

**CITY OF BRENHAM  
BOARD OF ADJUSTMENT MINUTES**

**September 12, 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 September 12, 2022, 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  
Danny Goss  
Arlen Thielemann  
Mary Lou Winkelmann

Commissioners absent:

None

Staff present:

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

Citizens / Media present:

Dara Childs	Maysoon Alhasso
Rachael Terry	Vernon (Butch) Neuenschwander
Katie Jean	Raina Arreola
Derrick Jernigan	Mimi Owen
Gloria Nix	

**1. Call Meeting to Order**

Chairman Hodde called the meeting to order at 5:15 p.m. with a quorum of six (6) Commissioners present.

**2. Public Comments and Receipt of Petitions**

There were no public comments and/or receipt of petitions.

**3. Reports and Announcements**

Stephanie Doland reminded the Board that reappointment applications are due by September 30, 2022. One member and one alternate member have decided not to seek reappointment. A celebration for their service will be held later this year or early 2023.

**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 9, 2022, Board of Adjustment Meeting.**

Chairman Hodde called for any corrections or additions to the minutes as presented. A motion was made by Commissioner Thielemann and seconded by Commissioner Painter to approve the Consent Agenda, as presented. The motion carried unanimously.

**REGULAR AGENDA**

- 5. Public hearing, Discussion and Possible Action on Case Number B-22-003: A request by Rachael Terry for a Special Exception from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 1, Section 16.06(23) and 16.06(33) for a reduction in the number of required off-street parking spaces for a currently vacant commercial building proposed to develop as an Antique/Home Goods Store (Retail) located at 304 W Main Street, described as Lot 57A of the West Main Subdivision, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. B-22-003 (on file in the Development Services Department). Ms. Laauwe stated that this request by Rachael Terry (applicant) and Davis Stone / Jernigan Stone Interests, LLC (property owner) is for a Special Exception for a reduction in the number of required off-street parking spaces for a commercial retail building (former Brenham Office Supply store) located at 304 W. Main Street. The property is located within a B-2, Commercial Research and Technology Use District (adjacent to the Downtown District) and is currently a vacant commercial building. The Future Land Use Map shows the use as mixed-use, downtown adjacent. The proposed use for the building is an antique/home goods store (retail). The properties to the north, west, and south are zoned R-2, Mixed Residential Use, and the property to the east (across the railroad tracks) are zoned B-3, Historical Business District. This original building (7,232 square feet) was constructed in 1962, before the zoning ordinance was adopted in 1968. In 1981, the second floor and additional space to the main floor was constructed for an additional 7,448 square feet. In 1989, an addition of 3,750 square feet was added to the main floor on the west side. This addition has a garage door entry on both the north and south sides. Since this property was built prior to the adoption of the zoning ordinance, it is non-conforming in several areas:

- Front yard setback – 11-feet (25-feet required)
- Rear yard setback – 6-feet (15-feet required)
- West side yard setback – none (20-foot bufferyard required)
- Lot coverage – 100% (Maximum 85% allowed)
- Parking – 6 off-street parking spaces provided

This property has been vacant since 2017, when Brenham Office Supply closed their business. The applicant, Rachael Terry proposes to develop this property into an antique/home goods store with retail on the first floor and storage on the second floor. She stated that she has no desire to redevelop the site into a restaurant or other high-volume commercial use. The building has remained vacant for many years due in large part to the need to bring the building up to current fire and building codes, including a fire suppression system, accessibility ramp, and restrooms that meet the Americans with Disability Accessibility Act.

For this proposed development, the applicant will be required to bring the building up to current code and add handicapped parking. The applicant is prepared to utilize planters and other means necessary to provide the required 8% landscaping requirement for new uses in existing structures.

Section 16.06 of the Zoning Ordinance states the following parking requirements:

- (20) Offices, business or professional use: 1 space per 300 square feet of gross floor area.
- (23) Retail, general: Under 400,000 square feet. 1 space per 250 square feet of gross floor area.
- (33) Wholesaling, warehousing and distribution uses: 1 space per 1,000 square feet of gross floor area.

The proposed project would require the following parking spaces:

- Office space - .75-space

- Retail area – 14.48-spaces
- Storage area – 6.94-spaces
- Total required parking spaces – 22.17-spaces

The applicant proposes to convert the interior addition on the west side to interior parking. The entrance to this parking area will be off W. Main Street and will exit onto W. Vulcan Street. This proposal will add seven (7) additional parking spaces. The applicant also proposes to add a parallel parking space to the rear of the existing building on W. Vulcan Street. For this development, the applicant proposes a total of fourteen (14) parking spaces instead of the 22 required spaces, or a 37% reduction.

The Board of Adjustment has the authority to grant a special exception to waive or reduce 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.

Notifications were mailed to property owners within 200-feet of the subject property on September 2, 2022. No citizen comments were received in support of or against the request.

Staff has reviewed the request and recommends approval of the requested special exception to allow a reduction of 8-spaces (14-spaces to be provided) to the required parking for redevelopment of the existing building located at 304 W. Main Street as an antique/home goods store.

Chairman Hodde opened the Public Hearing at 5:30 p.m. and asked for any comments. Mimi Owen who lives at 401 W. Main Street voiced concerns about the fast traffic in this area and the fact that there is already a parking issue in this area since Manuel's patrons park along Main Street, sometimes all the way back to down building since no parking is allowed on the south side of W. Main Street. Commissioner Winkelmann stated that she lives at the corner of W. Main Street and Seward Street and she is aware of the parking issues. She further stated that the Manuel's building was built many, many years ago as a Dairy Queen and has evolved into a Mexican restaurant. She further stated that Manuel's is a family-oriented business, and they close at 9:00 pm on the weeknights. Their busy times are early morning, lunch and in the evening. It was clarified for the Board that the subject property is zoned B-2 but is adjacent to the B-3 zoning, which does not have any parking requirements. The B-3 zoning stops at Austin Street. Staff will consult with the GIS department to see if the shading can be done differently to better differentiate the districts. Raina Arreola, who lives on W. Vulcan Street, stated that most of the homes on W. Vulcan Street are rental units and they all utilize the on-street parking up and down the street, so parking is a real problem in this area. The applicant stated that since most of the items for sale will be owned merchandise rather than consigned merchandise, this should reduce the number of workers/vendors at the location.

Chairman Hodde closed the Public Hearing at 5:40 p.m. and re-opened the Regular Session.

A motion was made by Commissioner Painter and seconded by Commissioner Winkelmann to approve the request by Rachael Terry for a Special Exception for a reduction in the number of required off-street parking spaces for a currently vacant commercial building proposed to develop as an Antique/Home Goods Store (Retail) located at 304 W Main Street, as presented. The motion carried unanimously.

6. **Public hearing, Discussion and Possible Action on Case Number B-22-004: A request by MC Property Holdings, LLC for a variance from the City of Brenham Code of Ordinances, Appendix A – Zoning, Part II, Division 2, Section 2.05(1)(b)(iii) to allow an average 70.48-foot lot depth, where a minimum average lot depth of 115-foot lot is required, for the future development of a single-family residence to be located at 905 Sycamore Street, described as Lot 39 & 40 Becker's Subdivision of Lot No. 22 of the Davidson Addition and Reserve #1 of the L.D. Brown Subdivision, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. B-22-004 (on file in the Development Services Department). Ms. Laauwe stated that this request by MC Property Holdings, LLC / Dara Childs is for a variance to

allow an average 70.48-foot lot depth where a minimum average lot depth of 115-foot lot is required, for the future development of a single-family residence to be located at 905 Sycamore Street. The approximately 0.1766-acre lot is located in the R-2 Zoning District (Mixed Residential Use) and is currently vacant land.

On August 4, 2022, City Council abandoned some undeveloped roadway and Mr. Childs received one-half of the abandoned right-of-way. Mr. Childs has requested a replat of the properties (lot 39, 40, and the abandoned right-of-way); however, the lot still does not meet the minimum lot depth requirement of an average of 115-feet. Therefore, the applicant is requesting a variance to allow the existing average lot depth of 70.48-feet in order to replat the properties into one lot for construction of a single-family residence.

Notifications were mailed to property owners within 200-feet of the subject property on September 2, 2022. No citizen comments were received in support of or against the request.

Staff has reviewed the request and recommends approval of the requested variance to allow a 70.48-foot average lot depth for construction of a single-family residence to be located at 905 Sycamore Street.

Chairman Hodde opened the Public Hearing at 5:48 p.m. and asked for any comments. There were no citizen comments.

Chairman Hodde closed the Public Hearing at 5:50 p.m. and re-opened the Regular Session.

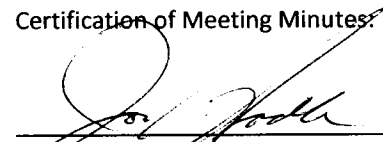
A motion was made by Commissioner Thielemann and seconded by Commissioner Painter to approve the request by MC Property Holdings, LLC for a variance to allow an average 70.48-foot lot depth, where a minimum average lot depth of 115-foot lot is required, for the future development of a single-family residence to be located at 905 Sycamore Street, as presented. The motion carried unanimously.

**7. Adjourn**

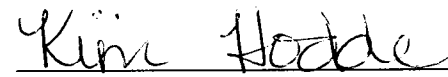
A motion was made by Commissioner Painter and seconded by Commissioner Winkelmann to adjourn the meeting at 5:51 p.m. The motion carried unanimously.

*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

November 14, 2022  
Meeting Date

  
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Attest, Staff Secretary

November 14, 2022  
Meeting Date