



June 2, 2021

The Honorable Mayor and City Council  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316

Re: Variance Request  
Town Creek Crossing Section 1  
City of Montgomery

Dear Mayor and Council:

As you are aware, Philip LeFevre and Hilliary Dumas (“the Developer”) are proceeding with construction of Town Creek Crossing, Section 1 at the corner of Lone Star Parkway and Buffalo Springs Drive. The Developer is requesting the following variance from the City’s 2004 Code of Ordinances:

- Section 78-162: The 2004 Code of Ordinances requires a vegetative setback of 25’ in width to be maintained where commercial, multifamily, industrial, church, public building or school properties abut a single-family residential property. The Developer is stating the ordinance does not specifically require the setback to be located on the non-single-family residential property, but it is typically not placed on the residential property. The Developer is requesting a variance to allow the 25’ wide vegetative setback to be placed on the residential lot in lieu of the adjacent commercial reserve.

Enclosed you will find the request for variance as submitted by the engineer for the development. We offer no objections to the Developer’s request on the basis of the significant elevation difference between the commercial reserve and adjacent single family residential properties, and the lot size adjustment that is proposed to account for adjusting the location of the vegetative buffer.

Approval of the requested variances does not constitute plat approval and only allows the Developer to further refine the proposed final plat, which will require the full review and approval of the City.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Chris Roznovsky". The signature is written in a cursive, flowing style.

Chris Roznovsky, PE  
Engineer for the City

Variance Request – Town Creek Crossing Section 1  
Honorable Mayor and City Council  
City of Montgomery  
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June 2, 2021

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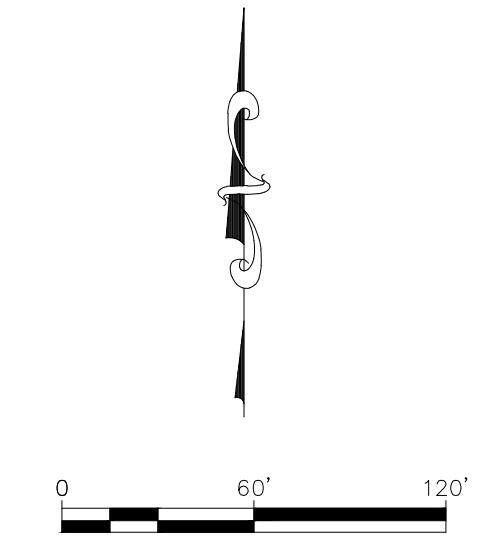
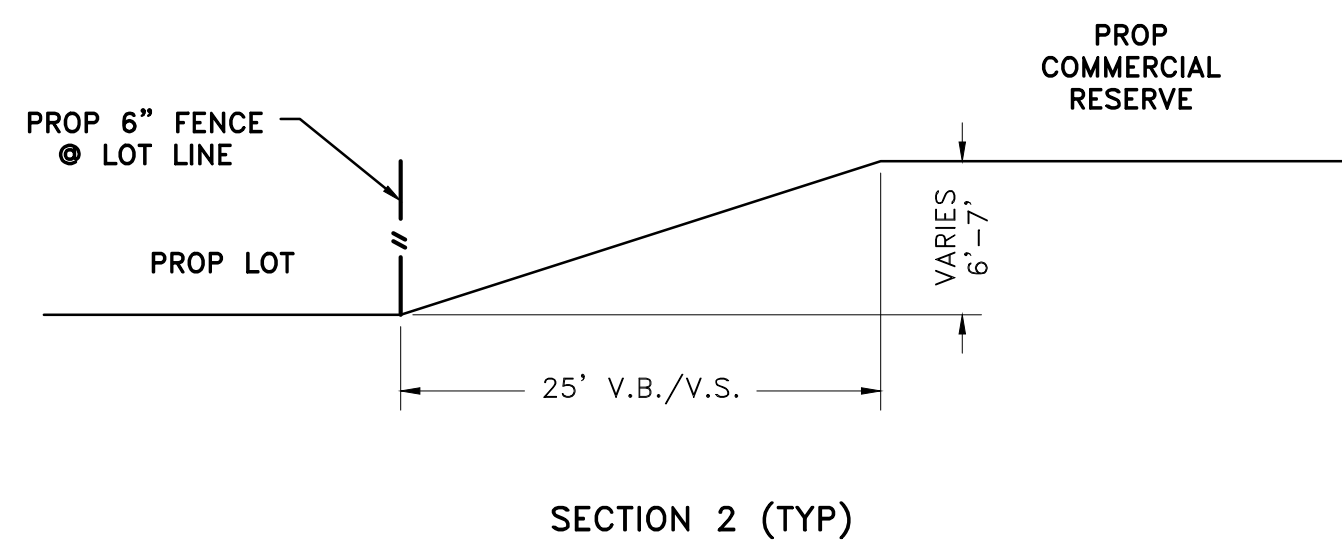
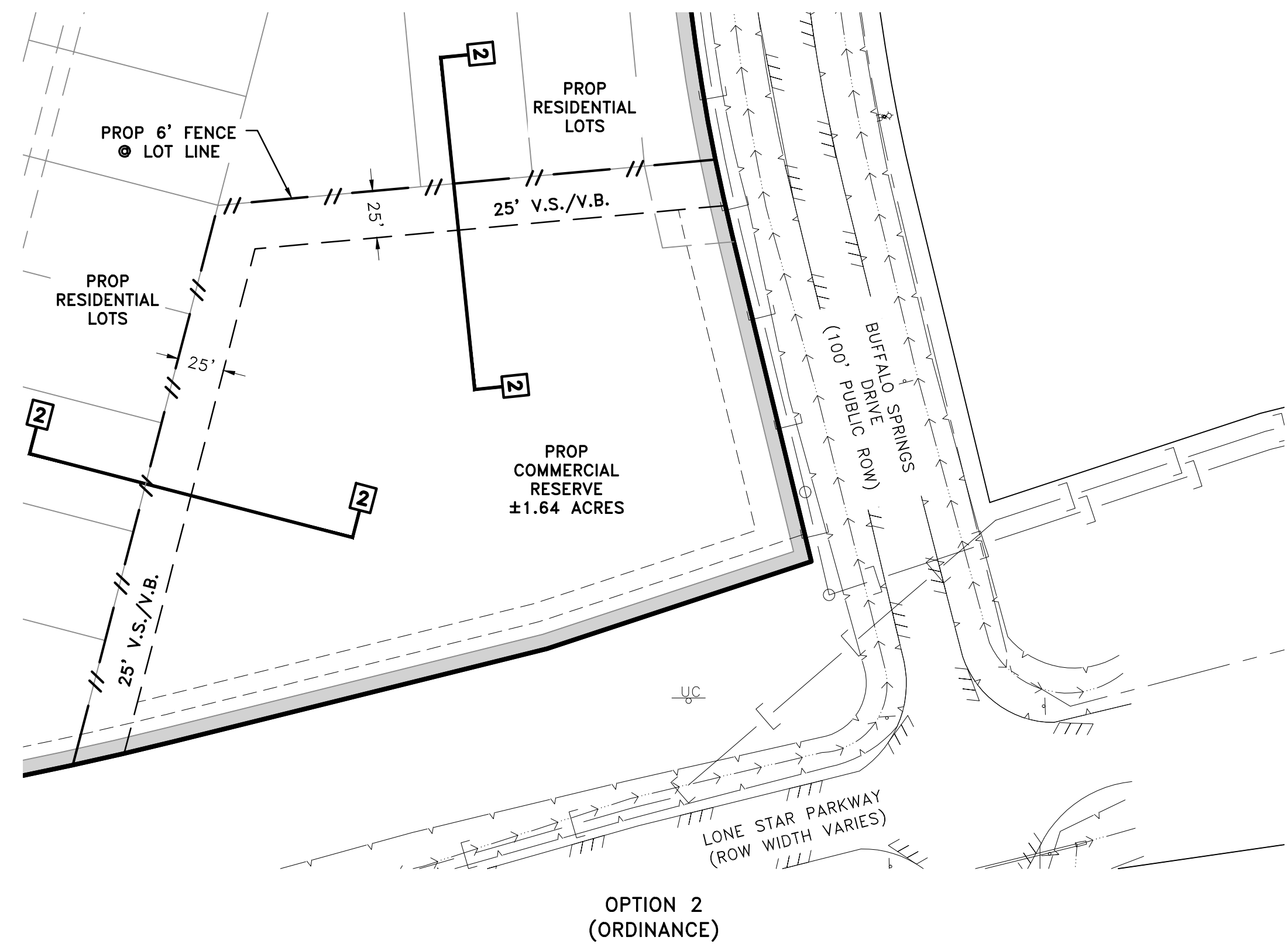
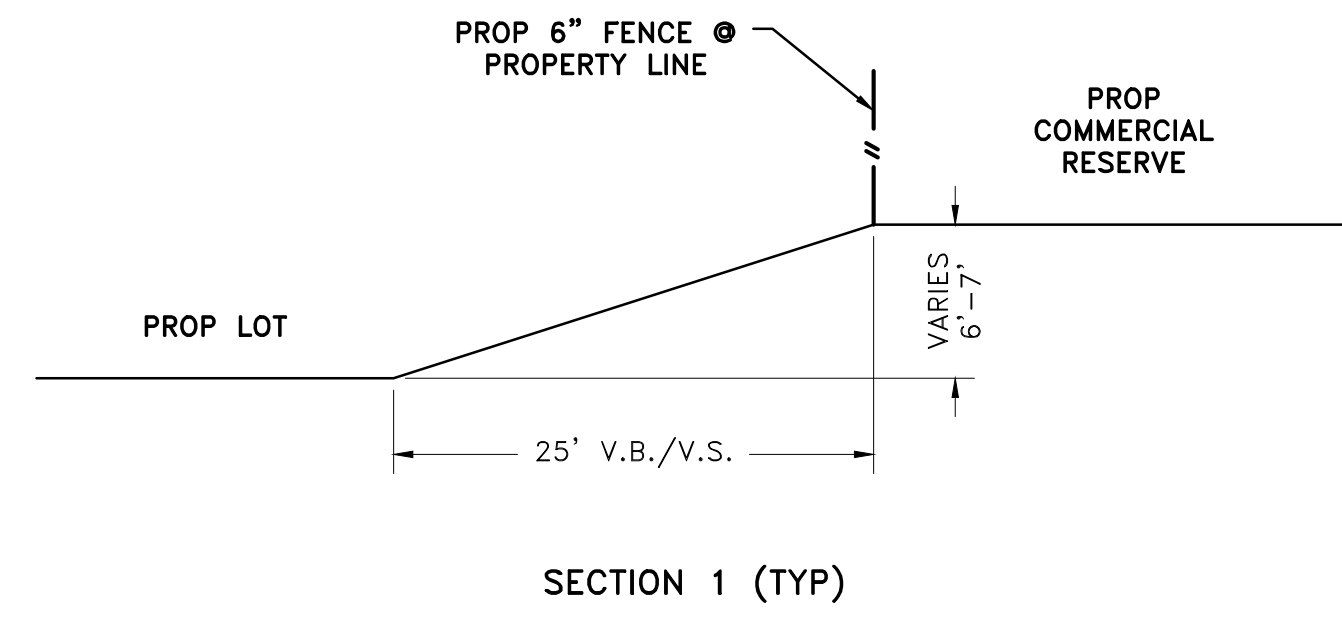
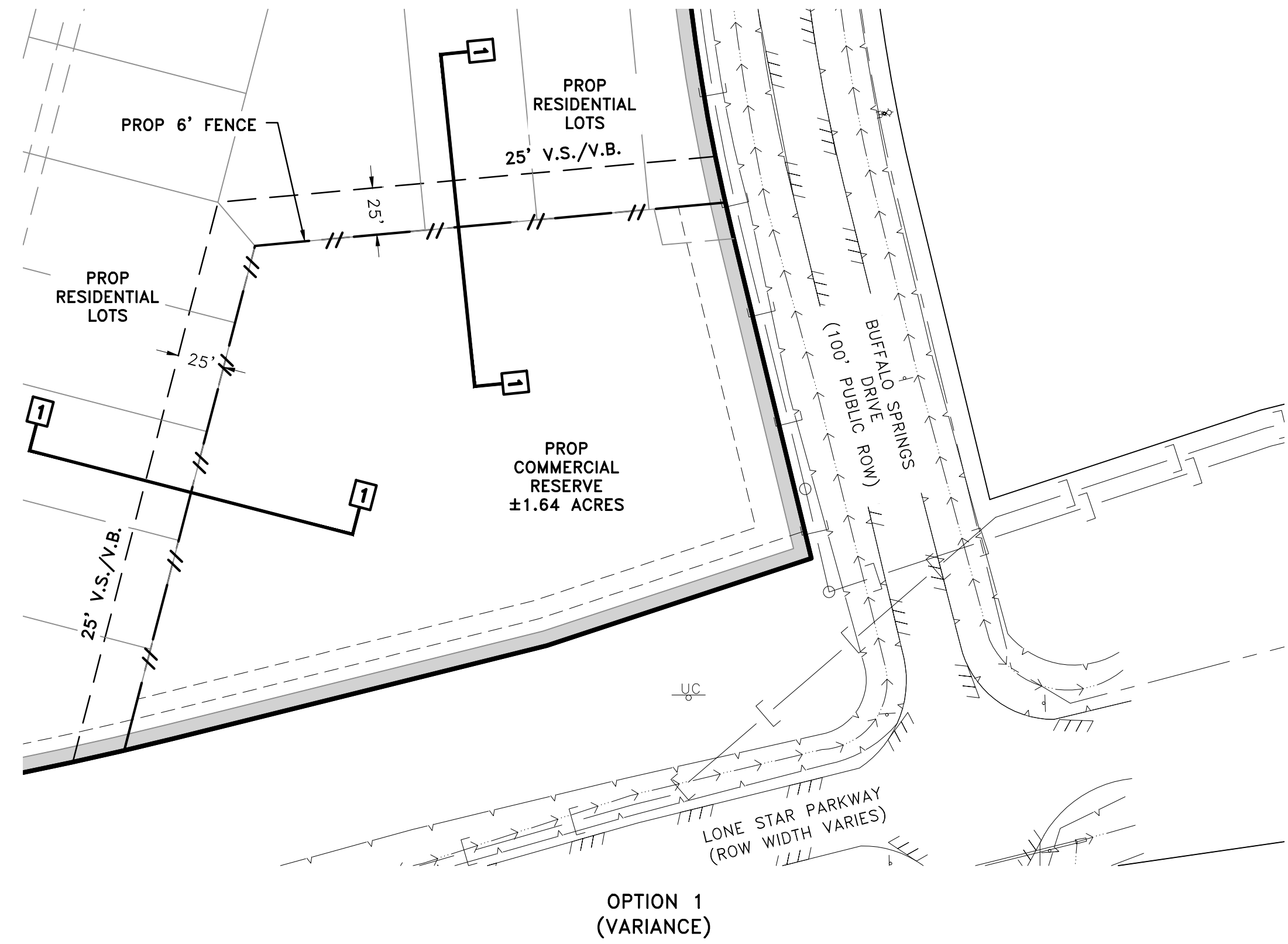
CVR/kmv

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Enclosures: Variance Request

Cc (via email): Mr. Richard Tramm – City of Montgomery, City Administrator  
Ms. Susan Hensley – City of Montgomery, City Secretary  
Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney

S:\ENGINEERING PROJECTS\10583 - TOWN CREEK CROSSING\103 CAD\DESIGN SET\EXHIBITS\COMMERCIAL EXHIBIT.DWG Jun. 2, 2021 - 2:47 PM



**L SQUARED ENGINEERING**  
 MUNICIPAL COMMERCIAL RESIDENTIAL  
 WWW.L2ENGINEERING.COM  
 MAIN OFFICE: 3307 W. DAVIS STREET #100, CONROE, TEXAS 77384  
 OFFICE: 836-687-0520  
 21122 EVA STREET #200, MONTGOMERY, TEXAS 77356

TOWN CREEK CROSSING

V.S./V.B. VARIANCE EXHIBIT

06/02/2021

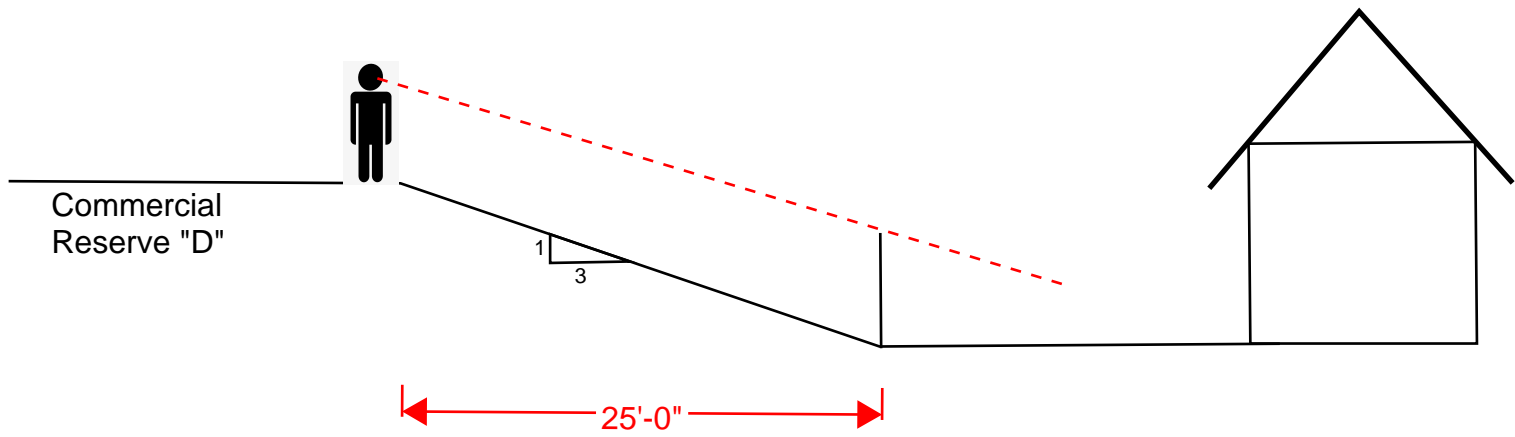
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PROJECT	10583	TDLR	**
DRAWN	MAB	CHECKED	XX
SCALE	SHEET		1
1" = 60' (24x36)			
1" = 120' (11x17)			

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:

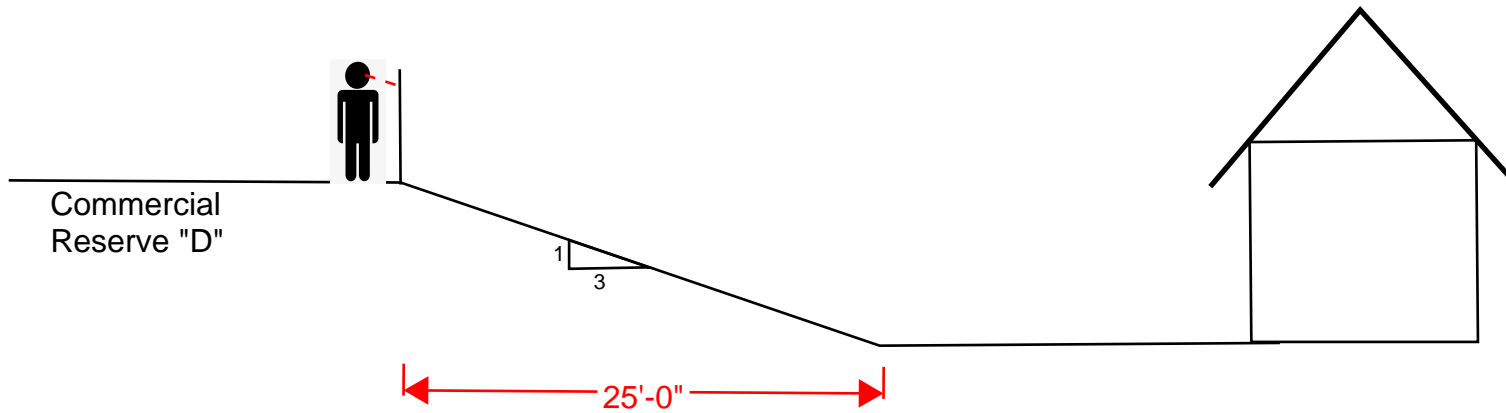
E. LEVI LOVE, PE #99340  
 OR  
 JONATHAN WHITE, PE #127058

FOR REVIEW PURPOSES ONLY  
 NOT FOR CONSTRUCTION

Current



Proposed



May 25, 2021

City of Montgomery  
C/o Dave McCorquodale  
101 Old Plantersville Road  
Montgomery, TX 77316

RE: Variance request for Town Creek Crossing regarding Vegetative Setbacks and Barriers

Mr. McCorquodale,

According to Section 78-162 of the 2002 City of Montgomery Code of Ordinances, a vegetative setback of 25' in width is required to be maintained at all times where commercial, multifamily, industrial, church, public building or school properties abut any single-family residential property. The ordinance is not specific to require the setback be located on the commercial lot, it simply states there a 25' setback is required; however, the 25' setback is typically situated on the commercial or multifamily property. We request that the 25' setback be situated on the residential lot in lieu of the commercial reserve.

There will still be a 25' buffer between Commercial Reserve D and the residential lots behind it, the setback will just be fixed on the residential lot. A fence will be placed on the common boundary line (approximately 7' higher in grade than the finished floor of the homes) and there will be a 3:1 side slope for transitional grading within the 25' vegetative setback on the residential lots. The residential lot depths were also increased in size by 25' to accommodate this setback.

Please feel free to contact me at 936-647-0420 if you have any questions or concerns.

Thank you,



Jonathan White, PE  
L Squared Engineering  
Senior Project Manager, Partner  
936-647-0420  
Jwhite@L2engineering.com

Attachments: Variance Application, Preliminary Plat





# Variance Request Application

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

Upon completion return application to [shensley@ci.montgomery.tx.us](mailto:shensley@ci.montgomery.tx.us)

### Contact Information

Property Owner(s): LeFevre Development Inc.

Address: 780 Clepper, Suite 100 Montgomery, TX Zip Code: 77356

Email Address: plefevre@lefc0-inc.com Phone: 936-597-5200

Applicants: L Squared Engineering

Address: 3307 W Davis Street, Suite 100 Conroe, TX 77304

Email Address: Jwhite@L2Engineering.com Phone: 936-647-0420

### Parcel Information

Property Identification Number (MCAD R#): R392827, R405109, R392828

Legal Description: Tracts 1-H, 1-L, and 1-J within the John Corner Survey, Abstract 8

Street Address or Location: Northwest corner of Buffalo Springs Drive and Lone Star Parkway

Acreage: 125.192 Present Zoning: PD Present Land Use: Vacant

### Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2002- Section(s): 78-162

Ordinance wording as stated in Section (78-162 ):  
Required vegetative barrier or setbacks

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

See request letter



**Signatures**

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

Signature: William Amas Date: 5/25/21

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.

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.

**Date Received**

*Office Use*