



## CITY OF MONTGOMERY

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June 12, 2025

Mayor Countryman  
City Council Members

RE: Planning and Zoning Commission Recommendation

Mayor and City Council Members,

On June 11, 2025, the City of Montgomery Planning and Zoning Commission ("the Commission") considered the variance request related to the required utility easement and vegetative setback for the HEB development (Dev. No. 2402), pursuant to Sections 78-92(a) and 78-162(a) of the City of Montgomery Code of Ordinances ("the Code"):

**Sec. 78-92. - Easements.**

- (a) Size. The size of easements where alleys are not provided shall not be less than eight feet on each side of rear lot lines, with additional five feet aerial on each side beginning at a plane 20 feet above the ground. The full width of an easement shall be not less than 16 feet at ground level and not less than 26 feet above ground. The full width of a drainage easement containing a piped storm sewer line shall be not less than 16 feet. The full width of a drainage easement containing an open ditch drainage facility shall be not less than the width of the ditch top plus 12 feet.

**Sec. 78-162. – Required setbacks.**

- (a) Vegetative setbacks of 25 feet in width shall be maintained at all times where commercial, multifamily, industrial, church, public building or school properties abut any single-family residential property or adjacent acreage that may in the future become single-family residential.

Upon thorough review of the request with the supporting information, the Commission recommends, to the City Council, approval of the variance request as follows:

- Remove the utility easement entirely along SH-105 and place all proposed public utilities within TxDOT right-of-way (Sec. 78-92(a))
- 20' setback in lieu of the 25' requirement to be maintained on all commercial properties abutting single-family residential property (Sec. 78-162(a))

The motion passed with a vote of 4-0, with 1 member absent.

Respectfully,

Corinne Tilley  
Code Enforcement Officer  
Planning/Zoning Administrator