

**CITY OF BRENHAM
BOARD OF ADJUSTMENT MINUTES**

July 10, 2023

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 10, 2023, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Jon Hodde, Chairman
Danny Goss, Vice Chairman
Dax Flisowski
Arlen Thielemann
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

Stephanie Doland, Development Services Director
Kim Hodde, Planning Tech

Citizens / Media present:

Jack Robinson

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 May 8, 2023 Board of Adjustment Meeting.

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Thielemann and seconded by Commissioner Flisowski to approve the Consent Agenda (minutes from the May 8, 2023 meeting), as presented. The motion carried unanimously.

REGULAR AGENDA

5. **Public hearing, Discussion and Possible Action on Case Number B-23-006: A request by Jack C. & Teresa W. Robinson for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 10.02(1) to allow an 3-foot, 10-inch south side yard setback, where a minimum 5-foot side yard setback is required for a an accessory structure (detached carport) to be located at 1400 S. Jackson Street, described as Wilkins, W.G., Block 16, Lot N PT of 1 & a portion of Old W. Tom Green Street in Brenham, Washington County, Texas.**

Stephanie Doland, Development Services Director, presented the staff report for Case No. B-23-006 (on file in the Development Services Department). Ms. Doland stated that this is a request from Jack C. & Teresa Robinson who live at 1400 S. Jackson Street. The subject property is zoned R-1, single-family residential. The future land use map shows this property with a residential classification and the proposed use is single-family residential. The subject property is bounded by Jackson Street Park to the north and west, Jackson Street to the east, and single-family residential to the south.

Part II, Division 2, Section 10.02(1) of the City of Brenham Zoning Ordinance states that detached accessory structures shall have a side yard setback of not less than 5-feet. The applicant has requested a variance to allow a 3-foot 11-inch south side yard setback for a proposed detached accessory structure (carport). The existing single-family home was built in 1948 which was well before the subdivision and zoning regulations were adopted in 1968. The lot size, lot width and lot depth are conforming. The front setback is nonconforming since it is only 22-feet instead of the required 25-feet; however, it is in-line with the neighboring structure setbacks. The existing garage structure was built in 1982 with a side yard setback of 3-feet 11-inches. The side yard setback for detached accessory structures was 3-feet until 2019 when it was increased to 5-feet. The applicant would like to construct a detached carport to align with the existing garage. This would give the carport a 3-foot 11-inch south side yard setback. The proposed carport would meet all other setback requirements including being located behind the front façade of the home. Staff feels that the applicant meets the criteria for granting the variance based on the following:

- The lot is a very large lot so surrounding development will not be affected.
- There should be no negative impact or impairment to the adequate supply of light and air to the adjacent property.
- No destabilizing or negative effects on the neighboring properties were identified.
- The property is unique in that the adjacent neighbor has a private sidewalk at the property line; therefore, nothing should be built close to the property line thereby maintaining adequate distance between structures.
- The need was not created by the applicant as the original structure was built in compliance with the setback when it was constructed in 1982.

Notifications were mailed to property owners within 200-feet of the subject property on June 28, 2023. Staff received four (4) written citizen responses and all were in support of the requested variance.

Staff has reviewed the request and recommends approval of the requested variance to allow a 3-foot 11-inch south side yard setback for the property located at 1400 S. Jackson Street.

Chairman Hodde opened the Public Hearing at 5:29 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:29 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Goss and seconded by Commissioner Flisowski to approve the request by Jack C. & Teresa W. Robinson for a variance to allow a 3-foot, 11-inch south side yard setback, where a minimum 5-foot side yard setback is required for an accessory structure (detached carport) to be located at 1400 S. Jackson Street, as presented. The motion carried unanimously.

6. Adjourn

A motion was made by Commissioner Winkelmann and seconded by Commissioner Thielemann to adjourn the meeting at 5:30 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:

Danny Goss

Danny Goss, Vice Chairman

August 14, 2023
Meeting Date

Kim Hodde

Attest, Staff Secretary

August 14, 2023
Meeting Date