

# CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES

November 14, 2022

*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 November 14, 2022, 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  
Danny Goss  
Arlen Thielemann  
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

Stephanie Doland, Director of Development Services  
Shauna Laauwe, City Planner  
Kim Hodde

Citizens / Media present:

Ben Burroughs  
Shawna Burroughs  
Cesar Barron Castro  
Edin Inestroza

**1. Call Meeting to Order**

Chairman Hodde called the meeting to order at 5:18 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 September 12, 2022, Board of Adjustment Meeting.**

Chairman Hodde called for any corrections or additions to the minutes as presented. Kim Hodde noted that the minutes in the packet indicated that Walt Edmunds was present for the meeting; however, he was not in attendance so the minutes would be changed to reflect this correction as well as the number of Commissioners present. A motion was made by Commissioner Thielemann and seconded by Commissioner Painter to approve the Consent Agenda, as corrected. The motion carried unanimously.

## REGULAR AGENDA

5. **Public hearing, Discussion and Possible Action on Case Number B-22-005: A request by Stylecraft Builders for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(2)(B)(ii) to allow a 15-foot side yard setback, where a minimum 20-foot side yard setback is required for a corner lot, for the future development of a townhome residence to be located at 2001 Vintage Farms Way, described as Lot 1, Block 4, Vintage Farms Townhomes, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. B-22-005 (on file in the Development Services Department). Ms. Laauwe stated that this request by Stylecraft Builders is for a 5-foot variance to the required 20-foot side street setback for a corner lot for future development of townhome residences at 2001 Vintage Farms Way. The future land use designation is multi-family residential. The subject property is zoned PDD, Planned Development District and is part of the Vintage Farms development's overall Master Plan. The townhome development at build out is planned to include a total of 57 townhomes. Most of the townhomes are in a 3-unit grouping with the driveways located at the rear with access from a private alley. The minimum lot size for a townhome is 3,000 square feet and the subject property is 4,800 square feet. The subject property is a corner lot with three rights-of-way – Vintage Farms Way, Trellis Pass, and a private alley as well as a 10-foot public utility easement along Trellis Pass. Townhomes on corner lots are required to have a minimum side street setback of 20-feet. Although this lot is 40-feet by 120-feet, with it being at the entrance to the subdivision, the curvature of the rights-of-way and the public utility easement reduces the buildable footprint area. Therefore, the applicant is requesting a 15-foot side street setback instead of the required 20-feet.

Notifications were mailed to property owners within 200-feet of the subject property on November 3, 2022. Staff received several phone calls for information but no written citizen comments were received in support of or against the request.

Staff has reviewed the request and recommends approval of the requested variance to allow a 15-foot side street setback for an attached single-family (townhomes) to be located at 2001 Vintage Farms Way.

Chairman Hodde opened the Public Hearing at 5:31 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:31 p.m. and re-opened the Regular Session.

A motion was made by Danny Goss to table this item until Stylecraft could be in attendance. After Ms. Doland was able to offer some clarification about the request, Commissioner Goss withdrew/rescinded his motion.

A motion was then made by Commissioner Painter and seconded by Commissioner Winkelmann to approve the request by Stylecraft Builders for a variance to allow a 15-foot side yard (street) setback, where a minimum 20-foot side yard setback is required for a corner lot, for the future development of a townhome residence to be located at 2001 Vintage Farms Way, as presented. The motion carried unanimously.

**6. Public hearing, Discussion and Possible Action on Case Number B-22-006: A request by Edin and Martha Inestroza for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(2)(B)(ii) to allow a 10-foot side yard setback, where a minimum 20-foot side yard setback is required for a corner lot, for the future development of single-family attached (duplex) units to be located at the intersection of Sabine and Clay Streets, described as Proposed Lot 1, and Proposed Lot 16 of the Ebenezer Development, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. B-22-006 (on file in the Development Services Department). Ms. Laauwe stated that this request by Edin and Martha Inestroza is for a 10-foot variance to the required 20-foot side street setback for a corner lot (proposed Lots 1 and Lot 16) for future development of single-family attached units (duplexes) at this location. The future land use designation is multi-family residential. The subject 3.388-acre tract is zoned R-2, Mixed Residential Use District and is currently vacant. The applicant proposes a single-story duplex development which includes 16-duplex lots (32-units), 3 common areas, and a detention area. There is a proposed 5-foot common area along Sabine and Clay Streets for decorative fencing. The lots are proposed at 60-foot wide except for the cul-de-sac lots which are 50-foot at the setback line. If approved, the proposed Lots 1 and 16 would have a 10-foot side street setback plus a 5-foot common area. The setback requirements are as follows:

- Front setback – 20-feet
- Street Side setback – 20-feet *[Applicant requested a 10-foot street side setback]*
- Interior Side setback – 10-feet
- Rear setback – 15-feet

The proposed subdivision re-plot for the development is on hold pending action on this variance request. The proposed plat will show the common areas to be maintained by the Homeowner’s Association (HOA). The HOA documents will be recorded before the plat is recorded.

Notifications were mailed to property owners within 200-feet of the subject property on November 3, 2022. Staff received several phone calls for information but no written citizen comments were received in support of or against the request.

Staff has reviewed the request and recommends approval of the requested variance to allow a 10-foot side street setback for an attached single-family (duplex) home to be located on proposed Lots 1 & 16 of the proposed Ebenezer Development.

Chairman Hodde opened the Public Hearing at 5:52 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:52 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Thielemann and seconded by Commissioner Painter to approve the request by Edin and Martha Inestroza for a variance to allow a 10-foot side yard setback, where a minimum 20-foot side yard setback is required for a corner lot, for the future development of single-family attached (duplex) units to be located at the intersection of Sabine and Clay Streets, as presented. The motion carried unanimously.

**7. Adjourn**

A motion was made by Commissioner Painter and seconded by Commissioner Winkelmann to adjourn the meeting at 5:55 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*

Jon Hodde, Chairman

January 9, 2023  
Meeting Date

*Kim Hodde*

Attest, Staff Secretary

January 9, 2023  
Meeting Date