



**NOTICE OF A REGULAR MEETING
BOARD OF ADJUSTMENT
MONDAY, AUGUST 10, 2026 AT 5:15 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

1. Call Meeting to Order

2. Public Comments and Receipt of Petitions

[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]

3. Reports and Announcements

CONSENT AGENDA

4. Statutory Consent Agenda

The Statutory Consent 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 May 11, 2026, Board of Adjustment Meeting.

REGULAR AGENDA

5. Public hearing, Discussion and Possible Action on Case Number VARIANCE-26-0004: A request by Jake Carlile / Arete Property Group for variances from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(2)(c)(ii) to allow 25-foot lot widths for proposed Lots 2, 3, & 4, where a minimum 30-foot lot width is required for a townhome development to be located on Clay Street, on properties described as Lots 65-D (and 0.034-acre of Magnolia Street) and 65-E (and 0.034-acre of Magnolia Street) of the College Heights Addition in Brenham, Washington County, Texas.

6. Adjourn.

CERTIFICATION

I certify that a copy of August 10, 2026, agenda of items to be considered by the Board of Adjustment, was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on August 4, 2026, at 3:45 p.m.

Kim Hodde

Kim Hodde, Planning Technician

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested seventy-two (72) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the Board of Adjustment was removed by me from the City Hall bulletin board on the _____ day of _____, 2026 at _____ am/pm.

Signature

Title

CITY OF BRENHAM BOARD OF ADJUSTMENT MINUTES

May 11, 2026

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 May 11, 2026, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Jon Hodde, Chairman
Justin Dreyer
Dax Flisowski
Arlen Thielemann
Mary Lou Winkelmann

Commissioners absent:

Darren Huckert

Staff present:

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

Citizens / Media present:

Lauren Lezanna
Sarah Sorto

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 comments and/or receipt of petitions.

3. Reports and Announcements

There were no reports or announcements presented.

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 April 13, 2026, 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-26-0003: A request by Rivera Orlin Ernesto Melendez for variances from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(1)(a)(ii) to allow 5-foot side yard setbacks, where a minimum 10-foot side yard setback is required and Section 2.05(1)(a)(iii) to allow a 17-foot rear yard setback where a minimum 25-foot rear yard setback is required for construction of a new single family residence to be located at 1201 Mangrum Street, described as Lot 21 of the Gay's Addition, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. VARIANCE-26-0003. Ms. Laauwe stated that this is a request from Rivera Orlin Ernesto Melendez, as the owner and applicant. The subject property is addressed as 1201 Mangrum Street and identified as Lot 21 of the Gay's Addition. The subject property is located on the north side of Mangrum Street, east of Kerr Street and south of Garrett Street. The subject property and adjacent properties are zoned R-2, Mixed Residential and developed with a mix of residential and institutional uses. The future land use map envisions this property as single family residential use. The Brenham Early Childhood Learning Center (ECLC) gymnasium, formally Pickard High School, is adjacent on the west side of the subject property, the ECLC's large playground is located to the south across Mangrum Street and the main school building to the southwest across Kerr Street. The Camptown Cemetery is located to the southeast adjacent to the school's large playground area. This is an african-american cemetery that dates from the 1860's and is associated with Mount Rose Missionary Baptist Church, this is located on the northwest corner of Kerr Street and Mangrum Street.

The subject property is a vacant, legally nonconforming, 6,825 square foot (0.16-acres) lot that was platted before the City of Brenham subdivision and zoning regulations were adopted in 1968. The current zoning regulations require that a single-family lot have a minimum lot area of 7,000 square feet with a minimum lot width of 60-feet and minimum lot depth of 115-feet. This lot is a uniquely shaped lot that is not square or rectangular, as it slants diagonally. The lot width is approximately 75-feet, and the lot depth varies from a nonconforming 93.31-feet along the west property line and 90.17-feet along the east property line resulting in an average lot depth of 91.74-feet. The lot width of 74.49-feet is greater than the minimum 60-foot that is required. The applicant, Rivera Orlin Ernesto Melendez, wishes to construct a two-story, 2,300 square foot, single-family home on the subject lot. When the house plans were initially reviewed and approved, the applicant provided building plans on a site plan showing the vacant lot to be a standard rectangular lot and provided house plans that met the required

setbacks. However, when the form survey inspection was submitted, the actual lot lines were discovered to be more rhombus in nature and the forms of the slab were encroaching in the building setbacks. The form survey indicated that the proposed home, if squared to the street, would not fit within the minimum required setbacks on the diagonal slanted lot. After reviewing the lot survey and discussing the issue with the project architect, modifications were made to adjust the home layout. However, the side yard setbacks were only able to be modified to 5-feet and the rear yard setback to 17- feet. Shifting the house into the front setback was not an option since this would create side setbacks of 2-feet or less in some areas which would create additional building code and fire code requirements. The applicant proposes to remove the existing sheet metal fencing and install a 6-foot wooden privacy fence.

Therefore, the applicant is requesting a variance for a 5-foot reduction in the minimum required 10-foot side yard setbacks and an 8-foot reduction in the minimum required 25-foot rear yard setback to allow side setbacks of 5-feet and a rear setback of 17-feet for construction of a new single-family residence.

STAFF ANALYSIS

- This is a legally, nonconforming lot with a unique lot shape.
- To maximize the buildable area would require the home to be unusually shaped and not square with the street.
- The requested side yard setbacks are only for a portion of the structure.
- The rear yard setback varies from 17-feet to 20-feet.
- The need for the variance was not created by the applicant.
- Granting the 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 30, 2026. Staff received one written comment from the Brenham Independent School District in support of the request.

Staff has reviewed the request and ***recommends approval*** of the requested variances to allow a 5-foot reduction in the minimum required 10-foot side yard setbacks and an 8-foot reduction in the minimum required 25-foot rear yard setback for construction of a new single-family residence to be located at 1201 Mangrum Street.

In response to a question by Commissioner Flisowski, Ms. Laauwe clarified that if the home were to be moved closer to the front setback to be more in-line with the neighborhood, it would make portions of the home to be less than 5-feet from the adjacent property line which would result in additional code requirements.

Commissioner Thielemann asked if there was a certain percentage that a home could be “out of square” with the front property line or street. Ms. Doland responded that there is nothing in the ordinance regarding this issue and that it is the applicant’s preference to square the house with the street instead of the lot.

Chairman Hodde opened the Public Hearing at 5:30 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:30 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Thielemann and seconded by Commissioner Flisowski to **approve** the request from Rivera Orlin Ernesto Melendez for variances to allow 5-foot side yard setbacks, where a minimum 10-foot side yard setback is required and to allow a 17-foot rear yard setback where a minimum 25-foot rear yard is required for a single family residence to be located at 1201 Mangrum Street, as presented. The motion carried unanimously (5-0).

6. Adjourn

A motion was made by Commissioner Flisowski and seconded by Commissioner Winkelmann to adjourn the meeting at 5:31 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

August 10, 2026
Meeting Date

Attest, Staff Secretary

August 10, 2026
Meeting Date

CASE NUMBER: VARIANCE-26-0004

VARIANCE REQUEST: CLAY STREET – PARCEL ID'S 22341 & 22342

STAFF CONTACT: Shauna Laauwe, City Planner, AICP

OWNERS/APPLICANTS: Zoleta Evans Yancy and husband, Roosevelt Yancy / Bulah Mask and husband, Robert Mask / Jake Carlile, Arete Property Group

ADDRESS/LOCATION: Clay Street – Parcel ID#22341 and #22342 (Exhibit “A”)

LEGAL DESCRIPTION: Lot 65D and Lot 65E of the College Heights Addition

LOT AREA: 0.406 Acres, approximately 17,685 square feet

ZONING DISTRICT/USE: R-2, Mixed Residential District / vacant land – proposed use – Townhome Development (Exhibit “B”)

COMP PLAN Multi-Family Residential
FUTURE LAND USE:

REQUEST: A request for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(2)(c)(ii) to allow 25-foot lot widths for three (3) proposed interior lots, where a minimum 30-foot lot width is required for a townhome development (Exhibit “C”).

BACKGROUND:

The subject property is comprised of two undeveloped and unaddressed lots that are generally located adjacent and east of 1602 Clay Street, east of Sabine Street, and south of Brown Street. As shown in Figure 1, the subject property and all adjacent and surrounding properties are within an R-2, Mixed Residential Use District and developed with a mixture of residential uses to include duplexes on the two adjacent lots to the west on Clay Street, single-family homes along Brown Street and west of Sabine Street, townhomes to the north on Ebenezer Street, and multifamily units to the south. Further to the east within a B-1, Local Business Mixed Residential District along N. Blue Bell Road and developed as commercial and institutional uses.

The two undeveloped lots are each 0.203-acre (8,842.5 SF) tracts and approximately 74 feet in width and 120 feet in depth. The R-2 zoning district permits a variety of

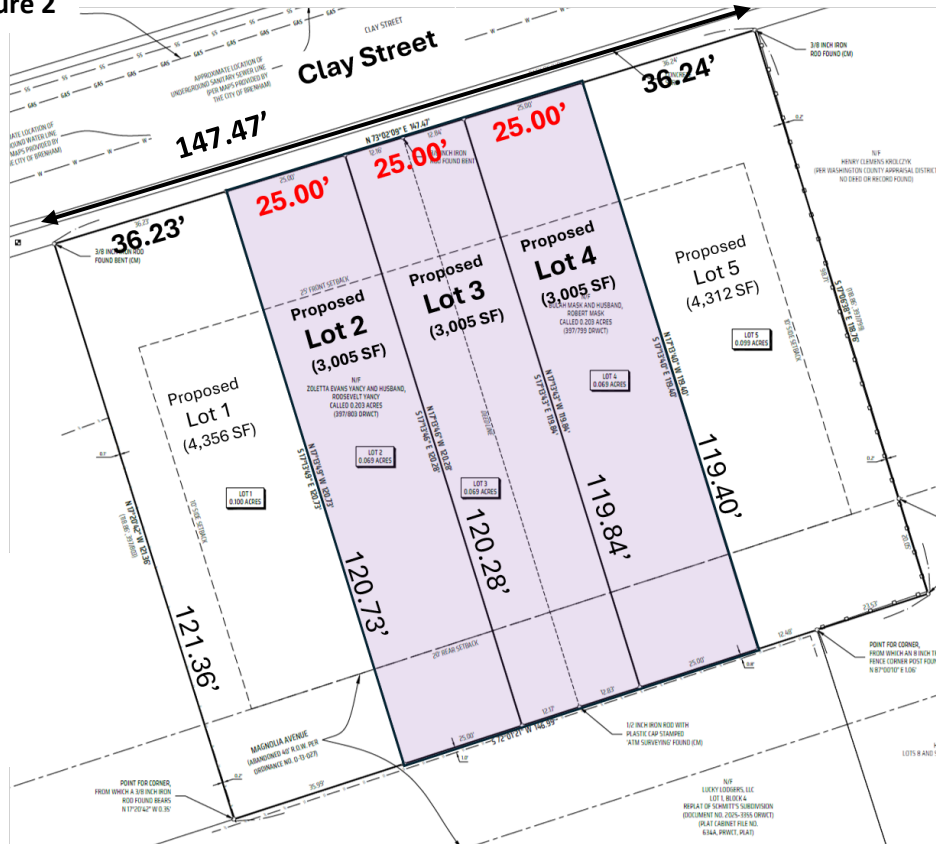
Figure 1



residential uses to include single-family, duplex, twin homes, townhomes, and multifamily, with each use having different minimum lot requirements. Separately, given the existing lot measurements, the lots exceed the minimum zoning requirements for either a single-family or duplex residential development, however the lots have remained vacant. Combined, the two lots total 0.406-acres (17,685 SF) and measure 147.47 feet in width and approximately 121-feet in depth. The applicant, Jake Carlile, Arete Property Group, wishes to replat the subject two lots into five (5) lots for construction of a 5-unit townhome development on the subject lots. Townhomes are defined as “An attached dwelling (townhouse) that is a single-family dwelling constructed in a series or group of attached units with property lines separating each unit, and it is one of a group of no less than three (3) and no more than eight (8) adjoining single-family dwelling units.” The zoning regulations require in Section 2.05(2) townhome lots have a minimum lot area of 3,000 square feet with a minimum lot width of 30-feet and minimum lot depth of 100-feet. As shown in Figure 2, all proposed lots meet or exceed the minimum lot area of 3,000 SF and at approximately 120-feet in length, each exceed the minimum lot depth. However, while Lot 1 and Lot 5 exceed the minimum lot width at approximately 36-feet, the interior Lots 2, 3, and 4, are proposed to have lot depths of only 25-feet.

The applicant, therefore is requesting a variance for a 5-foot reduction in the minimum required 30-foot lot width requirement for three (3) proposed interior lots for construction of a townhome development.

Figure 2



APPLICABLE SECTION OF ORDINANCE AND ANALYSIS:

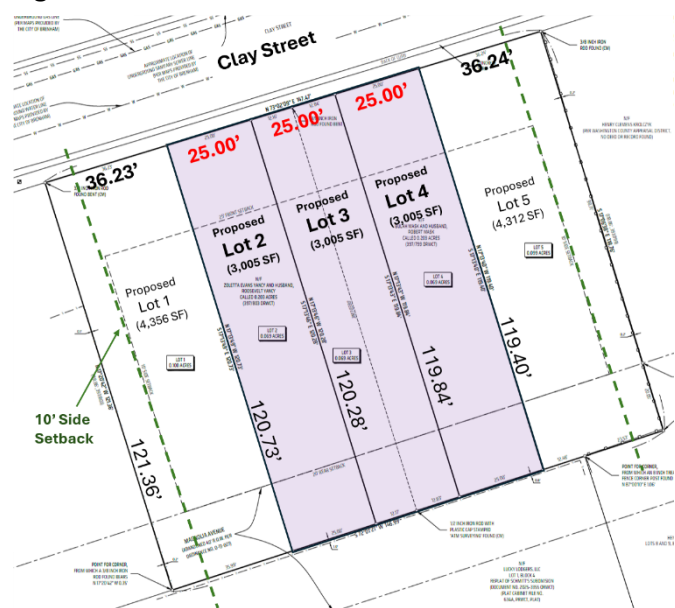
(Sec.5.02)(132)Variance: A type of relief that may be granted by the Board of Adjustment in order to accommodate appropriate development of a particular parcel of land that cannot otherwise be appropriately developed. The granting of such relief is subject to the standards and procedures as established in part IV, Variances, Special Exceptions, Nonconforming Uses and Appeals, Division 1. The Board may not grant variances to use requirements or procedural requirements related to the granting of a variance.

(DIVISION 2. VARIANCES Sec. 1. Limitations.) The Board of Adjustment shall have the authority to grant variances in accordance with the standards and procedures provided herein, from any and all technical requirements of the zoning ordinance, but may not grant variances to use requirements or procedural requirements or for procedural requirements for hearing or notice, provided that:

- (1) *Such modifications are necessary to accommodate appropriate development of a particular parcel of land that is restricted by attributes inherent in the land such as area, shape or slope to the extent that it cannot otherwise be appropriately developed.*

Such modifications are necessary to accommodate appropriate development as the applicant is constrained by the existing width of the subject property that is less than 30-feet from satisfying the minimum 30-foot lot width for a proposed 5-unit townhome development. The subject property, with a width of 147.47-feet and depth of 121-feet for a total lot area of 17,685 square feet, meets the minimum lot parameters for several residential uses within the R-2 zoning district. The existing lot configurations would allow for a single-family home or a duplex on each lot. Additionally, the total combined property could legally support 4 twin home lots or 4 townhome lots. The applicant proposes to replat the subject property with a total of 5 townhome lots. Townhome minimum lot requirements are a width of 30-feet and depth of 100-feet with a minimum area of 3,000 square feet. With the combined lots having a total width of 147.47 feet, the subject property is approximately 2.5 feet from meeting the minimum 30-foot width for each of the 5 townhome lots. As shown in Figure 3, the exterior lots (Lots 1 and 5) exceed the minimum width at 36-feet, while the interior lots, Lots 2, 3, and 4, are 25-feet in width. As townhomes are attached, they have no interior side yard setbacks, however the exterior units have a 10-foot setback. Thus, given the proposed lot configurations and setback requirements, all 5 of the townhome units would have a buildable width of 25-feet. Granting a variance would allow for the proposed townhomes to be appropriately developed as the townhome lots will exceed the minimum lot depth and minimum lot area. Furthermore, with each buildable unit width being 25-feet, the units will be uniform, and the narrower interior lots will likely be unnoticeable to the naked eye.

Figure 3



- (2) *The granting of the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, nor substantially increase the congestion in the public streets, nor increase the danger of fire, or in any way endanger the public health, safety and well-being of the neighborhood in which the subject property is located.*

Granting variances to allow a 5-foot reduction to the three interior lots for the construction of a 5-townhome unit development will not be materially detrimental or injurious to other properties and improvements in the general vicinity of the subject property. The subject property consists of two vacant lots that are a combined 0.406-acre (17,685 SF) located within a R-2 District. The College Heights Addition was platted before the subdivision and zoning regulation were adopted and many of the lots, residences or

structures in the area, are nonconforming in at least one aspect as they predate the existing regulations. The proposed two-story, 5-townhome unit development should not impair an adequate supply of light or air to the adjacent properties. In recent years, the area has begun to redevelop with more dense residential uses, with a platted 30-unit townhome development to the north on Ebenezer Lane (3 units built thus far) and two duplex units constructed on Clay Street to the west of the subject property. Adjacent to the south, are the Reserve on the Sabine Apartments located at 606 Sabine Street that are 4-plex multifamily units. The adjacent property to the east is a large, rural single-family property that faces Lauraine Street to the south. The subject property has been vacant for many years, and the development will be an improvement to the surrounding neighborhood. Staff finds the proposed lot widths, if granted will not be materially detrimental to other properties or improvements in the general vicinity.

(3) The literal enforcement of the ordinance would work on unnecessary hardship.

The literal enforcement of the ordinance would limit the size and functionality of the proposed townhome development. It would be possible to configure four of the five lots to meet the 30-foot lot width, but that would leave one lot with an irregular width of 27-feet and require a lot width variance. Alternatively, the applicant could construct a 4-unit townhome development on the subject property, however that would also result in irregular lot widths of approximately 37-feet and inefficient building/unit configurations. Staff finds that strictly enforcing the minimum 30-foot lot width would create unnecessary hardship by reducing the number of units that may be developed on the subject property, resulting in irregular width lots and unit configurations. Thus, granting variances to allow a reduction to the minimum required 30-foot lot width are reasonable and would work on an unnecessary hardship.

(4) The piece of property is unique and contains properties or attributes not common to other similarly situated properties.

The College Heights Addition is one of Brenham's first platted subdivisions, predating the subdivision and zoning regulations adopted in 1968. The subdivision has been replatted several times over the years for various small developments, thus lots vary in size. The subject property contains attributes of an infill lot within an older subdivision that is constrained by fixed property lines. The surrounding area has seen recent redevelopment with multifamily on Sabine Street, duplexes on Clay Street and a 30-unit townhome development platted to the north along Ebenezer Lane.

(5) The need for the variance was not created by the applicant.

While the subject property is vacant land, the need for the variance was not solely created by the applicant. As shown in Figure 1, the subject property is comprised of two contiguous parcels that are infill lots with fixed boundary lines. The combined properties have a lot width of approximately 147.47-feet, less than 3-feet from the length needed for each lot within the proposed 5-unit townhomes to meet the minimum 30-foot lot width requirement. The applicant was unable to acquire additional land due to developed duplexes adjacent to the west and an unwilling seller to the east. While the interior lots do not meet the minimum width, the outer lots have sufficient width to meet the minimum 10-foot side yard setbacks.

(6) *The hardship to be suffered through the literal enforcement of the ordinance would not be financial alone.*

The hardship suffered through the literal enforcement of the ordinance would not be financial alone. Development of the subject tract with four units is permitted by right and does not require a variance. However, an additional three feet of lot width would allow the property to accommodate five units. The proposed development concept aligns with the intent of the ordinance and is compatible with the surrounding area, which includes a mix of residential uses such as single-family homes, townhomes, duplexes, and multifamily housing. Strict enforcement of the ordinance would eliminate one dwelling unit and create unnecessary hardship, contrary to the Housing Task Force recommendations and the Comprehensive Plan's goals to support compatible infill development.

(7) *The granting of the variance would not be injurious to the public health, safety and welfare or defeat the intent of the philosophy contained in the Zoning Ordinance.*

Minimum lot widths are established to manage density, ensure sufficient separation between adjacent structures for building and fire code purposes, and to provide adequate access for driveways that provide off-street parking. The proposed Townhome Lots 2, 3, and 4, that are seeking the 5-foot reduction in the minimum lot width, would meet all other zoning lot requirements for the R-2 District, each having a minimum lot area of 3,005 square feet and a lot depth of approximately 120-feet, exceeding the minimum required 100-feet. The proposed outer townhome lots, Lots 1 and 5, are proposed to exceed the minimum lot width and have sufficient area to meet the minimum required 10-foot side yard setback. For the reasons stated previously, granting a variance to allow 5-foot lot reduction for the proposed interior Townhome Lots 2, 3, and 4, would not be injurious to the public health, safety, and welfare, nor would it defeat the intent of the philosophy contained in the zoning ordinance. If approved, the townhome development will be required to have a Replat approved by the Planning and Zoning Commission and recorded by Washington County. After the plat has been recorded, the townhome development would be required to adhere to adopted Building and Fire Codes and be constructed in accordance with the approved building permit.

STAFF RECOMMENDATION:

Staff has reviewed the request and ***recommends approval*** of the requested variance to allow a 5-foot reduction in the minimum required 30-foot lot width for the proposed interior lots for construction of a townhome development to be located on Clay Street.

PUBLIC COMMENTS:

Property owners within 200 feet of the subject property were mailed notifications of this proposal on July 30, 2026. Any public comments will be provided in the Board of Adjustment Packet or during the public hearing.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Applicant Letter
- D. Site Plan
- E. Site Photos

EXHIBIT "A"
AERIAL MAP



Location Map
Variance to Minimum Lot Width
Clay Street: Parcel # 22341, Lot 65D & Parcel #22342, Lot 65E
College Heights Addition

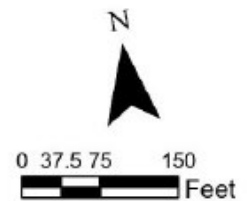
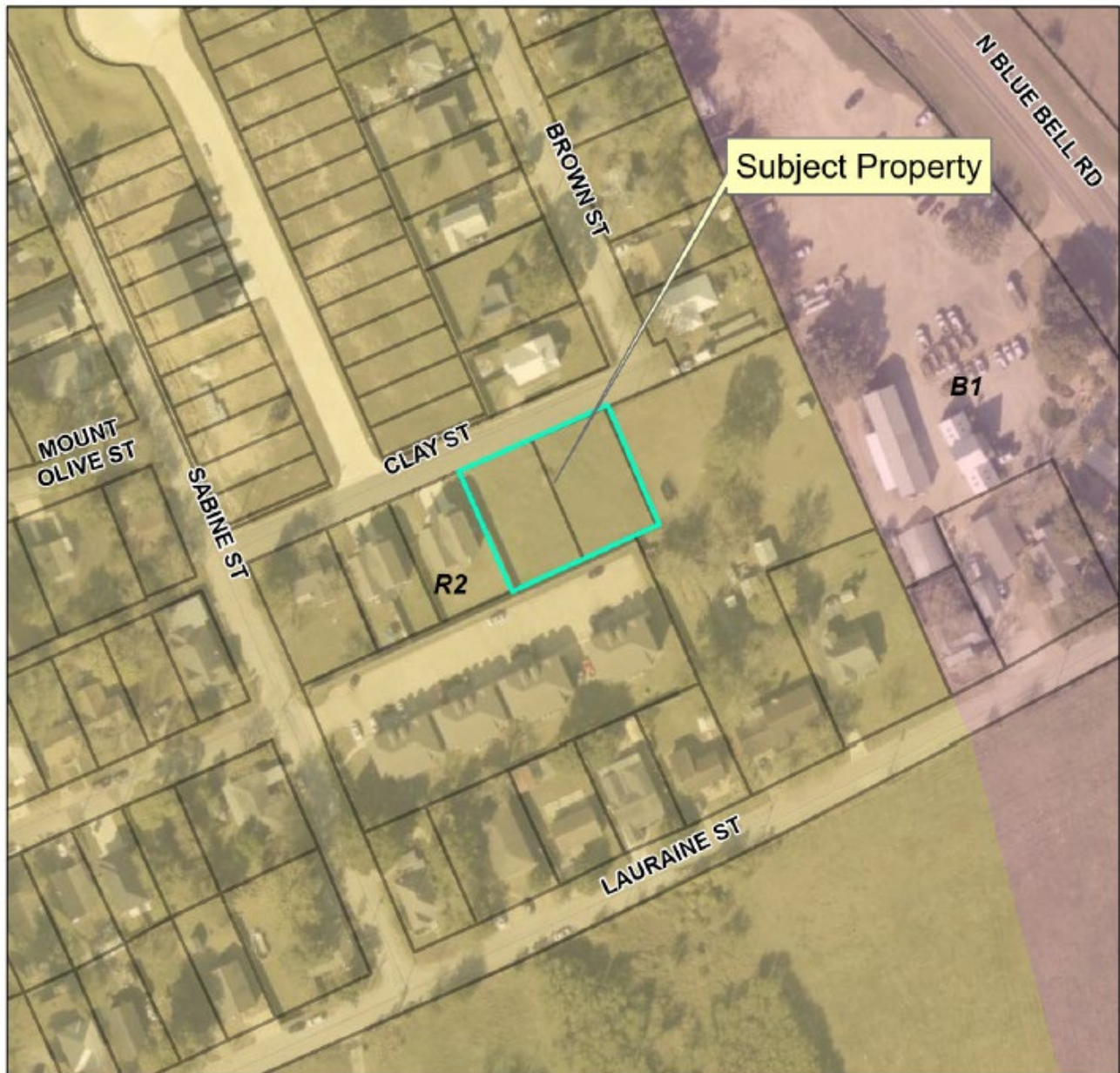


EXHIBIT "B"
ZONING MAP



Zoning Map
Variance to Minimum Lot Width
Clay Street: Parcel # 22341, Lot 65D & Parcel #22342, Lot 65E
College Heights Addition

Zoning

-  B1 Local Business Mixed
-  R2 Mixed Residential

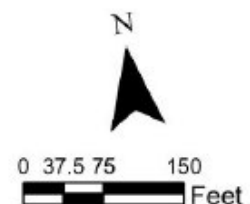


EXHIBIT "C"
APPLICANT LETTER

Applicant Statement of Purpose

Modifications necessary

1. Modifications necessary due to inherent land attributes (area/shape/slope):

The subject property is an assemblage of two pre-existing deeded tracts (Vol. 397, Pg. 799 and Vol. 397, Pg. 803), together totaling 0.406 acre with only approximately 147 feet of frontage on Clay Street and approximately 120 feet of depth. This fixed, inherited geometry is the constraint. Developing the site with attached townhome units — the use for which the R-2 district provides — across this limited frontage results in three interior lots of approximately 25 feet in width. Every other townhome standard is satisfied: the site area (approximately 17,685 SF) exceeds the 9,000 SF minimum, each lot exceeds the 3,000 SF minimum lot area, the approximately 120-foot depth exceeds the 100-foot minimum, and all setbacks are met. Only the interior lot width falls short, and only because of the parcel's inherent narrow-frontage shape.

Materially detrimental or injurious

2. Not materially detrimental or injurious to the neighborhood:

The requested five-foot reduction applies only to the interior lot lines and is entirely internal to the development. The full ten-foot separation between contiguous townhome units and all front and rear setbacks are maintained, so light and air to adjacent properties are unaffected. The proposed attached single-family townhomes are consistent in scale and density with the established small-lot residential pattern of the surrounding neighborhood (Schmitt's Subdivision). City water, sanitary sewer, and gas already front the site, so no additional street congestion, fire risk, or burden on public services results. The variance will not endanger the health, safety, or well-being of the neighborhood.

Unnecessary hardship

3. Literal enforcement would work an unnecessary hardship:

Requiring a full 30-foot width on all five lots across the fixed approximately 147-foot frontage would force the site down to four lots or into irregular, inefficient configurations, under-utilizing land that is expressly designated R-2 and well suited to the townhome use the ordinance contemplates. Because the plat already satisfies every other dimensional requirement — site area, lot area, depth, and all setbacks — denying a modest five-foot width adjustment on the interior lots serves no meaningful zoning purpose while imposing a real and unnecessary development hardship.

Uniqueness

4. The property is unique / has attributes not common to similar properties:

The tract is a combination of two legacy 0.203-acre parcels established by deeds recorded decades ago, well before the current zoning standards. It is bounded by the abandoned Magnolia Avenue 40-foot right-of-way (abandoned per Ordinance No. O-13-027) and is fixed at roughly 147 feet of frontage by approximately 120 feet of depth. This pre-existing configuration — a shallow, narrow-frontage assemblage abutting an abandoned right-of-way — is not typical of other developable R-2 parcels and is the direct source of the width constraint.

Not created by applicant

5. The need for the variance was not created by the applicant:

The dimensions, boundaries, and configuration of the two underlying tracts were fixed by prior conveyances long before the applicant acquired an interest in the property. The applicant did not create the limited combined frontage, the shallow depth, or the abutting abandoned right-of-way. The lot-width constraint arises entirely from the inherited geometry of the pre-existing parcels rather than from any act of the applicant.

Hardship

6. The hardship is not financial alone:

The hardship is physical and dimensional, stemming from the fixed frontage and shape of the legacy tracts, not merely a question of cost or return. Literal enforcement would physically prevent a reasonable townhome layout that otherwise complies with every area, depth, and setback standard in the district. The constraint would exist regardless of the project's economics.

Variance request will not be injurious to Health, Safety or Public Welfare

7. Not injurious to public health, safety and welfare or the intent of the ordinance:

Granting the width variance advances rather than defeats the stated purpose of the R-2 district — to protect and restore the integrity of residential neighborhoods. It allows attached single-family townhomes at a scale consistent with the surrounding block while maintaining every setback, exceeding the minimum site area and per-lot area, and meeting lot-depth requirements. No public health, safety, or welfare interest is compromised by a five-foot adjustment to interior lot width.

EXHIBIT "D"

SITE PLAN

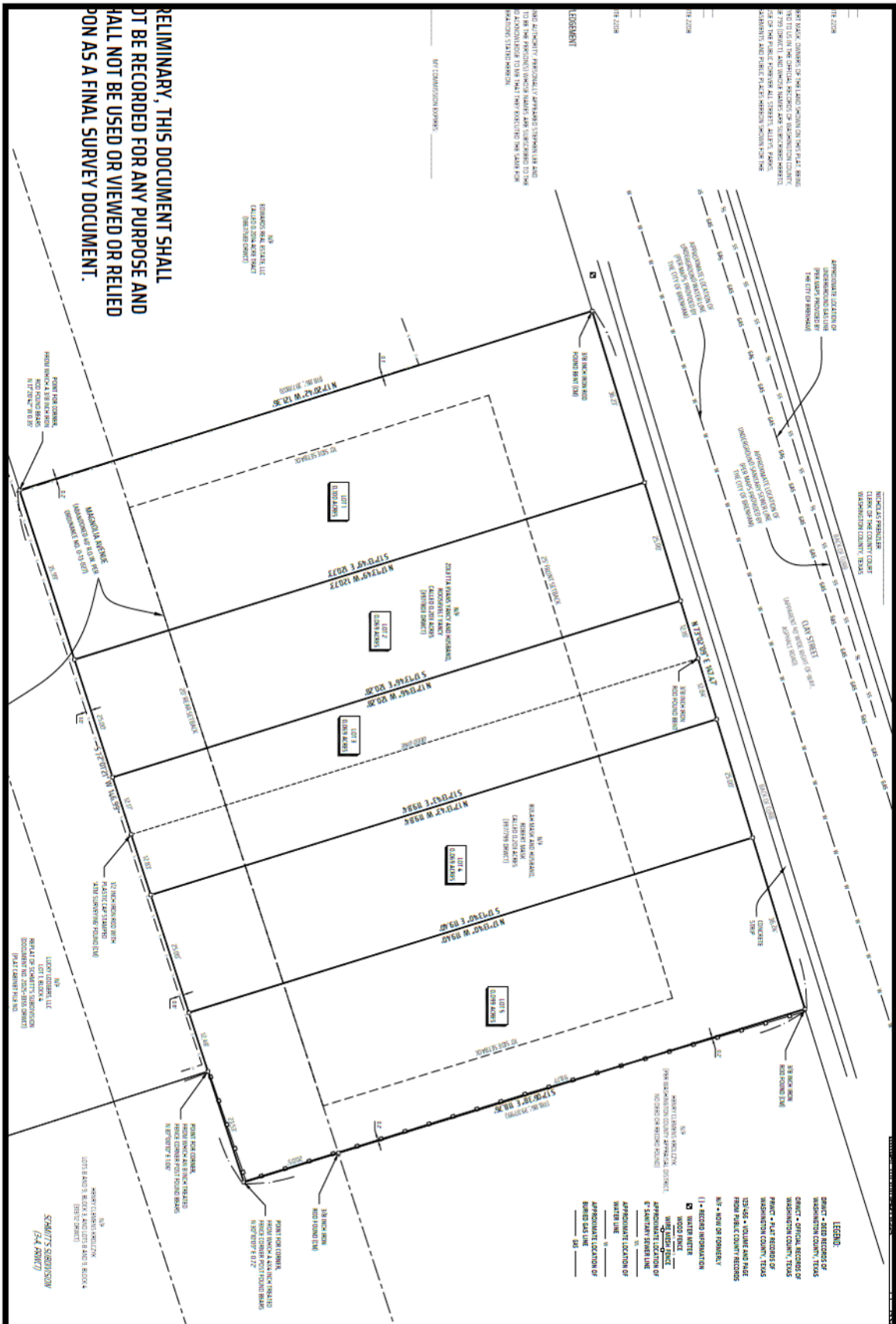


EXHIBIT "E"
SITE PHOTOS



Subject Property – Clay Street



Adjacent Duplexes to the west – Clay Street



Sabine Reserve Apartments to the south and adjacent duplex at 1602 Clay St.



Ebenezer Lane to the northwest, across Clay Street. 30-unit townhome development. 3 units currently complete. Dirt work started on second building.



Adjacent property to the east on Clay St. – Rural residential



East terminus of Clay Street. Brown Street to the north (left).