

**CITY OF BRENHAM
BOARD OF ADJUSTMENT MINUTES**

August 9, 2021

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 9, 2021, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Jon Hodde, Chairman
Thomas Painter, Vice Chairman
Walt Edmunds
Danny Goss
Arlen Thielemann

Commissioners absent:

Mary Lou Winkelmann (excused)

Staff present:

Donald Reese, Assistant City Manager – Public Services / Utilities
Shauna Laauwe, Project Planner
Kim Hodde, Planning Technician

Citizens / Media present:

Sirena Branton	Kay Reed
Gene Lake	Vincent DeSalvo
Susan Lake	Jerry Calvert
Roy Kelm	Jan Calvert
Jan Kelm	Alyssa Faykus, Banner Press
Michael Branton	

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 public comments and/or receipt of petitions.

3. Reports and Announcements

Kim Hodde informed the Board that Stephanie Doland was not in attendance due to the death of her grandfather. The Board expressed their condolences.

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 10, 2021, Board of Adjustment Meeting

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Goss and seconded by Commissioner Painter to approve the minutes from the May 10, 2021, meeting, as corrected. The motion carried unanimously.

REGULAR AGENDA

5. **Public hearing, Discussion and Possible Action on Case Number B-21-003: A request by Michael and Lana Jo Branton for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 1.05(2)(b) to allow a 45-foot lot width, where a minimum 60-foot lot width is required, for a single-family residence to be at a property described as Reserve “A” of the Scenic Estates Subdivision, Section III, containing 8.256-acres of land, in Brenham, Washington County, Texas.**

Shauna Laauwe presented the staff report for case No. B-21-003 (on file in the Development Services Department). The subject property is a vacant 8.25-acre tract of land located generally on the northwest end of Twisted Oak Drive. The subject property is owned by Bill Nutt (Scenic Development) and the applicants are the prospective buyers, Michael and Lana Jo Branton. The property is zoned R-1, single-family residential and the future land use map shows the property as single-family residential. This Reserve “A” was platted in 2005 as part of the Scenic Estates, Section III. This lot has a 44.16-foot front width. The “neck” lasts about 125-feet then the property widens out to approximately 58-feet. The intent of the ordinance requiring the 60-foot minimum lot width is to maintain separation between structures. R-1 zoning requires a 25-foot front and rear setback and 10-foot side setbacks. The applicant proposes a single-family residence and an accessory barn/shop structure. Prior to any development occurring, the property will need to be platted into a lot. Ms. Laauwe stated:

- The only way this property is developable is with a variance.
- One single-family residence would not be detrimental to the neighborhood.
- The property is unique in that it is an irregular lot that exceeds the lot width requirements after approximately 125-feet from the front property line.
- The need for a variance was not created by the applicant but rather by the previous plat in 2005.

Notifications were mailed to property owners within 200-feet on July 29, 2021. Two written citizen comments were received, and two others called to speak to staff regarding concerns that included:

- Whether livestock would be kept on the property as it was against the neighborhood covenants.
- Additional lots would be platted.
- Property would be used for multi-family development.
- Drainage concerns.

Ms. Laauwe stated the following:

- The purpose of this meeting is just to address the lot width variance request.
- The City of Brenham does not enforce deed restrictions and only requires CCR’s for common areas to ensure who will maintain the common areas.
- It appears that the subject property, Reserve “A”, was not included in the Scenic Estates CCR’s.
- Any livestock would have to adhere to the City ordinances and regulations which allows 1 head per 1.5-acres of land.
- Any platting will go before the Planning and Zoning Commission and property owners within 200-feet would be notified.
- Multi-family rezoning would not be supported by staff, especially since the existing 44-foot lot width would not meet the required 55-foot right-of-way for a street.
- A single home on this large lot doesn’t raise any drainage concerns.

Staff has reviewed the request and recommends approval of the requested variance to allow a 44-foot lot width where a 60-foot lot width is required for a single-family residence.

Chairman Hodde opened the Public Hearing at 5:47 p.m. and asked for any comments. In response to various citizen comments and concerns, the applicant, Michael Branton, stated that his plans are as follows:

- To build a single-family residence on this property.
- To fence the entire property.
- To clean out and regrade the drainage areas that drain onto the subject property to enhance the existing drainage.
- To work with his neighbors throughout this process.

Chairman Hodde closed the Public Hearing at 5:57 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Painter and seconded by Commissioner Edmunds to approve the request Michael and Lana Jo Branton for a Variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 1.05(2)(b) to allow a 44-foot lot width for a single-family residence to be located on the property described as Reserve “A” of the Scenic Estates Subdivision, Section III containing 8.256-acres, as presented. The motion carried unanimously.

6. Adjourn

A motion was made by Commissioner Painter and seconded by Commissioner Thielemann to adjourn the meeting at 5:58 p.m. 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.

Jon E. Hodde
Chairman

September 13, 2021
Meeting Date

Kim Hodde
Attest, Staff Secretary

September 13, 2021
Meeting