

CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES

February 12, 2024

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 February 12, 2024, 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
Danny Goss
Arlen Thielemann
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

Shauna Laauwe, City Planner
Sarah Hill, Administrative Assistant

Citizens / Media present:

Chris Strickland

1. Call Meeting to Order

Chairman Hodde called the meeting to order at 5:15 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 December 11, 2023, Board of Adjustment Meeting.

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Flisowski and seconded by Commissioner Winkelmann to approve the Consent Agenda (minutes from the December 11, 2023, meeting), as presented. The motion carried unanimously (5-0).

REGULAR AGENDA

5. Election of a Chair and Vice Chair for the Board of Adjustment for 2024.

The current Chair for the Board of Adjustment is Jon Hodde and the Vice Chair is Danny Goss. A Chair and Vice Chair need to be appointed annually.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Thielemann to re-appoint Jon Hodde as Chair and Danny Goss as Vice Chair for 2024. The motion carried unanimously. (5-0).

6. Public hearing, Discussion and Possible Action on Case Number B-24-001: A request by Murphy Oil USA, Inc. for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 4.06(1)(C) to allow a 5-foot rear yard setback, where a minimum 10-foot rear yard setback is required, for demolition of the existing gas station and construction of a new gas station/convenience store located at 2615 State Highway 36 S, described as Lot 3-C of the Wal-Mart SC 321 Center, in Brenham, Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. B-24-001 (on file in the Development Services Department). Ms. Laauwe stated that this is a request from Murphy Oil USA, Inc. The subject property is zoned as B-2, Commercial Research and Technology Use District and currently is developed with an automobile gas station (Murphy Gas Station). The subject property is addressed as 2615 State Highway 36 S. The future land use designation is commercial, and the proposed use is commercial. The request is to allow a 5-foot reduction in the required rear yard setback to allow a 5-foot rear yard setback where a minimum 10-foot rear yard setback is required for a proposed commercial structure.

The existing gas station was constructed in 2000 (the Walmart site was constructed in the 1980's) and currently consists of 4 pump structures (8 pump stations total) with a small (132-square foot) pay-window structure and outdoor sales located in the center between the second and third pumps. The applicant plans to demolish the existing structures on site and construct a modern gas station with 6 pump structures (12 pump stations total), a new canopy with electronic display, and a 1,400 square foot convenience store. A convenience store requires one parking space per 250 square feet of gross floor area. This will require 6 parking spaces. With the proposed layout, there will be 1 ADA parking space and along with the 12 fuel spots, this makes a total of 13 parking spaces. Murphy has a shared parking agreement with Walmart so the employees can park in the Walmart parking lot.

STAFF ANALYSIS

- The lot is a small, 0.51-acre pad site that is approximately 25-feet from the shared property line with Walmart to the parking lot area.
- Placement of the canopy and fuel pumps is constrained by the existing utility lines; thus, the structures cannot shift to the west to accommodate the minimum required 10-foot setback.
- Will allow adequate separation and light and air. The proposed structure will have a setback of 530-feet from the Walmart store located on the adjacent property to the east.
- Will not be injurious to the public health, safety, or welfare. The reduced setback will allow two-way traffic circulation on the site.

Based on the findings, Staff recommends approval of this variance request to allow a 5-foot reduction to the minimum required 10-foot rear yard setback to allow a rear yard setback of 5-feet for the property located at 2615 State Highway 36 S.

Notifications were mailed to property owners within 200-feet of the subject property on February 1, 2024. Staff did not receive any written comments in favor or opposed to the request.

In response to questions from Commissioners, the following comments were clarified:

- The business will remain a Murphy Gas Station – just a larger, more modern Murphy Gas Station.
- Murphy and Walmart are two separate entities and two separate properties; however, they have partnered for many years.
- There will be one ADA accessible parking spot on the north side of the convenience store.
- There will be no parking in front of the convenience store.
- Restrooms will be available in the new convenience store.
- It will be a 3–4-month process to demolish the existing site and construct the new structures.
- New fuel tanks will be installed as part of this project as well.
- The convenience store will have a fire-rated wall due to its proximity to the fuel pumps.

Chairman Hodde opened the Public Hearing at 5:28 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:28 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Thielemann and seconded by Commissioner Goss to approve the request by Murphy Oil USA, Inc. for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 4.06(1)(C) to allow a 5-foot rear yard setback, where a minimum 10-foot rear yard setback is required, for demolition of the existing gas station and construction of a new gas station/convenience store located at 2615 State Highway 36 S, as presented. The motion was carried unanimously (5-0).

7. Adjourn

A motion was made by Commissioner Winkelmann and seconded by Commissioner Flisowski to adjourn the meeting at 5:29 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

May 13, 2024
Meeting Date



Attest, Staff Secretary

May 13, 2024
Meeting Date