



**NOTICE OF A REGULAR MEETING
BOARD OF ADJUSTMENT
MONDAY, FEBRUARY 10, 2020 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 discuss and act upon it individually as part of the Regular Agenda.

4-a. Minutes from the July 8, 2019 Board of Adjustment Meeting

REGULAR AGENDA

5. Election of a Chair and Vice-Chair for the Board of Adjustment for 2020.

6. Public hearing, Discussion and Possible Action on Case Number B-20-001: A request by the Brenham Independent School District for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 16.01 to allow an on-site gravel drive and parking area where an all-weather surface is typically required for the FFA Ag Building located at 227 Shepard Lane, described as Lot 30, PT 31, 36, all Lot 37 & 38 of the McIntyre-Walker Addition, in Brenham, Washington County, Texas.

7. Adjourn

CERTIFICATION

I certify that a copy of the February 10, 2019, 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 February 6, 2020, at 2:30 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 twenty-four (24) hours before the meeting) by calling (979) 337-7200 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 _____, 2020 at _____ am/pm.

Signature

Title

**CITY OF BRENHAM
BOARD OF ADJUSTMENT MINUTES**

July 8, 2019

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 8, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Arlen Thielemann, Chairman
Jon Hodde, Vice Chairman
MaLisa Hampton
Mary Lou Winkelmann

Commissioners absent:

Thomas Painter – death in family

Staff present:

Stephanie Doland, Development Services Director
Lowell Ogle, Assistant City Manager
Kim Hodde, Planning Technician

Citizens present:

Ken Lester
Linda House
Janell Burney
Duane D. Cloud
Malcom Maxey
Jason Rogers

1. Call Meeting to Order

Chairman Thielemann called the meeting to order at 5:20 p.m. with a quorum of four (4) 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 13, 2019 Board of Adjustments Meeting

Chairman Thielemann called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Hodde and seconded by Commissioner Hampton to approve the minutes from the May 13, 2019 meeting, as presented. The motion carried unanimously.

REGULAR AGENDA

- 5. Public hearing, Discussion and Possible Action on Case Number B-19-004: A request by Carmen and Martha Cruz for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.1.05(1) to allow a 43-foot lot width, where a minimum 60-foot lot width is required, and to allow a lot area of 5,160 square feet, where a minimum 7,000 square foot lot area is required, for an existing single-family residence located at 1807 Harrell Road, described as Part of Lots 8 and 9, Block 1 of the Beacon Hill, in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for case No. B-19-004 (on file in the Development Services Department). Ms. Doland stated that Brenham Wholesale Grocery purchased properties adjacent to this lot and they are trying to plat the properties into one lot. This plat would include the Cruz tract. Ms. Doland stated that this property was platted in 1913, prior to being located in the City and prior to County adopted subdivision standards. The original lots were 25’ wide and very long. Currently, this lot is 43’ wide by 120’ deep and contains 5,160 square feet of land. Without a variance to this lot, it would be a sub-standard lot. If a variance is granted, it would make the lot in conformance should it ever change ownership. Staff recommends approval of the requested variance as presented.

Chairman Thielemann opened the Public Hearing at 5:28 pm and asked for any comments. Malcolm Maxey, 1809 Harrell Road, stated that the house on this property is less than 10’ from his property. Mr. Maxey stated that the property has been in his family for many years and when it was originally sold to Tommie Wellmann, he was told that the house would be demolished, a new home rebuilt and a privacy fence put up on the property line but the property has been sold again and nothing has been done. Ms. Doland replied that she is unsure of what the Cruz family plans to do with the property long-term; however, if the house were to be removed and rebuilt it would have to meet current standards. Mr. Kenneth Lester pointed out his family’s property, then asked and received clarification regarding the existing city limits. There were no other comments.

Chairman Thielemann closed the Public Hearing at 5:43 pm and re-opened the Regular Session.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Hampton to approve a variance to reduce the lot width to 43-feet and the lot area to 5,160 square feet for the property located at 1807 Harrell Street (Case No. B-19-004), as presented. The motion carried unanimously.

6. Adjourn

A motion was made by Commissioner Hodde and seconded by Commissioner Hampton to adjourn the meeting at 5:45 pm. 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:

Chairman, Board of Adjustment

Kim Hodde

Attest, Staff Secretary

Meeting Date

Meeting Date



CASE NUMBER: B-20-001

SPECIAL EXCEPTION REQUEST: 227 SHEPARD LANE

STAFF CONTACT: Shauna Laauwe, Project Planner

OWNERS/APPLICANTS: Brenham Independent School District

ADDRESS/LOCATION: 227 Shepard Lane (Exhibit “A”)

LEGAL DESCRIPTION: McIntyre-Walker Addition, Lot 30, PT 31, 36, all Lot 37 & 38

LOT AREA: Approximately 5.36 acres

**ZONING DISTRICT/
USE:** R-3 Manufactured Home Residential /
(Exhibit “B”)

**COMP PLAN
FUTURE LAND USE:** Single-Family Residential

REQUEST: A request for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 16.01 to allow an on-site gravel drive and parking area where and a;;-weather surface is typically required for the FFA Ag Building located at 227 Shepard Lane and specifically described as Lot 30, PT 31, 36, all of Lot 37 and Lot 38 in the McIntyre-Walker Addition. (Exhibit “C” – Request)

BACKGROUND:

Brenham Independent School District (BISD) is the current property owner of 227 Shepard Lane, an approximate 5.36-acre tract generally located on the southeast corner of the Shepard Lane and Old Chappell Hill Road intersection (Exhibit “D”). The subject property is undeveloped except for an agricultural facility that measures 60 feet by 90 feet (5400 square feet) that has a dirt access via Shepard Lane and has been known as the FFA Ag Farm for over 20 years. The existing agricultural facility was built and in use before the subject tract was annexed into the City in 2008. The property is currently zoned R-3, Manufactured Home Residential, with surrounding properties to the north, south, and west also zoned R-3. The adjacent property to the east is located outside of the city limits and is within the Extraterritorial Jurisdiction (ETJ). The surrounding neighborhood would be best described as rural residential with a mixture of manufactured homes on single lots and single-family dwellings. It appears that the neighboring residential properties are nonconforming with none having an all-weather driveway or parking surface. BISD, the applicant, is requesting this special exception to allow the agricultural facility to have a gravel surface for a proposed off-street parking area in lieu of the required all-weather surface.

Cody Stelter, Director of Career and Technical Education for Brenham ISD submitted a special exception request to allow a gravel surface for the construction of a new access entrance via Old Chappell Hill Road and a new 60 foot by 100 foot (6,000 sf) off-street parking area. Mr. Stelter states that while the facility has

not had much use in many years, a growing number of nontraditional agricultural students and FFA members that do not have the ability or means to house an FFA project at their residence while they raise and care for their animal throughout the year has necessitated the revitalization of the facility and site. The facility and site will undergo upgrades and improvements to the property site to include a 30-foot culvert to create a new driveway entrance via Old Chappell Hill Road and the proposed parking lot that will be large enough to accommodate school busses, trucks, and cattle trailers. The existing site has a dirt access via Shepard Lane that is impassible in inclement weather making it difficult for students and staff to care and tend for the livestock at the facility. To save costs and minimize the disruption to the existing landscape, while also providing access and parking to the site, BISD is requesting the special exception to allow for a gravel surface instead of the required all-weather surface for driveways and parking areas.

APPLICABLE SECTION OF ORDINANCE AND ANALYSIS:

(Sec. 1.01) Authority. The Board of Adjustment shall have the authority to grant special exceptions in accordance with the procedures and standards herein provided to permit:

- (5) To waive or reduce the off-street parking and loading requirements when the board finds that the same are unnecessary for the proposed use of the building or structure for which the special exception request applies.

Part II, Division 1, Section 16.01(1) of the City of Brenham Zoning Ordinance requires the following area regulations:

Section 16.01: General Provisions:

- (1) Driveways: Required parking spaces shall be all-weather surfaced, off-street parking spaces and shall have a public street or alley by a surfaced driveway with sufficient maneuvering space to preclude the backing of any street right-of-way.

STAFF FINDINGS AND RECOMMENDATION:

Staff has reviewed the request and **recommends approval**. The subject property is in a rural neighborhood and has been the location of the FFA Ag Barn/Building since before the property was annexed in 2008. The existing use is agriculture in terms of keeping and sheltering of livestock and surrounding residential properties have dirt or gravel parking surfaces. The property is zoned R-3, Manufactured Residential and the Future Land Use map, adopted as part of the Comprehensive Plan, Historic Past, Bold Future: Plan 2040, envisions this area as single-family residential. A paved or all-weather surface at this site would not be in character with the current neighborhood nor compatible to a possible future single-family development.

Based on that an all-weather surfaced off-street parking area is unnecessary for the existing and proposed use, this request meets the criteria for Part IV, Division 4, Section 1.01(5), Special Exceptions of the Zoning Ordinance. Should the special exception be denied, the applicant would be required to pave or asphalt the proposed off-street parking area.

PUBLIC COMMENTS:

Property owners within 200 feet of the project site were mailed notifications of this proposal on January 29, 2020. Any public comments will be provided in the Board of Adjustments Packet or during the public hearing.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Special Exception Request & Site Plan
- D. Photo(s)

EXHIBIT "A"
AERIAL MAP



227 Shepard Lane
Special Exception Request

1 inch = 266 feet



EXHIBIT "B"
ZONING MAP

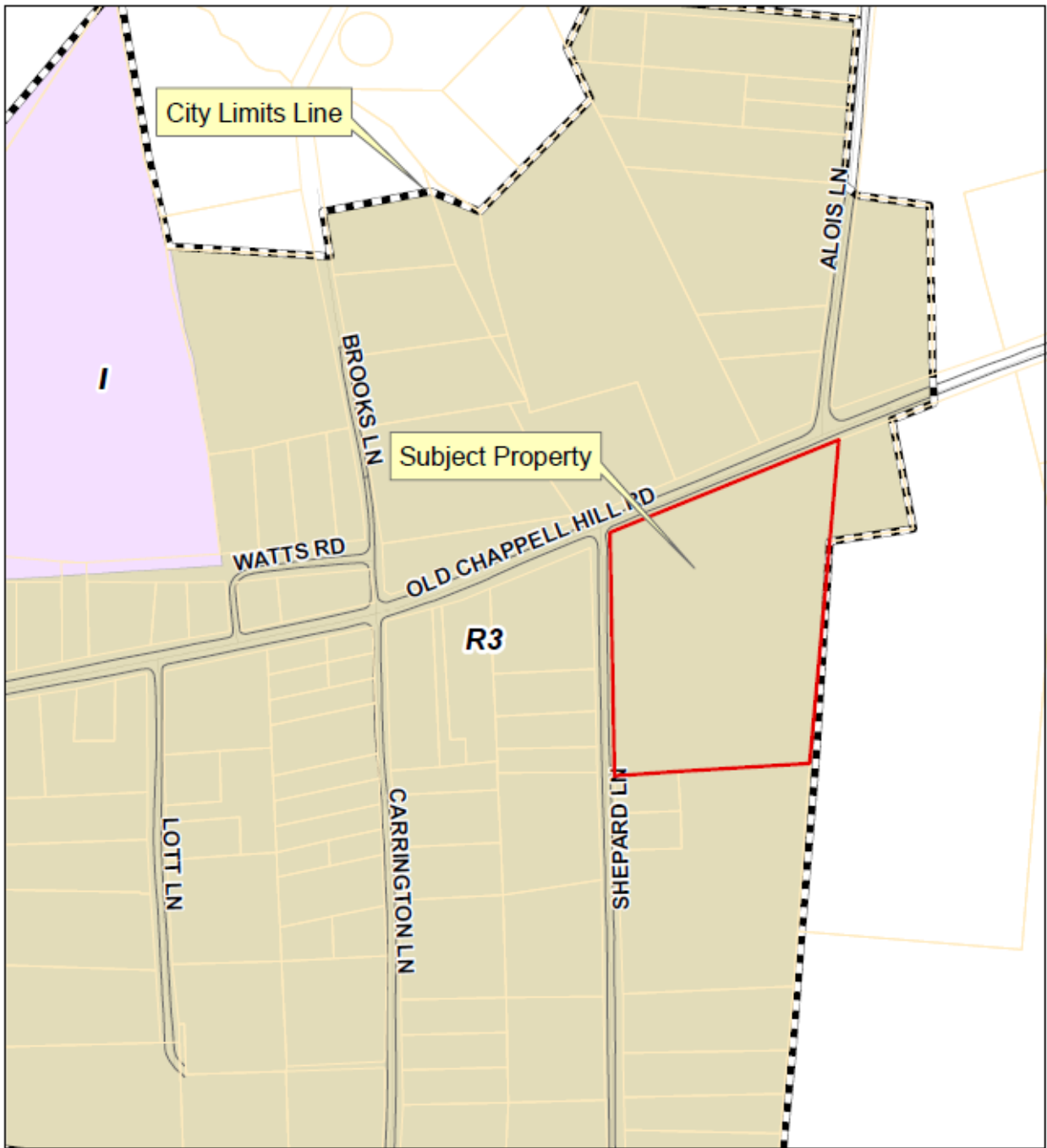


Exhibit "B"
Zoning Map
227 Shepard Lane
Special Exception Request

1 inch = 266 feet



EXHIBIT "C"
SPECIAL EXCEPTION REQUEST & SITE PLANS



Brenham
INDEPENDENT SCHOOL DISTRICT EST. 1875

Administration Office
711 E. Mansfield St.
P.O. Box 1147
Brenham, TX 77834-1147
(979) 277-3700
Fax (979) 277-3701

Brenham High School
(979) 277-3800
Fax (979) 277-3801
Athletics Ext. 4100
Band Ext. 4050
CTE Ext. 1720
Counseling Ext. 3802

DAEP / PRIDE Academy
(979) 277-3890
Fax (979) 277-3891

Brenham Junior High School
(979) 277-3830
Fax (979) 277-3831

Brenham Middle School
(979) 277-3845
Fax (979) 277-3846

Alton Elementary School
(979) 277-3870
Fax (979) 277-3871

Brenham Elementary School
(979) 277-3880
Fax (979) 277-3881

Krause Elementary School
(979) 277-3860
Fax (979) 277-3861

Child Nutrition Department
(979) 277-3750
Fax (979) 277-3751

Community Ed Department
(979) 277-3895

Maintenance Department
(979) 277-3730
Fax (979) 277-3731

Special Services
(979) 277-3700
Fax (979) 277-3711

Technology Department
(979) 277-3760
Fax (979) 277-3761

Dear Board of Adjustment,

I am writing this letter on behalf of Brenham ISD requesting a "Special Exception" for a proposed project located at 227 Shepard Ln also referred to as the FFA Ag Farm. The Ag Farm has sat virtually unused for almost 20 years. It was once part of the county but was annexed into the city in 2008. We have a growing number of nontraditional Ag students and FFA members interesting in showing animals and the Ag Farm has been brought back to life by our current FFA advisors and students. This facility provides a place for students that do not have the ability or means to house an FFA project at their residence while they raise and care for this animal throughout the year. With the revitalization of the facility we have ran across some needed upgrades and improvement to the property. We are in need of a 30ft culvert, so we can create a new entrance off of Old Chappell Hill Rd that would tie into a 60x100ft parking area that will be large enough to accommodate school busses, trucks and cattle trailers. We are requesting an exception to allow Brenham ISD to use gravel for the material that will be used to construct the entrance and parking area. At this time students and staff are only able to access the property with their vehicles and trailers when weather allows. City ordinance Appendix A, Section 2, Division 4, Section 1.015 require a "dustless" surface such as concrete or asphalt, which would be very difficult to meet that requirement within the BISD budget for a project of this scope. Brenham ISD would like to thank the Board of Adjustments for considering our request for this special exception in regards to Appendix A, Section 2, Division 4, Section 1.015 and the Brenham FFA Ag Farm.

Sincerely,

A handwritten signature in black ink, appearing to read "Cody Stelter", written over a faint circular stamp.

Cody Stelter

Director of Career and Technical Education for Brenham ISD

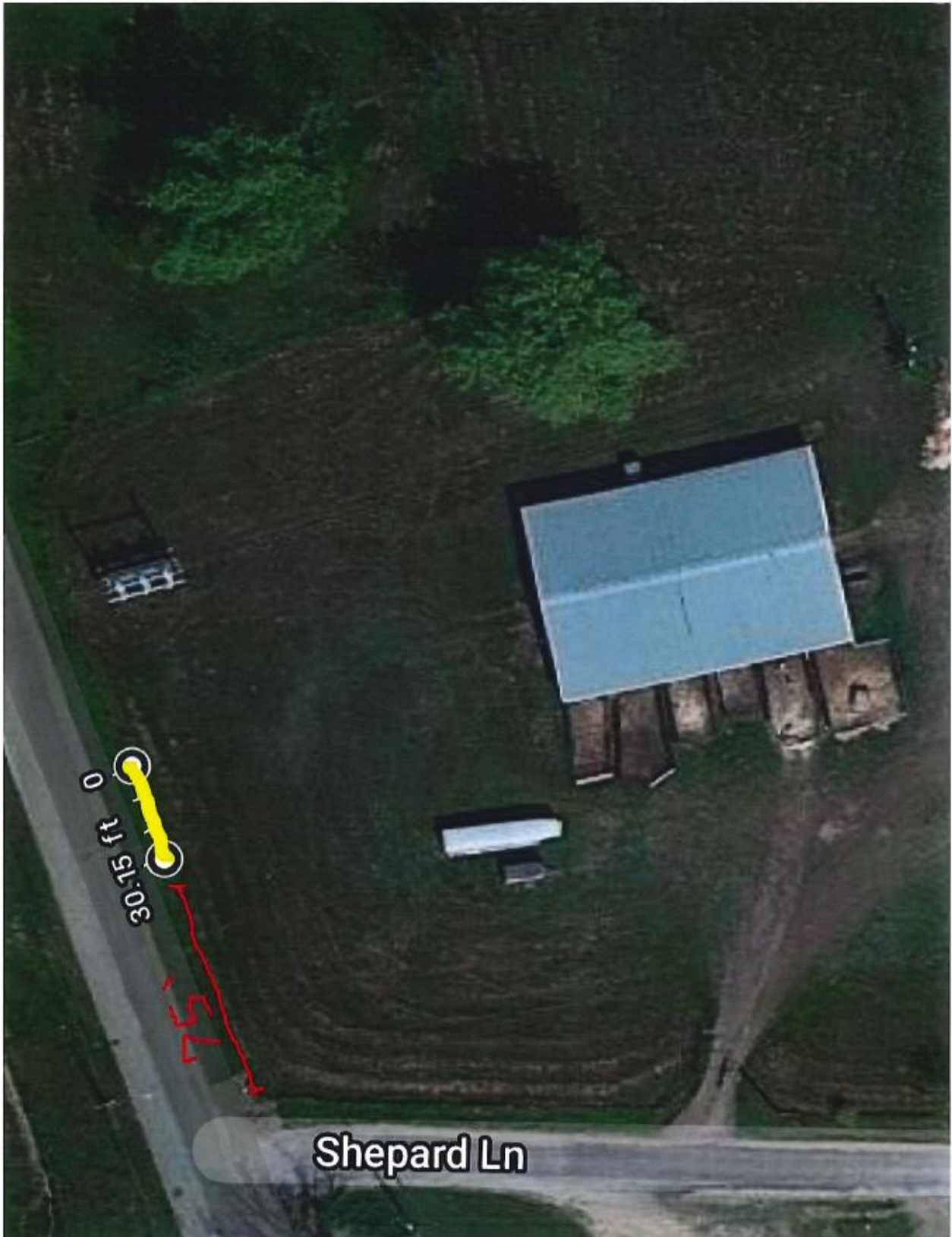




Proposed Gravel Area (6000 sf)



Proposed location of culvert



Proposed driveway location

EXHIBIT "D"
SITE PHOTOS



View from Shepard Lane



View from Old Chappell Hill Road



