

## NOTICE OF REGULAR MEETING OF THE HEMPSTEAD BOARD OF ADJUSTMENT

Notice is hereby given that a Regular Meeting of the Board of Adjustment of the City of Hempstead will be held on **Monday, September 25, 2023, at 5:00 P.M.** in the **City Hall at 1125 Austin Street, Hempstead, Texas**, at which time the following will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance
3. Public Comments.
4. Consideration and action on minutes from May 23, 2023.
5. Consideration and action on Board of Adjustments Annual Report September 1, 2022 – August 31, 2023.

The Board of Adjustment for the City of Hempstead reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

6. Adjourn Board of Adjustment meeting.

Dated ~~this~~ the 21<sup>st</sup> day of September, A.D., 2023.

By: \_\_\_\_\_

Sabrina Alvarez, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of a Regular Meeting of the governing body of the Board of Adjustment is a true and correct copy of said Notice, and that a true and correct copy of said Notice was posted on the City Hall bulletin board and entrances to City Hall, in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all times, and that said Notice was posted on September 21, 2023 at 9:00 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated ~~this~~ the 21<sup>st</sup> day of September, A.D., 2023.

By: \_\_\_\_\_

Sabrina Alvarez, City Secretary

## PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead Board of Adjustment **may** conduct the meeting scheduled at **5:00 P.M. on Monday the 25<sup>th</sup> day of September 2023 at Hempstead City Hall, 1125 Austin Street., Hempstead, Texas.** The public will be permitted to offer public comments telephonically as

provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

**1-346-248-7799; Access Code 989-478-2100**

**IF CITY COUNCIL MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COUNCILMEMBERS MUST BE PRESENT AT THE LOCATION.**

## **NOTICE OF MEETING BY VIDEO CONFERENCE**

The City of Hempstead Board of Adjustment **may** conduct the meeting scheduled at **5:00 P.M. on Monday, the 25<sup>th</sup> day of September 2023 at Hempstead City Hall, 1125 Austin Street., Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the City Council will be physically present at the Hempstead City Hall, 1125 Austin Street, Hempstead. The public may participate in the City Council Meeting by using the following information:

**1-346-248-7799, Access Code 989-478-2100**

**STATE OF TEXAS  
COUNTY OF WALLER  
CITY OF HEMPSTEAD**

**BE IT REMEMBERED** that on the 23<sup>rd</sup> day of May, A.D., 2023 at 5:00 P.M. the Board of Adjustment Commission met in Regular Session at the Hempstead City Hall, Hempstead, Texas in said City, there being present, to-wit:

Leroy Singleton., Sr., Chairman  
Beth Ewing, Vice Chairperson  
Cissy Neal, Board Member  
Dustin Standley, Board Member  
Marie Lewis, Board Member  
Anthony Hill, Board Member (Absent)  
Arnulfo Miramontes, Board Member (Absent)

Charles Williams, City Attorney  
Sabrina Alvarez, City Secretary

**1. Call to order and invocation.**

Chairman Leroy Singleton, Sr., called the meeting to order at 5:02 P.M. and Attorney Charles Williams gave the invocation.

**2. Pledge of Allegiance.**

The Pledge of Allegiance was given.

**3. Public Comments**

Attorney Charles Williams asked for a Roll Call.  
Leroy Singleton, Sr., Present, Beth Ewing- Present, Dustin Standley-Present; Marie Lewis-Present; Cissy Neal-Present.

**4. Consideration and action on approving the Zoning Board of Adjustment Rules of Procedure.**

Attorney Charles Williams stated that the Rules of Procedure were already approved by the City Council. These rules establish rules for the board. The board considers and grant variances, measurements, dimensions, and special exemptions.

Vice Chairperson Beth Ewing made a motion to approve the rules. Board member Cissy Neal seconded the motion and carried unanimously.

**5. Consideration and action on appointing a Chairperson and Vice Chairperson for the Board of Adjustment.**

Vice Chairperson Beth Ewing made a motion to appoint Leroy Singleton, Sr., as Chairperson. Board Member Cissy Neal seconded the motion and carried unanimously.

Board Member Dustin Standley made a motion to appoint Beth Ewing as Vice Chairperson. Board Member Cissy Neal seconded the motion and it carried unanimously.

**6. A. Public Hearing – Request for a Zoning Variance from Clarence Peterson, Block 55, Lot 5 – 350 3<sup>rd</sup> Street to allow for the construction of a carport that will encroach into the side and front five-foot setback in the R-1 Single Family Residential District.**

**Public Hearing opened at 5:08 P.M.**

Building Inspector Frank Rodriguez stated that Clarence Peterson wants to place a carport that will encroach within five feet of their property line on all sides. Pictures and surveys are in the packets of the board to show them exactly where the carport will be constructed. The encroachment will not interfere with city utilities. Board Member Dustin Standley asked Building Inspector Frank Rodriguez for clarification on where the carport would be placed. He asked how far off the road would the carport be. Building Inspector Frank Rodriguez stated it would be twenty feet each way. Vice Chairperson Beth Ewing asked what if a potential sidewalk would be constructed. Frank Rodriguez responded it would be on a city easement, not on their property. Attorney Charles Williams stated the city has no objection to the carport being placed on the homeowner's property. Latonya Peterson, Clarence Peterson's wife spoke and said that she wanted to extend her carport to park two cars.

**Public Hearing closed at 5:18 P.M.**

**B. Consideration and action on a Resolution for Request for a Zoning Variance Clarence Peterson, Block 55, Lot 5 – 350 3<sup>rd</sup> Street to allow for the construction of a carport that will encroach into the side and front five-foot setback in the R-1 Single Family Residential District.**

Attorney Charles Williams stated that variance goes along with the city ordinances and is consistent. Board Member Dustin Standley made a motion to approve the variance for the carport to extend five feet on all sides. Vice Chairperson Beth Ewing seconded the motion and it carried unanimously.

**7. A. Public Hearing – Request for a Zoning Variance from B. Tate Selby AIA, 836 Austin Street, Block 165, Lots 1-5 & 9-10 to allow for the construction of the Waller County Courthouse to a height of 108 feet which will exceed the maximum allowable height of a building in the CBD-Central Business District.**

**Public Hearing opened at 5:23 P.M.**

Building Inspector Frank Rodriguez stated that the height in the Central Business District is fifty feet. The architects for the county courthouse are asking for a hundred and eight feet. It will be a four-floor building, with three pillars or peaks extending one hundred and eight feet. The city has no concerns. Tate Selby, the architect for the courthouse stated that the courthouse is the new proposed one that resembles the one in the 1880's. They are building one to accommodate the needs of the county from an architecture standpoint. The original bell tower and the memorial will

remain. The third floor will be for growth. The fourth floor is forty-five feet, it is over by ten feet. Board Member Dustin Standley asked how many peaks. The architecture answered with three. Waller County Judge Trey Duhon spoke and said that the courthouse foundation is turning to dust, needs to be functional. He stated that it has to be esthetically appealing for the county and city.

**Public Hearing closed at 5:34 P.M.**

**B. Consideration and action on a Resolution for a Request for a Zoning Variance from B. Tate Selby AIA, 836 Austin Street, Block 165, Lots 1-5 & 9-10 to allow for the construction of the Waller County Courthouse to a height of 108 feet which will exceed the maximum allowable height of a building in the CBD-Central Business District.**

Board Member Dustin Standley made a motion to approve the construction of the courthouse to a height of 108 feet which will exceed the maximum allowable height of a building in the CBD-Central Business District. Board Member Marie Lewis seconded the motion and carried unanimously.

**8. Adjourn Board of Adjustment meeting.**

Vice Chairperson Beth Ewing made a motion to adjourn the meeting. Board Member Dustin Standley seconded the motion and carried unanimously.

**PASSED AND APPROVED** this the 25<sup>th</sup> day of September, A.D., 2023.

**APPROVED:**

/s/: Leroy Singelton Sr., Chairman

**ATTEST:**

/s/: Sabrina Alvarez, City Secretary

**ZONING BOARD OF ADJUSTMENT  
ANNUAL REPORT  
SEPTEMBER 1, 2022 – AUGUST 30, 2023**

**ZONING VARIANCE REQUESTS:**

1. 4-13-23 – Clarence Peterson, Block 55, Lot 5- 350 3<sup>rd</sup> Street – to allow for the construction of a carport that will encroach into the side and front five-foot setback in the R-1 Single Family Residential District. Zoning Variance approved by the Zoning Board of Adjustment on 5-23-23 – Resolution No. 23-001.
2. 5-1-23 – B. Tate Selby AIA, Waller County Courthouse, Block 165, Lots 1-5, 9 & 10-836 Austin Street – to allow for the construction of the Waller County Courthouse to a height of 108 feet which will exceed the maximum allowable height of a building in the CBD-Central Business District. Zoning Variance approved by the Zoning Board of Adjustment on 5-23-23 – Resolution No. 23-002.