

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

**August 11, 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 August 11, 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:

Stephanie Doland, Development Services Director  
Shauna Laauwe, City Planner  
Megan Mainer, Assistant City Manager  
Kim Hodde, Planning Technician

Citizens / Media present:

Sarah Forsythe, Brenham Banner  
Glen Vierus  
Jaime Lazcano  
Andrea Hand  
Jake Edmunds  
Gil & Rebecca Japko  
Walt Edmunds

**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 comments and/or receipt of petitions.

**3. Reports and Announcements**

Stephanie Doland, Development Services Director, informed the Board that due to recent legislative changes, the posting requirements have changed from 72 hours prior to a meeting to 3 business days prior to a meeting; therefore, for a Monday meeting, the agenda must be posted, and the packet completed the Tuesday prior to the Monday meeting. The meeting scheduled will remain the same for the rest of 2025; however, in 2026 the meeting date may move from the 2<sup>nd</sup> Monday to possibly the 4<sup>th</sup> Monday of the month. Additional details will be provided at a later date.

## 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 July 14, 2025, 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 (item 4-a) as presented. The motion carried unanimously.

## REGULAR AGENDA

5. **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 3-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.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-25-0008. Ms. Laauwe stated that the subject property was scheduled for a public hearing before the Board of Adjustments on July 14, 2025 to hear requests for a Special Exception to allow on-site parking to back into the street right-of-way, a Special Exception to allow an extension/expansion of a nonconforming structure for a proposed 4-unit multifamily development; and for a Variance to allow for a reduction in the minimum required bufferyard. Unfortunately, the day before the meeting, Staff realized that an additional Variance was needed for the proposed 4-unit multifamily development and had not been notified as required, resulting in the need to postpone the meeting and public hearing. The additional variance would have been for a request for a reduction in the minimum required lot area for a 4-unit development, to allow 4 units on 6,142 square feet where 8,000 square feet (2,000 square feet per unit) is required. During the July 14<sup>th</sup> meeting, the applicant Jaime Lazcano presented the scope of the redevelopment project and citizens made comments pertaining to the case. The Board of Adjustments made no comments, deliberations or formal motions. Following the BOA meeting, the applicant again met with Staff about the options for his case. At that time Mr. Lazcano chose to reduce the redevelopment project to a **3-unit multifamily structure** instead of a 4-unit multifamily structure. While the original Special Exceptions and Variance requests remain, the lot meets the minimum site area for 3-unit multifamily development (6,000 square feet) and two less off-street parking spaces would be required for the site.

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 subject property is addressed as 601 S Park Street and is identified as Lot W. PT 1A and 2A, Block 91 of the Original Town Addition. It is generally located on the southeast corner of E. Second Street, east of S. Park Street and west of S. Baylor Street. The subject property and adjacent properties are zoned R-2, Mixed Residential Residential. As is allowed in the R-2 District, the area is developed with a mixture of residential uses with townhomes to the west, small multifamily uses, and single-family homes. The properties adjacent to the east are developed as single-family homes. To the northeast, are properties within a B-1, Local Business/Residential Mixed Use District and developed with a mix of residential and commercial uses, while to the north along S. Park Street are properties within the DBROD, Downtown Business Residential Overlay District that is also developed with a mix of residential and downtown commercial uses.

The subject property is a 0.14-acre (6,142 SF) tract and is developed with a 3,624 square foot dilapidated structure that was constructed in the early 1960s and utilized as a florist shop. The applicant, Jaime Lazcano, recently purchased the property in order to redevelop the interior of the existing main building into a multifamily structure with three (3) units. The subject property is non-rectangular, with 8.86-foot indentation to the adjacent property to the southeast. This results in an unusually shaped lot with a north lot width of 46.45-feet along East Second Street, a west lot length of 145.21-feet along South Park Street, a south lot width of 38.59-feet, and with the aforementioned indentation an irregular length of 144.45-feet along the east property line. The existing 3,624 SF structure consists of a 2-story 37.9' x 61.2' (2,319.48 SF) section to the north and a one-story 56.3' x 19.1' portion to the south. The existing structure, which was constructed before the Zoning Regulations were adopted in 1968, is considered to be legally nonconforming to all setbacks except for the south side yard setback. The existing structure has a side street setback of 9.1-feet from E. 2<sup>nd</sup> Street, a 2.2-foot front yard setback from S. Park Street, a 18.4 foot south side yard setback, a rear yard setback of 15.19-feet at the widest point along the south portion of the lot and a rear yard setback of 6.35-feet at the narrowest point on the north portion of the lot.

The latest use of the property was as a single family home (although it may not have been officially converted). The property has been vacant for several years and has been deteriorating. The Applicant, Jaime Lazcano, recently purchased the building and would like to rehabilitate the existing structure into a 3-unit multifamily structure. *[The zoning ordinance defines multifamily as any building or portion thereof used as a dwelling for the purpose of providing 3 or more separate dwelling units which may share means of egress and other essential facilities].* The applicant proposes converting the existing structure into three units with (2 bedrooms and 2 baths each).

The R-2 zoning district requires the following setbacks:

Front yard – 25-feet

Side yard – 15-feet

Rear yard – 15-feet

The applicant proposes to demolish the southern, one-story portion of the structure and renovate the interior of the larger 2-story section into three dwelling units. The applicant is proposing three (3), 2 bedroom/2 bathroom units split between Level 1 and Level 2. The proposed multifamily development, does require the request of two special exceptions and one variance as follows.

**HEIGHT SPECIAL EXCEPTION:** The applicant would like to increase the building height from a maximum overall height of 25 feet to 30 feet 4 inches to allow for additional ceiling height in the proposed dwelling units; therefore, a **Special Exception** accordance with Part IV, Division 4, Section 1.01(2) to allow for an extension/expansion of a nonconforming structure from a height of 25-feet to a maximum overall height of 30-feet 4 inches is being requested. There is an existing site vision triangle at the intersection 20 feet from the property line. Although, there are many other nonconforming structures that encroach into the front yard or side street setbacks in the vicinity, such as the townhomes on the southwest corner of S. Park Street and W. Second Street, staff is concerned that the increase in height for the subject structure that has only a 2-foot setback along S. Park Street and a 9-foot setback along E. 2<sup>nd</sup> Street would negatively increase the bulk of the structure so close to the right-of-way and intersection.

**PARKING EXCEPTION:** Duplexes, triplexes and fourplexes are required to provide two (2) parking spaces for each dwelling unit, thus six (6) parking spaces are required for the proposed 3-unit structure. The applicant proposes to place the required parking directly along the S. Park Street right of way.

In Section 16.01(1) of Zoning Regulations for the provisions of driveways it states “Required parking spaces shall be all-weather surfaced, off-street parking spaces and shall have direct access to a public street or ally by a surfaced driveway with sufficient maneuvering space to preclude the backing of any vehicle into any street right-of-way. There is an exception within the provision to allow single-family residential units and duplexes to permit the required on-site parking spaces to be connected to the public street or alley within a standard 18-foot width driveway, however this does not pertain to the proposed redevelopment to a 3-dwelling unit structure.

Thus, the applicant is also seeking a **Special Exception** from Part II, Division 1, Section 16.01 to allow on-site parking to back into street right-of-way.

**BUFFERYARD VARIANCE:** The Zoning Regulations in Section 5.02, define a multifamily dwelling (apartment house) as “Any building or portion thereof used as a multiple dwelling for the purpose of providing three or more separate dwelling units which may share means of egress and other essential facilities.” Thus, the proposed 3-unit remodel would be considered a multifamily dwelling. The subject property and surrounding properties are within a R-2, Mixed Residential District, however the adjacent properties to the east are developed as single-family residential homes. Given that the single-family homes were established first, the proposed multifamily structure is subject to bufferyard requirements as set forth in the Zoning Ordinance under Part II, Division 1, Section 12.02 and Table 3 that requires a 20-foot buffer between multifamily residential and single-family residential uses. The existing structure has a legally nonconforming rear yard setback of 6.35 feet, where a 15-foot rear yard setback is required for a multifamily unit in the R-2 district. Bufferyard setbacks are added to the required setbacks, thus typically the bufferyard + rear yard setback for a multifamily unit next to a single-family property would be a total of 35 feet. Given the existing rear yard setback is legally nonconforming, it is not considered in the numerical amount of the variance request. The applicant therefore is requesting a full 20-foot **Variance** to the bufferyard requirement for the renovation of the existing structure into a multifamily dwelling unit.

**STAFF ANALYSIS – Bufferyard Variance**

- Adjacent single-family homes are located approximately 48 feet at the nearest point and 71.5-feet from the existing subject structure.
- Unique lot shape and size, either utilizing the existing structure or vacant, would result in the subject property being difficult to redevelop into a residential property to the literal standards of the Zoning Ordinance.
- R-2 zoning allows medium density uses by right. Proposing to use the property in line with the zoning and adjacent uses, within the constraints of the existing structure’s placement on the unique lot.

**STAFF ANALYSIS – Parking Exception**

- The proposed parking along South Park Street will allow for more pervious cover on the subject property and have less impact on adjacent single-family uses to the east.

**STAFF ANALYSIS – Height Exception**

- The proposed 30-foot 4-inch height and a bulk at a 2.2-foot front setback is out of character with the area.
- Concerns with the additional obstruction to light and air to the adjacent single-family homes to the east.

**STAFF RECOMMENDATION:**

**VARIANCE:**

- Staff have reviewed the bufferyard variance request and ***recommends approval*** of the requested variance to allow a 20-foot reduction in the minimum required 20-foot east bufferyard setback.

**SPECIAL EXCEPTIONS:**

- Staff have reviewed the height extension request and ***recommends denial*** to allow an extension/expansion of a nonconforming structure from a height of 25-feet to a maximum overall height of 30-feet 4-inches.
- Staff have reviewed the on-site parking request and ***recommends approval*** to allow onsite parking to back into the street right-of-way of S. Park Street.

Notices were mailed to property owners within 200 feet of the subject property regarding these requests on July 2, 2025, and again on July 31, 2025. From the July 2<sup>nd</sup> notice, Staff received 7 written comments against the request from:

- 606 S Park Street: Andrea Hand
- 1802 Lee Street: Atwood Kenjura
- 604 S Park Street: Gilbert Japko
- 608 S Park Street: Poo Michalak
- 100 E. Second Street: Shannan Canales
- Leah Cook
- Stacey Hamby

From the July 31 notice, Staff received 4 written comments against the request from:

- 602 S Baylor Street: Fred Lowery
- 604 S Park Street: Gilbert Japko
- 603 S Baylor Street: Stephen and Gail Gonsoulin
- 608 S Park Street: Robert and Babara (Poo) Michalak

Chairman Hodde opened the Public Hearing at 6:01 p.m. and asked for any comments. 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. He stated that he is also a graduate of the Aggie Class of '05, loves challenging situations and enjoys working towards perfection.

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 3-plex with 2-bedrooms and 2-bath units with no proposed expansion of the building footprint. 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; therefore, it will have to be demolished. He stated that there are townhomes in the area that are the same height as the height he is requesting. There is also a large white house across the street that is 40+ feet in height. He stated that he is requesting the height variance to make the building visually appealing and not just look like a boxy structure. He further stated that he plans to continue to allow Mr. Lowery to use this property to access Mr. Lowery's garage.

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.

In response to Commissioner's comments or questions, the following were clarified:

- The bottom unit(s) will have an entrance on S. Park Street, and the other 2 units will enter off the south side of the home.
- 3 units plus a storage area are being proposed.
- The townhomes in the area are not quite as tall as the 30-foot being requested.
- Even though the proposal is to rent to seniors or young professionals, there is not really a means to regulate who the renters will be.

- The Building Official and the Fire Marshal will have to approve the proposed ingress and egress as part of the Building Permit process.

There were no other comments.

Chairman Hodde closed the Public Hearing at 6:17 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Huckert and seconded by Commissioner Thielemann to **approve** the request by Jaime Lazcano / TX OFFER, LLC for a *Variance* to allow the existing 6.35-foot side yard setback and to allow a 0-foot buffer yard where a 20-foot buffer yard between a Multifamily use and a Single Family use is required for a proposed 3-unit Multifamily development at 601 S Park Street, as presented. FINDING that the existing structure is a legally non-conforming structure which is not being requested to be enlarged further into the setback or buffer and therefore, the buffer yard could not be reasonably met. The motion carried (4-1). Commissioner Flisowski voted against the motion.

A motion was made by Commissioner Thielemann and seconded by Commissioner Flisowski to **approve** the request by Jaime Lazcano / TX OFFER, LLC for a *Special Exception* to allow on-site parking to back into the street right-of-way for a proposed 3-unit Multifamily development at 601 S Park Street, as presented. FINDING that allowing the parking to back into the street right-of-way versus requiring additional paving will reduce the amount of impervious coverage on the property and will positively impact drainage in the area. The motion carried (4-1). Commissioner Huckert voted against the motion.

A motion was made by Commissioner Huckert and seconded by Commissioner Winkelmann to **deny** the request by Jaime Lazcano / TX OFFER, LLC for a *Special Exception* to allow extension/expansion of a nonconforming structure for a proposed 3-unit Multifamily development at 601 S Park Street, as presented. FINDING that allowing the non-conforming building to expand in height could create an impact to the surrounding properties due to the proximity of the building to the front property line. The motion carried unanimously (5-0).

**6. Public hearing, Discussion and Possible Action on Case Number VARIANCE-25-0009: A request by Walt Edmunds and Jake Edmunds for a *Variance* from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 10.02(4)(C) to allow an 8-foot north and south side yard setback, where a minimum 10-foot side yard setback is required for construction of an accessory dwelling unit (ADU) at 1605 S. Day Street, described as Lot 5 of the Budnick Subdivision in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-25-0009. Ms. Laauwe stated that this is a request from WEJE Holdings, LLC / Walt Edmunds & Jake Edmunds as the property owner and applicant. The subject property is addressed as 1605 S Day Street and is identified as Lot 5 of the Budnick Subdivision. It is generally located on the east side of S. Day Street, south of W. Mansfield Street and north of W. Chauncy Street. The subject property and adjacent properties to the north, west and south, are zoned B-1, Local Business Mixed Use Residential. The adjacent properties to the east are zoned R-1, Single Family Residential. The Future Land Use Map designation for the property is Corridor Mixed Use. The subject property is 0.22-acres and is currently developed with a 1,791 square foot single family home and a 406 SF detached garage structure. It appears that his property was platted in 1925 and the Washington County Appraisal District records show that the home was built in 1950, prior to the adoption of the zoning and subdivision ordinances. The lot is 52' at the front then it tapers to 48' at the rear x 185 in depth. The applicant proposes to construct a 895 square foot accessory dwelling unit at the rear of the property and requests an 8-foot north and side yard setback. The proposed ADU would have the following setbacks:

Front yard: 137'  
From garage: 20'  
Rear yard: 16'  
Side yards: 8'

The B-1 District allows accessory dwelling units as a permitted use with the following additional development standards:

- a) Addition will be the same general architectural style and building material.
- b) 10-foot side yard and rear yard setbacks.
- c) One additional off-street parking space.
- d) The proposed 895 SF ADU is less than ½ of the habitable area of the principal structure (1,791 SF).
- e) The ADU is not a HUD-code manufactured home.

The proposed accessory dwelling unit meets all of the additional ADU development standards except the requirement for a 10-foot side yard setback.

#### **STAFF ANALYSIS**

- The need for a side yard variance was not created by the property owner.
- Granting this variance will not be materially detrimental or injurious to adjacent or surrounding property owners.
- The request would not be out of character with the neighborhood.
- Properties to the north and south are zoned B-1 zoned. The ADU would not be near adjacent principal single-family structures to the east.
- The ADU would not be visible from S. Day Street.

Notices were mailed to property owners within 200 feet of the subject property regarding these requests on July 31, 2025. Staff received 3 written comments in support of the request from:

- 1600 S. Austin Street: Katherine Donovan
- 1607 S Day Street: Houshang Masudi
- 1506 S. Day Street: Lauren Cox

#### **STAFF RECOMMENDATION:**

Staff has reviewed the request and ***recommends approval*** of the requested variance to allow a 2-foot reduction in the minimum required 10-foot north and south side yard setbacks for a setback of 8 feet for construction of an accessory dwelling unit to be located at 1605 S. Day Street.

Chairman Hodde opened the Public Hearing at 6:38 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 6:39 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Flisowski and seconded by Commissioner Thielemann to **approve** the request from Walt Edmunds and Jake Edmunds for a *Variance* to allow an 8-foot north and south side yard setback, where a minimum 10-foot side yard setback is required for construction of an accessory dwelling unit (ADU) at 1605 S. Day Street, as presented. FINDING that the property was developed long before the current zoning and subdivision regulations were adopted and that the lot narrows to 48' at the rear. If the lot met the current 60' width requirement, the required 10-foot setbacks could easily be met. The motion carried unanimously (5-0).

#### **7. Adjourn**

A motion was made by Commissioner Flisowski and seconded by Commissioner Huckert to adjourn the meeting at 6:40 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*  
Jon E. Hodde, Chairman

September 8, 2025  
Meeting Date

*Kim Hodde*  
Attest, Staff Secretary

September 8, 2025  
Meeting Date