side setback would offset the garage and make it hard for ingress and egress.

## STAFF ANALYSIS

- The 5' setback would create an offset with the existing garage, potentially blocking access.
- The request would not be out of character with the neighborhood.
- There are ample setbacks to the front, south side, and rear yard.
- Granting this variance will not be materially detrimental or injurious to adjacent or surrounding properties.

Notices were mailed to property owners within 200 feet of the subject property regarding these requests on July 2, 2025. Staff received 3 written comments in support of the request from:

- 1802 Lee Street: Atwood Kenjura
- 602 S. Baylor Street: Fred M. Lowery
- 604 S. Park Street: Gilbert Japko

## STAFF RECOMMENDATION:

Staff has reviewed the request and **recommends approval** of the requested variance to allow a 2-foot reduction in the minimum required 5-foot north side yard for a setback of 3 feet for enlargement of the existing detached garage for construction of an attached carport at 606 S. Park Street.

Chairman Hodde opened the Public Hearing at 5:47 p.m. and asked for any comments. In response to questions from Commissioners, Ms. Hand clarified that the carport would match architecturally the existing garage and would be in line with the existing driveway and garage. Gilbert Japko stated that he lives next door at 604 S. Park Street and he is in support of the request.

There were no other comments.

Chairman Hodde closed the Public Hearing at 5:48 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Thielemann and seconded by Commissioner Huckert to **approve** the request by Our Integrity Works, LLC / Andrea Hand for a *Special Exception* as described in Part IV, Division 4, Section 1.01(2) [extension or enlargement of a nonconforming structure] to allow a 3-foot north side yard setback, where a minimum 5-foot side yard setback is required for construction of an accessory structure (carport attached to the existing detached garage) at 606 S. Park Street, as presented. The motion carried unanimously (5-0).

7. **Public hearing, Discussion and Possible Action on Case Number VARIANCE-25-0008: A request by Jaime Lazcano / TX OFFER, LLC for a *Variance* from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 12.02 and Table 3, to maintain the existing 6.35' side yard setback and to allow a 0' buffer yard where a 20' buffer yard between a Multifamily use and a Single-Family use is required; and a *Special Exception* from Part II, Division 1, Section 16.01 to allow on-site parking to back into street right-of-way; and a *Special Exception* in accordance with Part IV, Division 4, Section 1.01(2) to allow extension/expansion of a nonconforming structure for a proposed 4-Unit multifamily development at 601 S Park Street, described as Lot W PT 1A and 2A, Block 91 of the Original Town Addition in Brenham, Washington County, Texas.**

Chairman Hodde stated that **no action would be taken on this item**; however, since the applicant and several citizens were in attendance, the proposal could be presented, and comments and questions would be accepted from the public, but no action would be taken.

Shauna Laauwe, City Planner, presented an overview of the project/requests. Ms. Laauwe stated that the request is from Jaime Lazcano, TX OFFER, LLC for several variances/special exceptions for renovation of the property located at 601 S. Park Street from single family residential to multi-family. The applicant proposes converting the existing structure into four units (2 bedrooms, 2 baths each). The existing structure has a 6.35-foot rear setback at its narrowest point adjacent to the residential uses on S. Baylor Street. The zoning ordinance requires a 20-foot buffer yard plus the required setback between multi-family and single family uses. This would require a 35-foot

setback; therefore, the applicant is requesting a 20-foot bufferyard variance to leave the existing setback as it currently is. The applicant would like to increase the building height from 25 feet to 30 feet; therefore, a special exception to enlarge an existing nonconforming structure is requested. The applicant is also requesting a special exception to the parking requirements to allow the eight parking spaces to back directly onto the street. It was discovered that although the lot meets the minimum lot size of 6,000 square feet for multi-family, the lot size does not meet the requirement of 2,000 square feet per unit (8,000 square feet for a 4-unit development); therefore, an additional variance will be needed for the lot area for a 4-unit development.

The applicant/owner, Jaime Lazcano, introduced himself and stated that he is:

- A family man
- Real Estate rehabber
- Lifelong martial artist and an avid outdoorsman
- Graduate of the Aggie Class '05
- Loves challenging situations and enjoys working toward perfect.

Mr. Lazcano stated that he has a proven track record with remodels and rentals in the Brenham area. He has completed renovation of properties in Rocky Creek, Sycamore Street, S. Jackson Street, Tass Lane, E. Stone Street and S. Drumm Street. He has made a long-term investment in community improvement. He provided photos of some of his previous projects.

Mr. Lazcano stated that the current project is located at 601 S. Park Street. The structure had been most recently utilized as a residence; however, he would like to convert the building into a 4-plex with 2-bedrooms and 2-bath units. The goal is to provide long-term housing for seniors wishing to downsize or young professionals. He would really like to improve the appearance of the neighborhood by replacing this dilapidated building as well as addressing the housing needs near the downtown area. This project would also support the local economy and property values. Mr. Lazcano stated that the garage is not usable and is falling down; therefore, it will have to be demolished. He stated that there are townhomes as well as commercial uses in the area as well. Mr. Lazcano stated that since purchasing the property, he has hauled over 9 dumpsters out of the building trying to clean up the property. It was overrun with conditions that harbored rodents and vermin.

He stated that these variance/special exceptions make sense because:

- The existing building predates current code requirements and needs updates to be usable.
- The height variance allows home-like design fitting the neighborhood.
- The height would also accommodate the HVAC, water heaters, and ducting.
- The bufferyard variance would help to prevent demolition and preservation of the streetscape.

Shauna Laauwe clarified that the Zoning Ordinance defines multi-family as any residential structure with 3-units or more. She further stated that the Fire Marshal and the Building Official are doing a preliminary review of the proposed project for compliance with the Fire and Building Codes.

Glen Vierus stated that this building was previously Weghorst Florist. He further stated that there is a major parking issue in this area and if someone parks across the street from this development, it will be very difficult to back out of the parking space into the street.

Shannan Canales stated that she lives in the house adjacent to this property in the home that was previously owned by the Bertolet / Weghorst families and has lived there since 2015. She stated that the subject property was originally part of the property that she owns and was never intended to be a residential structure since it was built as a florist shop. She stated that there is a front door that faces her property and that the garage door was unusable for a long time. Ms. Canales stated that while she understands the ongoing struggles and issues with the condition of the property as well as the housing needs, with the number of variances / exceptions needed and being requested, she urges the Board to deny the request.

Glen Vierus clarified that there was a front facing door on the building when it was a florist because he remembers going to the floral business.

Chairman Hodde thanked everyone for their comments and reiterated that no action would be taken at this meeting. The item will be brought back at a future meeting after proper notifications have been made.

**8. Adjourn**


A motion was made by Commissioner Huckert and seconded by Commissioner Flisowski to adjourn the meeting at 6:30 p.m. The motion carried unanimously (5-0).

*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

August 11, 2025  
Meeting Date

  
\_\_\_\_\_  
Attest, Staff Secretary

August 11, 2025  
Meeting Date