



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, JULY 17, 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

Roll Call: Present were: Chair, Danielle Graham, Board member Janie Schwartz-Shaw, Board member Gary Dickey, and Board member Michelle Townsend. Absent was: Board Member Blaine Smith.

1. Discussion and possible action on the Board of Adjustment meeting minutes for May 22, 2024.

A motion was made by Board member Michelle Townsend to approve the minutes as presented; motion was 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 Gary Dickey - Aye; (4-0 vote). The minutes were approved.

### PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing (Continued), discussion, and take possible action on previously platted with approximately 70-ft. deep lots, reducing the minimum front yard setback from 15 ft. to approximately 7-ft., by a variance request of the City of Angleton, Code of Ordinances, Local Gov. Code 211.008 and variance to Sec. 28-50. - SFA—Single-family attached residential district (Townhomes). The subject property is located on Dennis Avenue, also known as Brushy Bayou Townhomes Sect. II, Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, T S Lee Survey, Abstract 318, Brazoria County, Texas; and zoned Single Family Attached, (SFA) District.

### Staff:

D.S. Director Otis Spriggs informed the Board, that this hearing began previously in May, in which we heard testimony from the neighbors and the applicant regarding this request and proposal on Dennis Ave. for the proposed townhomes, which were part of a previous development that was previously approved and built on the north side of the road. On the south side of the road are a number of constraints regarding the drainage easement on the

south side of the street, which rendered most of those lots unbuildable with the exception maybe the first two lots that could be consolidated for the purposes of a duplex.

Along the south side, lots 23,24,25,26,27,28,29 and 30 could be considered to be dedicated to the city for parkland purposes or otherwise for additional parking for the residents, if the City does not accept the dedication. Mr. Spriggs showed photographs for further explanation, and the area on the north side of the road, that was never completed as planned originally, could be considered as requested by this developer for townhomes on the northside with the variances up for consideration.

Mr. Spriggs added that any new buildings would be no closer to the road than the existing structures and garages and the developer must satisfy any rear and side yard constraints. Mr. Spriggs described the waterline easement located on the north side of the road, between lots 18 and 19, in which we've gotten confirmation from our Public Works Department that it is a duplication water line that could be removed and that easements could be abandoned through the planning process.

The original park land reserve on the plat would need to be transferred to the south side to accommodate the completion of the townhomes. Mr. Spriggs explained that the May Public Hearing was tabled, because the applicant had not submitted the affidavit of the owner's consent on the application because he had not put the earnest money on the property. Since that time, all of that has been taken care of.

Mr. Spriggs described the requested 7-foot variance or 7-foot front yard setback as outlined in the Agenda Summary.

Board Member Michelle Townsend inquired about the Parkland Dedication requirements; will we still get that amount for the new structures? Mr. Spriggs explained the developer would have to comply with the new standards.

Mr. Spriggs explained that the Board's action would be on the north side of the road, the consideration of the setback variances, and on the South side for Lots 21 and 22, possibly as recommended by staff for a duplex. And then everything else is a part of dedicated open space and easement abandonments.

Motion was made by Board Member Michelle Townsend to close the public hearing; Motion was seconded by Board Member Board member Janie Schwartz-Shaw. Motion passed 4-0. The Public Hearing was closed.

Motion by Board Member Townsend made motion that the Board has established findings of fact and determines that a hardship has been proven for the requested variances to section 28-50 D.2, and hereby grants the variance subject to the condition that the applicant would complete the subdivision platting process to consolidate the lots, addresses their utility easements and the Parkland Reserve abandonment, to be finally approved by the City Council. Motion was seconded by Board Member Gary Dickey.

**ROLL CALL VOTE:**

**Chair Danielle Graham - Aye, Board member Janie Schwartz-Shaw - Nay, Board member Michelle Townsend - Aye, Board member Gary Dickey - Aye; (4-0 vote). The variance was granted.**

**ADJOURNMENT: 12:17 PM**

/S/ Otis Spriggs

Otis Spriggs

Development Services Director