

# CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES

April 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 April 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  
Walt Edmunds  
Darren Huckert  
Mary Lou Winkelmann

Commissioners absent:

Arlen Thielemann  
Dax Flisowski

Staff present:

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

Citizens / Media present:

Amado Escobar, Jr.

**1. Call Meeting to Order**

Chairman Hodde called the meeting to order at 5:15 p.m. with a quorum of four (4) Commissioners present.

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

There were no comments and/or receipt of petitions.

**3. Reports and Announcements**

Stephanie Doland introduced and welcomed Darren Huckert as the newest member of the Board of Adjustment,

Ms. Doland informed the Board that staff is working on a joint training session with the Planning and Zoning Commission regarding Neighborhood Designs. Additional information will be provided when it is available.

**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 9, 2024, Board of Adjustment Meeting.**

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

**REGULAR AGENDA**

**5. Election of a Chair and Vice-Chair for the Board of Adjustment for 2025.**

Each year, it is necessary for the Board of Adjustment to appoint a Chair and a Vice-Chair for the Board for 2025.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Huckert to appoint Jon Hodde as Chair and Arlen Thielemann as Vice-Chair for the Board of Adjustment for 2025. The motion carried unanimously.

**6. Public hearing, Discussion and Possible Action on Case Number VARIANCE-25-0002: A request by Amado Escobar for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 1.05(1)(b) to allow a 6.6-foot west side yard setback, where a minimum 10-foot side yard setback is required, and a Special Exception as described in Part IV, Division 4, Section 1.01(3)(a) to allow a 7-foot front yard setback, where a minimum 25-foot front yard setback is required for construction of a carport at 205 Mary Gene Street, described as Lot 3, Block 3 of the Hillcrest Addition in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-25-0002. Ms. Laauwe stated that this is a request from Amado Escobar, Jr. and Roni Ruiz Escobar. The subject property is addressed as 205 Mary Gene Street and is generally located on the south side of Mary Gene Street, east of Cedar Street, west of Sandy Street, and north of McNeese Street. The subject property and all adjacent properties are within an R-1, Single Family Residential and developed with residential structures. The subject 0.32-acres is currently developed with a 1,400 square foot single family residence that was recently rebuilt in 2023 and has a single car garage. While a record could not be found for when the previous home was constructed, according to records on the Washington County Appraisal District website, a majority of the homes along Mary Gene Street were constructed in the early 1950s, before the City of Brenham adopted Subdivision and Zoning Regulations in 1968. The existing home was constructed on the same location as the original slab of the previous home. The existing home has a front yard setback of 25.1-feet, a rear yard setback of approximately 101 feet, an east side yard setback of 16.4-feet and a west side yard setback of 6.6-feet. The minimum required side yard setback for a single-family home in the R-1 district is 10-feet. When the existing home was recently reconstructed, the builder should have been advised to shift the proposed foundation to meet current setbacks or to seek a variance at the time. The applicant would like to construct an 18'x24' open-sided carport for additional covered parking. The proposed carport will extend from the midway point of the roof ridge of the house and will have the same shingles and fiber cement siding as the house. The carport will be supported by the same style of pillars as are in the front of the house so as to be aesthetically pleasing, similar to a front portico.

The existing residential structure and driveway is located 6.6-feet from the west property line. The proposed carport over the existing driveway would also be located 6.6-feet from the west side property line; therefore, a variance would be required.

In this neighborhood block, there are multiple homes with non-conforming front setbacks as well as existing carports with varying front and side setbacks. The adjacent property to the east, 203 Mary Gene, was granted a variance on December 10, 1984 to allow a 15-foot front yard setback for a carport. Additionally, the property at 209 Mary Gene was granted a variance on June 3, 1997 for a 15-foot front yard setback for a carport and then on December 12, 2016, was granted an additional variance for a 6-foot side yard setback to enclose the carport. Measuring using the GIS aerial data, other properties in the vicinity appear to have setbacks varying from less

than 5-feet to 20-feet. Where front yard setbacks are not uniform on a neighborhood block, a property owner may seek a special exception to the front yard setback requirements. Therefore, for the proposed construction of an 18'x24' open-sided attached carport, the applicant is seeking a Variance to allow a 6'6" west side yard setback where a 10-foot setback is required; and a Special Exception to allow for a 7-foot front yard setback where a 25-foot front yard setback is required.

#### **STAFF ANALYSIS**

- This neighborhood was developed between 1950 and 1955, which is before the zoning regulations were adopted in 1968. The existing home was constructed on the same footprint as the previous home that was demolished.
- Several non-conforming structures exist, and multiple setback variances have been granted for carports and other structures in this area.
- This request would not be out of character with this neighborhood.
- The need for the side yard variance was not created by the property owner.
- Granting this variance will not be materially detrimental or injurious to other properties.

Notices were mailed to property owners within 200 feet of the subject property regarding these requests on April 3, 2025. Staff received one citizen comment from Charles Schrader, who lives at 1406 Cedar Street, in support of the variance and special exception requests.

#### **STAFF RECOMMENDATION:**

The homes along Mary Gene Street and Cedar Street to the west do not have a uniform front yard setback, with many of the structures appearing to not be in compliance with the current minimum 25-foot front yard setback requirement. In addition, many of the homes have carports that encroach into the current setback, with carports located at 208 Mary Gene Street and 1503 Cedar Street appearing to be 5-feet or less from the property line. Given the history and character of the neighborhood and that the proposed carport structure will be built into the home, the surrounding neighborhood block of Mary Gene Street and Cedar Street meet the criteria that the existing front yard setbacks are not uniform.

Staff has reviewed the request and ***recommends approval*** of the requested variance to allow a 3.6-foot reduction in the minimum required 10-foot west side yard for a setback of **6.6-feet** and the requested special exception to allow an 18-foot reduction in the minimum required 25-foot front yard for a setback of **7-feet** for construction of a carport to be located at 205 Mary Gene Street.

Chairman Hodde opened the Public Hearing at 5:42 p.m. and asked for any comments. The applicant, Amado Escobar, Jr., stated that he was born in Brenham and has lived in the County for a while. He and his wife wanted to move their family into town and found this home which is a perfect home for their family; however, since it has a single car garage, additional covered parking is desired. Mr. Escobar stated that he plans to attach the carport to the roof and use the same shingles and building materials so that the carport enhances the property and doesn't appear to be an "after-thought". In response to a question from a Commissioner, Mr. Escobar confirmed that the covered carport would go to the front door; thus, allowing his Mother, who is in a wheelchair, to have covered access from the vehicle to the front door. There were no other comments.

Chairman Hodde closed the Public Hearing at 5:46 p.m. and re-opened the Regular Session.

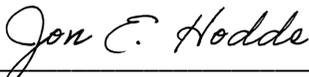
A motion was made by Commissioner Winkelmann and seconded by Commissioner Huckert to approve the request by Amado Escobar for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 1.05(1)(b) to allow an 6.6-foot west side yard setback, where a minimum 10-foot side yard setback is required, and a Special Exception as described in Part IV, Division 4, Section 1.01(3)(a) to allow a 7-foot front yard setback, where a minimum 25-foot front yard setback is required for construction of a carport at 205 Mary Gene Street, as presented. The motion carried unanimously (4-0).

**7. Adjourn**

A motion was made by Commissioner Winkelmann and seconded by Commissioner Huckert to adjourn the meeting at 5:47 p.m. The motion carried unanimously (4-0).

*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:

  
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Jon E. Hodde, Chairman

May 12, 2025  
Meeting Date

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

May 12, 2025  
Meeting Date