



**CITY OF ANGLETON
BOARD OF ADJUSTMENT AGENDA**

**120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
WEDNESDAY, MARCH 20, 2024, AT 12:00 PM**

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE BOARD OF ADJUSTMENT FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC ON WEDNESDAY, MARCH 20, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

Present: Ms. Danielle Graham, Chair
Ms. Janie Schwartz-Shaw
Ms. Michelle Townsend
Mr. Blaine Smith
Mr. Gary Dickey

Absent: Ms. Ellen Eby

DECLARATION OF A QUORUM AND CALL TO ORDER

1. Discussion and possible action on the minutes for the Board of Zoning Adjustment meeting on December 20, 2023.

Board Action:

A motion was made by Board member Michelle Townsend to approve the minutes as presented; motion seconded by Board member Janie Schwartz-Shaw.

ROLL CALL VOTE:

Chair Danielle Graham - Aye, Board member Janie Schwartz-Shaw - Aye, Board member Michelle Townsend - Aye, Board member Blaine Smith - Aye, Board member Gary Dickey - Aye; **(5-0 vote)**.
The minutes were approved.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and take possible action on a variance request for a proposed 10'-6" high privacy fence, per Local Gov. Code 211.008 and Section 28-23 of the City of Angleton, Code of Ordinances. Section 28-104- Fencing, walls and screening requirements, (c) Fences in residential areas: (1) Any fence or wall located to the rear of the minimum required front yard line shall not exceed eight feet in height". The subject property is located at 32 Colony Square, also known as Block 1, Lot 15; and zoned Single Family Residential, (SF 7.2) District.

Staff: Kandice Haseloff-Bunker, Development Coordinator gave staff summary comments explaining the basis for the variance. The proposed fence meets findings and is not expected to be detrimental to public health, safety, welfare of surrounding properties. Granting increased height could create visual inconsistency regarding other fences in the same neighborhood and could set new precedence for other properties to request the same. Photographs were shown.

Stewart Christensen, applicant, spoke on behalf of self. Mr. Christensen explained that there is a home built on a corner lot in Riverwood whose back porch is approximately 40 yards from his back porch. Mr. Christensen is able to see into that home's living room and kitchen area.

Open the public hearing:

Tommy Bailey, Straight Fence Company, spoke on behalf of applicant's fence company. Mr. Bailey provided information and building details about proposed fence and design opportunities. Additionally, stating his belief that the fence around the Riverwood property backyards is approximately 6 feet in height and built partially down the sloping side of the easement.

Board Member, Janie Schwartz-Shaw had questions about the Riverwood homes potentially being two stories and if the extended height fence would visually screen Christensen's backyard. Mr. Christensen explained a fence would have to be 16 feet tall to block that view. Chair, Danielle Graham asked about the visual appearance of fence. Mr. Bailey was able to provide information about visual appearance options, cedar caps running horizontally, dog ear slats, etc. Board Member, Janie Schwartz-Shaw asked if Mr. Christensen's home is part of the Homeowners' Association and he explained that the Association is optional and there are no restrictions for this type of fence.

Board Deliberation:

Conflicting concerns explained and discussion to have proposed fence to taper when it joins neighboring lower height fence to create consistency.

Board Action:

A motion was made by Board Member, Gary Dickey to approve the variance to Section 28-104 Fencing, to allow a 10'-6" high privacy fence to be built along both, south side and west side of the rear yard perimeter, conditioned on locations where proposed fence is abutting lesser height fencing, the 10'-6" fence must taper down to be aesthetically pleasing; motion seconded by Board Member, Blaine Smith.

ROLL CALL VOTE:

Chair Danielle Graham - Aye, Board member Janie Schwartz-Shaw - Nay, Board member Michelle Townsend - Aye, Board member Blaine Smith - Aye, Board member Gary Dickey - Aye; **(4-1 vote).**
The variance was granted.

ADJOURNMENT: 12:59 PM

CITY OF ANGLETON, TEXAS

Chair, Danielle Graham

ATTEST:

Otis T. Spriggs, AICP, Development Services Department Director