

MERRILY A THOMPSON REVOCABLE
LIVING TRUST
124063

MERRILY A THOMPSON REVOCABLE
LIVING TRUST
352075

DOVEY, PENNY
124061

COLLEGE

GLYNN, JAMES E
1544049

TOBABEN, TRAVIS R & JENNIFER B
TOBABEN
1367547



01/14/2025 10:37



Variance Request Application

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
(936) 597-6434

Upon completion return application to dmccorquodale@ci.montgomery.tx.us

Contact Information

Property Owner(s): Merrily Thompson
 Address: 25637 W FM 1097 Rd., Montgomery TX Zip Code: 77356
 Email Address: merrily.thompson@gmail.com Phone: 936-672-3853
 Applicants: same as above
 Address: _____
 Email Address: _____ Phone: _____

Parcel Information

Property Identification Number (MCAD R#): R352075 (0072800700111)
 Legal Description: Montgomery Townsite 07, Tract 1-A, Area G, Lot 2 (College St. Add 01)
 Street Address or Location: 914 College Street
 Acreage: .30 Present Zoning: residential Present Land Use: residential

Variance Request

Applicant is requesting a variance from the following:
 City of Montgomery Ordinance No.: 98-122 Section(s): A2
 Ordinance wording as stated in Section (A-2):
SIDE YARD ON MAIN THOROUGHFARE. THERE SHALL BE A SIDE YARD ON EACH SIDE OF THE LOT HAVING A WIDTH OF NOT LESS THAN 10'.
ORDER# 2014-03 §1, 5-20-2014 (SEE ATTACHED)

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:
Applicant is requesting ability to go to 5' building line on west property line to build a garage.

Signatures

Owner(s) of record for the above described parcel:

Signature: Merrilyn Thompson

Date: 1-20-2025

Signature: _____

Date: _____

Signature: _____

Date: _____

Note: Signatures are required for all owners of record for the property proposed for variance. Attach additional signatures on a separate sheet of paper.

Additional Information

The following information must also be submitted:

Cover letter on company letterhead stating what is being asked.

A site plan.

All applicable fees and payments. **All fees paid by credit card are subject to a 5% merchant fee.**

The application from must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the variance request shall be submitted.

<p>Date Received <i>Office Use</i></p>	<p>_____</p>
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Public Hearings

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any variance to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission: **1st Tuesday of every month at 6:00 p.m.**

City Council: **2nd and 4th Tuesday of every month at 6:00 p.m.**

Finding of Undue Hardship

In order to grant a variance, the Board must make the following findings to determine that an undue hardship exists:

1. That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and
2. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
3. That the relief sought will not injure the permitted use of adjacent conforming property; and
4. That the granting of a variance will be in harmony with the spirit and purpose of these regulations.
5. Financial hardship alone is not an "undue hardship" if the property can be used, meeting the requirements of the zoning district it is located in.

Factors not Considered

A variance shall not:

1. Be granted to relieve a self-created or personal hardship,
2. Be based solely upon economic gain or loss,
3. Permit or allow any person a privilege or advantage in developing a parcel of land not permitted or allowed by these Regulations to other parcels of land in the same particular zoning district,
4. Result in undue hardship upon another parcel of land.

Sec. 98-122. - Area regulations.

- (a) *Size of yards.* Size of yards in District R-1 shall be as follows:
- (1) *Front yard.* There shall be a front yard having a depth of not less than 25 feet from the property line, except that, where lots face on a major street, the front building line shall be 35 feet from the property line.
 - * (2) *Side yard on main thoroughfare.* There shall be a side yard on each side of the lot having a width of not less than ten feet. A side yard adjacent to a side street shall not be less than 15 feet from the property line to the building line, except, where the lots side on a major street, the building line shall be not less than 25 feet from the side street property line.
 - (3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet from the property line.
- (b) *Size of lots.* Size of lots shall be approved by the city council on the basis of the district in which they live.
- (1) *Lot area.* No building shall be constructed on or moved onto any lot of less than 9,000 square feet.
 - (2) *Lot width.* The width of the lot shall not be less than 75 feet. Radial lots shall have a minimum width of 75 feet at and for a distance of 30 feet behind the building line.
 - (3) *Lot depth.* The average depth of the lot shall not be less than 120 feet.
 - (4) *Corner lots.* Corner lots with a width of less than 90 feet are to be at least five feet wider than average of the interior lots in the block. Corner lots with a width of less than 90 feet adjacent to a major thoroughfare are to be at least 15 feet wider than the average of interior lots in the block.
 - (5) *Lots on cul-de-sacs.* Lots on cul-de-sacs shall be 9,000 square feet, with the width and depth to be determined by the development of the cul-de-sac.
 - (6) *Existing substandard lots.* Where a lot having less area, width or depth than required in this section existed upon the effective date of the ordinance from which this chapter is derived, the regulations in this section shall not prohibit the lot owner from erecting a single-family dwelling thereon or moving a single-family dwelling onto the property.

(Ord. No. 2014-03, § 1, 5-20-2014)

Merrily Thompson
25637 West FM 1097, Montgomery, Texas 77356
936/672-3853
merrily.thompson@gmail.com

January 21, 2025

City of Montgomery
101 Old Plantersville Road
Montgomery, TX 77316

To Whom it May Concern:

I am respectfully requesting a variance be considered for the property I own at 914 College Street. I am planning to do some repairs and remodeling of the subject property which I have owned for 25+ years, and will then be moving into the property, claiming it as my primary residence. I would like to erect a 2-car garage on my property and will need a few extra feet on the west side building line to construct this property improvement. Please see the attached survey with the proposed placement of the garage.

It is my opinion, granting permission of the variance would not create any ill affect to adjacent properties, and that if granted, the variance will keep in harmony the spirit and purpose of regulations imposed by the City. Many properties within the city limits and within the historic district have smaller than 10' side building line set backs than the current ordinance requires. Some of these properties were developed long before the current ordinances came into effect, others appear to be very recent builds. When I purchased this property, there were no side building lines (as noted on the survey at the time of purchase) and there was no "Historic District".

I believe this improvement (the garage addition) will be an overall enhancement to the neighborhood and will allow me the opportunity to properly garage my vehicles and provide additional storage area so accumulated personal articles will not be visible to the neighbors (as some properties within the historic district have).

Respectfully submitted,


Merrily Thompson