



## PLANNING & ZONING COMMISSION MEETING MINUTES

Tuesday, February 03, 2026  
7:30 PM

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Iowa Colony City Council Chambers, 3144 Meridiana Parkway, Iowa Colony, Texas 77583

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**Members present:** Brian Johnson, Les Hosey, Terry Hayes, Brenda Dillon, Demond Woods and Robert Wall

**Members absent:** David Hurst

**Others present:** Dinh Ho

### CALL TO ORDER

Vice Chair Brenda Dillon called the work session to order at 7:30.

Vice Chair Brenda Dillon called a recess of the Planning and Zoning Commission at 7:01 P.M. The Commission reconvened at 8:32 P.M.

### CITIZEN COMMENTS

Jose Bernal noted that recent plats no longer include the setback lines that were previously shown. The 2009 plat identified a 10-foot setback, and although the ordinance was updated in 2014, it still established a 10-foot setback. However, the UDC now reflects a 25-foot setback, creating conflict between the UDC, the ordinance, and the approved 2009 plat. They are not requesting a variance but are asking that the subdivision requirements be grandfathered under the 2009 plat showing the original 10-foot setback requirement.

Curtis Olsen was the applicant who submitted the variance request. He had contacted his neighbors to sign a petition on the matter. He expressed his appreciation for the work that has been done to evaluate the issue.

Brett Masoni thanked the city for looking into the matter. As a member of the HOA, he expressed a desire to find a resolution so they can move forward. He also shared that he enjoyed the presentation from the young man regarding the city flag and stated he would be interested in displaying one in the Magnolia Bend neighborhood if it is adopted.

### ITEMS FOR CONSIDERATION

1. Discussion of residential setback requirements for acreage lots within the zoning and subdivision ordinances.

Dinh Ho, City Engineer, provided an overview of residential setback requirements for acreage lots as outlined in the zoning and subdivision ordinances, which included a setback diagram. He referenced the current regulations in the zoning ordinance adopted in 2000 and the subdivision ordinance adopted in 2002. He also presented information on comparable regulations from surrounding cities, including Manvel, Pearland, and Alvin.

Commission Member Johnson asked about the recorded 2009 plat.

Councilmember Varlack emphasized the need to establish the adoption date of the applicable ordinance, noting that the zoning ordinance adopted in 2000 would have been in effect at the time the plat was approved in 2009. He asked staff to confirm the ordinances and clarified that the zoning ordinance should have been applied at that time. He also inquired whether any proposed updates would apply citywide or only to subdivisions like Magnolia Bend and discussed the distinction between platted subdivisions and rural properties. He raised a point of order, clarifying that the City is not acting unfairly and cautioning against statements suggesting otherwise due to potential liability. He also asked about accessory building size requirements.

Commission Member Hosey questioned why larger acreage properties, such as 10-acre tracts, are subject to setbacks of 25 to 50 feet from the road, noting a distinction between one-acre lots and rural properties.

Councilmember Brooks asked for clarification regarding denials referencing the 2014 ordinance, while discussion also centered on the 2000 ordinance. She noted that the 2014 regulations were adopted after the 2009 plat and that at least 17 homes in the subdivision are affected. She requested clarification on why denials were based on the 2014 ordinance while the 2000 ordinance was also being discussed.

Dinh Ho explained that Mr. Olsen's request included an encroachment up to 5 feet, which did not meet requirements and was denied by City Council. He stated that when reviewing plats, the more stringent regulation is applied, and noted that no variances had been identified in similar cases. Commission Member Johnson asked whether any homes had been constructed within the 25-foot setback.

Mayor Pro Tem Greene-Scott asked the discussion to focus on how to address or amend the ordinance rather than when it was adopted. Dinh Ho suggested considering options that differentiate between subdivisions and larger acreage properties, including the potential creation of a new zoning district to address these requirements and reduce the need for variances.

Dinh Ho presented recommendations, including a 50-foot front setback (current standard), 15-foot side setback, 25-foot rear and corner setbacks, and a 10-foot accessory building setback, noting these are like standards in nearby cities such as Pearland and Manvel.

Councilmember Hargroder expressed concerns regarding fire safety and read a statement from Fire Chief Walters indicating no issues, as structures are built to code. She supported 10- and 15-foot setbacks for one-acre lots and asked about the history of code enforcement, noting that many structures were built prior to having formal enforcement. She emphasized the need for clear directions to staff moving forward.

Commission Member Johnson stated he does not recommend setbacks less than 10 feet due to potential flooding concerns. Dinh Ho added that utility trenching typically occurs in these areas. Robert Wall expressed agreement with Dinh Ho's recommendations.

Commission member Dillon acknowledged the Fire Chief's comments but shared that another fire department indicated 5-foot setbacks are not feasible, while 10 feet is more appropriate. She stated she does not consider one-acre lots to be rural and raised concerns about homes built close to the street if future roadway widening occurs.

Councilmember Brooks recognized the hardship on landowners, noting that over 50% of affected residents signed a petition. She said that the city should work to improve residents' experience and consider aligning with other communities using 10-foot setbacks. She emphasized the importance of community engagement, including town halls, and asked whether there is a way to balance residents' concerns with regulatory changes. She also clarified her earlier remarks, stating the more appropriate term to use would have been "equitable," and requested clarification on the process and timeline.

Mayor Kennedy asked Dinh Ho to clearly outline his proposal for further discussion.

Commission Member Woods asked for clarification on how Planning and Zoning processes and approvals have changed over time.

Councilmember Murray stated that the goal is to address the issue collaboratively, ensuring both resident satisfaction and compliance, while acknowledging that solutions take time.

Commission Member Hayes noted that lack of awareness of regulations does not exempt compliance and emphasized the need to reach a resolution.

Councilmember Boyce agreed with Dinh Ho's recommendations but stated that a 5-foot setback is too close.

City Attorney: Natasha Brooks noted she has been in consistent communication with Mr. Olsen and does not believe there is a staff communication issue. She added that variances should be reserved for unique situations and that frequent variance requests may indicate the need to amend the ordinance.

### **ADJOURNMENT**

The worksession was adjourned at 9:43 P.M.

APPROVED THIS 7th DAY OF APRIL 2026.

ATTEST:

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Kayleen Rosser, City Secretary

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David Hurst, Chair

