



AGENDA ITEM SUMMARY FORM

MEETING DATE: July 22, 2026

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Conduct a public hearing, discussion, and take possible action on a Variance request of the Angleton Code of Ordinances, Code Section 28-57(d) 2. Commercial- General District, side yard setback reduction of the required 15 ft. to 4'-0", for property located at 1216 N. Velasco St., Angleton, Texas.

AGENDA ITEM SECTION: Public Hearings and Action Items

BUDGETED AMOUNT: N/A **FUNDS REQUESTED:** N/A

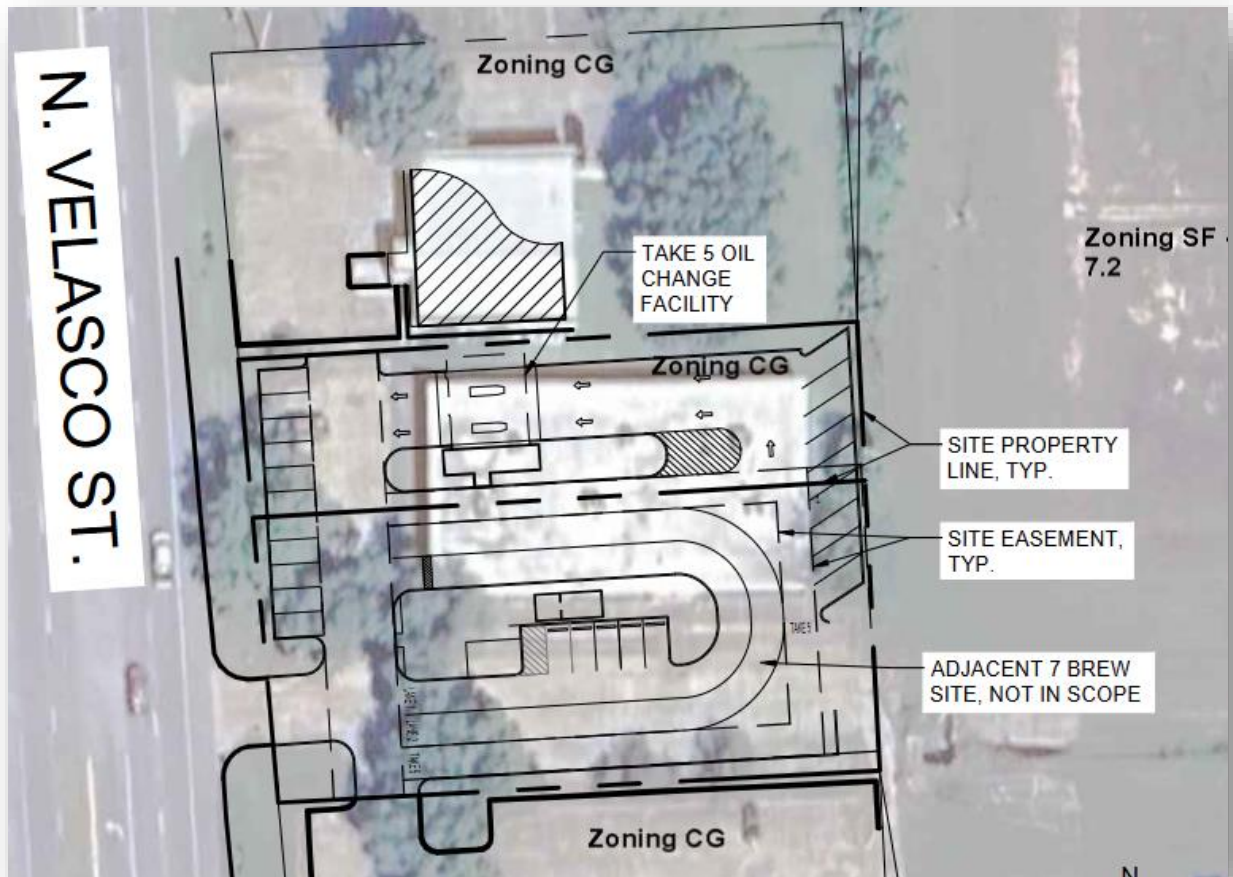
FUND: N/A

EXECUTIVE SUMMARY:

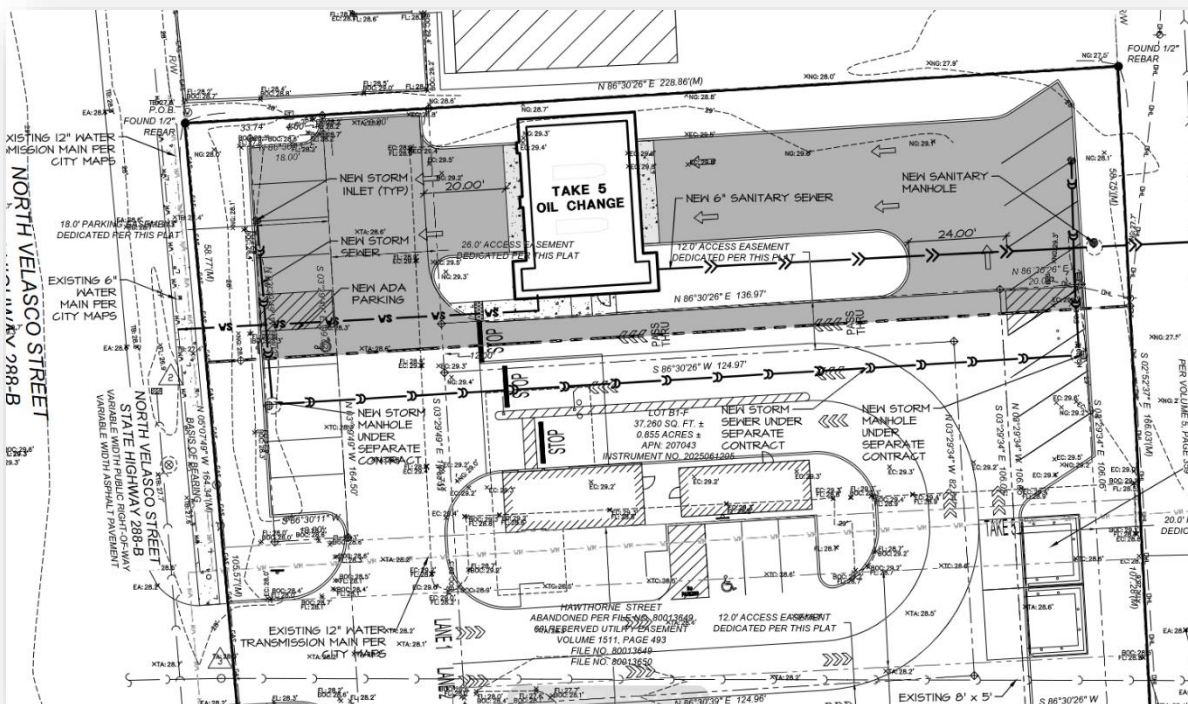
The applicant (Take-5) has filed a variance application on the subject property located at 1216 N. Velasco St., Angleton, Texas.

Code Section 28-57(d) 2. Commercial- General District, requires a side yard of the required 15 ft., and the applicant is requesting a reduction down to 4'-0". Due to the linear configuration of the pad site, the applicant had to design the site to allow for vehicular stack lanes sufficient enough not to cause conflict with area traffic management.

Staff processed this application and scheduled the public hearing at the request of the applicant and the property owners within 200 ft. of the property were notified, and the legal notice was posted in the local newspaper.



Aerial with Site Plan Overlay



Site Plan



View of Property Site Looking from West to East



View of Property Site Looking from West to East



View of Property Site Looking from Neighbor to the North towards the South @ Site

Zoning Code / Variance Analysis:

Sec. 28-23. Board of adjustment (BOA). F. (2). No variance shall be granted without first having given public notice and having held a public hearing on the variance request in accordance with subsection (h) of this section and unless the board of adjustment finds:

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his/her land; *Staff confirms that this is a consolidated redeveloped property along a major redevelopment corridor. This catalyst development will only spark positive economic growth along this commercial area.*
- b. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; *Applicant seeks relief by the Board ensuring that all minimum building code separations will be adhered to, regarding existing neighboring structure to remain which will be approximately 10 ft. wall to wall.*
- c. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; *Staff confirms that the variance will not cause any detriment to public health and safety. All minimum building code separations will be adhered to, regarding existing neighboring structure to remain which will be approximately 10 ft. wall to wall.*
- d. That the granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this chapter; and

Staff confirms granting the variance will not interfere nor prevent the orderly use of other land within the area.

Such findings of the board of adjustment, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the board of adjustment meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that public health, safety and welfare may be secured, and that substantial justice may be done.

Staff concurs that the difficulty caused is neither financial in nature and the relief sought will not injure the permitted use of adjacent conforming property; and the granting of a variance will be in harmony with the spirit and purpose of these regulations.

RECOMMENDATION:

Staff recommends that the Board of Zoning Adjustment grants the variance to the Code of Ordinances, Code Section 28-57(d) 2. Commercial- General District, reducing the required side yard of the required 15 ft. to 4'-0" ft.