

May 21, 2025
WPS: 0040418.04

Development Services
City of Montgomery
101 Old Plantersville Road
Montgomery, TX 77316

Re: Variance Request
HEB Montgomery
Montgomery, TX

To Whom It May Concern:

Please accept this letter as an official request for variance on the following items:

- Landscape setback along the southern property line shall be a minimum of 20 feet. A retaining wall and utilities may be installed within the proposed setback. This is in reference to city code section 78-162.
 - o The proposed alternate is to install a 20-foot landscape setback. Within the setback, a retaining wall and visual barrier will be provided. Visual barrier will be provided via landscape screening where possible, where landscape screening is not possible, a 6-foot fence will be installed for screening.
 - o The reason behind this request is due to the site conditions, i.e., the depth of the property and the significant grade difference from the front to the back of the site. The significant grade differences require the installation of retaining walls on the north, south and most of the west sides of the property. This limits the usable remaining space to properly develop the HEB Grocery Store, Fuel Station, and Car Wash to serve the needs of the community. Reducing the southern landscape setback by five feet creates the extra space needed for the development.
- No utility easement will be required along the northern property line along Highway 105 Right-of-Way. This is in reference to city code section 78-92.
 - o The existing utilities are within the TxDOT ROW. The Highway 105 ROW exceeds 100 feet in width, and there is sufficient space within the ROW for both water and sanitary sewer extensions to be installed.
 - o The reason behind this request is due to the site conditions, i.e., the depth of the property and the significant grade difference from the front to the back of the site. The significant grade differences require the installation of retaining walls on the north, south and most of the west sides of the property. This limits the usable remaining space to properly develop the HEB Grocery Store, Fuel Station, and Car Wash to serve the needs of the community.
- No trees will be installed within 150 feet of the front doors of the grocery store. This is in reference to city code section 78-185.

- The required number of trees by code will be installed within the limits of the development, except within 150 feet of the front doors.
- This is a public sanitation and safety concern. As this is a grocery store that regularly prepares and stocks fresh foods, having trees within 150 feet of the front doors introduces the opportunity for birds to fly into the store and contaminate food and products.

Sincerely,



Hector Leon, P.E.

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