

**CITY OF BRENHAM
BOARD OF ADJUSTMENT MINUTES**

May 9, 2022

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 9, 2022, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Thomas Painter, Vice Chairman
Walt Edmunds
Danny Goss
Arlen Thielemann
Mary Lou Winkelmann

Commissioners absent:

Jon Hodde

Staff present:

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

Citizens / Media present:

Carl Schlottmann
Trace Harris, Banner Press

1. Call Meeting to Order

Vice Chairman Painter 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

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 February 14, 2022, Board of Adjustment Meeting.

4-b. Minutes from the February 28, 2022 Joint Training with the Planning and Zoning Commission.

Vice Chairman Painter called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Goss and seconded by Commissioner Thielemann to approve the Consent Agenda (4-a. Minutes from the February 14, 2022 meeting and 4-b. Minutes from the February 28, 2022 Joint Training with the Planning and Zoning Commission), as presented. The motion carried unanimously.

REGULAR AGENDA

- 5. Public hearing, Discussion and Possible Action on Case Number B-22-002: A request by Tony Ramirez / Schlottmann Properties, LLC for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Sections 4.06(a) and 4.06(c) to allow a 10-foot front yard setback and a 5.7-foot rear yard setback, where a minimum 25-foot front yard setback and a 10-foot rear yard setback is required for expansion of a non-conforming structure at 301 S. Market Street, described as Lots 2A and 2B of the Noel Addition, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. B-22-002 (on file in the Development Services Department). Ms. Laauwe stated that this request by Tony Ramirez / Schlottmann Properties, LLC is for a 15-foot Special Exception to the required 25-foot front setback to allow a 10-foot front setback and a 4.3-foot Special Exception to the required 10-foot rear setback to allow a 5.7-foot rear setback for expansion of a non-conforming structure at 301 S. Market Street. The property is located in the B-2 Zoning District (adjacent to the Downtown District) and is currently a vacant automobile shop. The proposed use is for Top Floor Cars, a Classic Car restoration and dealership. Top Floor Cars is currently located at 2404 S. Chappell Hill Street and wants to expand.

The B-2 Zoning District requires a 25-foot front setback and a 10-foot rear setback but no side setback is required. This property was built around 1947 which was well before the zoning regulations were adopted. The prior uses of the property were a service station and then an automobile repair shop. Fuel tanks were installed on the property in 1976 but were removed in 1990. This property is located just outside the Downtown Zoning District (B-3 and B-4); however, there is B-1 zoning to the northeast, B-3 to the north and west, and B-4 to the southwest with businesses such as the 4-Start Concert Hall to the north, Woodson Lumber Company to the east, the old train depot and vacant land to the west, and the Southern Pacific Railroad to the south.

The Board of Adjustment has the authority to grant a special exception to allow the expansion of a non-conforming structure. Mr. Ramirez would like to add 2 car bays (40-feet x 22-feet) and extend the existing canopy 15-feet x 20-feet. The new additions will be extensions of the existing non-conforming setbacks and will not further encroach into the setback. Since the adjacent B-3 Zoning does not require setbacks, the requested reduced setbacks will not be out of character for the area and will not have an adverse effect to the adjacent property owners.

Notifications were mailed to property owners within 200-feet of the subject property on April 28, 2022. No citizen comment was received in support of or against the request.

Staff has reviewed the request and recommends approval of the requested special exceptions to allow a 10-foot front setback and a 5.7-foot rear setback for expansion of the non-conforming structure located at 301 S. Market Street.

Vice Chairman Painter opened the Public Hearing at 5:36 p.m. and asked for any comments. There were no citizen comments.

Stephanie Doland, Development Services Director, stated that although this property is located just outside of the Downtown Zone it is along a main corridor and that Jennifer Eckermann expressed her support and the Main Street Board's support of this project.

Vice Chairman Painter closed the Public Hearing at 5:37 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Winkelmann and seconded by Commissioner Edmunds to approve the request by Tony Ramirez / Schlottmann Properties, LLC for a Special Exception to allow a 10-foot front yard setback and a 5.7-foot rear yard setback to allow for expansion of the existing non-conforming structure located at 301 S. Market Street, as presented. The motion carried unanimously.

6. Adjourn

A motion was made by Commissioner Thielemann and seconded by Commissioner Winkelmann to adjourn the meeting at 5:38 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.

Certification of Meeting Minutes:

Jon Hodde, Chairman

September 12, 2022
Meeting Date

Attest, Staff Secretary

September 12, 2022
Meeting Date