

**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 **Tuesday, May 23, 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 approving the Zoning Board of Adjustment Rules of Procedure.
5. Consideration and action on appointing a Chairperson and Vice Chairperson for the Board of Adjustment.
6. A. Public Hearing – Request for a Zoning Variance from Clarence Peterson, Block 55, Lot 5 – 350 3rd 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.
B. Consideration and action on a Resolution for Request for a Zoning Variance Clarence Peterson, Block 55, Lot 5 – 350 3rd 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.
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.
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.

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).

8. Adjourn Board of Adjustment meeting.

Dated this the 19th day of May, 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 May 19th, 2023 at 11:30 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 19th day of May, 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 Tuesday the 23rd day of May 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 Tuesday, the 23rd day of May 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

Zoning Board of Adjustment

City of Hempstead, Texas

Rules of Procedure



PREFACE

Creation. The Board of Adjustment (the “Board” or the “BOA”) is a board established by the City Council pursuant to Subchapter A of Chapter 211 of the Texas Local Government Code (“Chapter 211”). The BOA derives its authority from state law, as well as Article 8 of the City of Hempstead Code of Ordinances.

The Board. The Board consists of five (5) members and two (2) alternate members appointed the Mayor and confirmed by City Council.

ARTICLE I
Meetings

- A. **Meetings.** The Board will hold meetings as needed. The Presiding Officer of the Board or the Mayor may call special meetings of the Board.
- B. **Open Meetings Act.** All meetings of the Board will be public as required by the Texas Open Meetings Act. The notice of the meetings shall describe the matters scheduled for consideration by the Board and may include, but not be limited to, appeals from actions of administrative officials, applications for special exceptions, and applications for variances.
- C. **Quorum.** A quorum for hearing by the Board shall consist of four (4) members.
- D. **Alternates.** The Mayor may designate the alternate members to serve in the absence of one or more regular members. An alternate member may participate in the discussions and deliberations for each matter heard and may vote, only the members and the designated alternate(s) vote will count on any matter before the board.

ARTICLE II

Applications Before the Board

- A. **Jurisdiction** – Appeal of Administration Action. An appeal of an action of the Administrator, including the building officials and zoning officials (each individually an “Administrative Official”) regarding the enforcement of the City’s Zoning Ordinance must be filed in writing with the Board and the Administrative Official from whom the appeal is taken not later than the 20th day following the date the Administrative Official refuses to issue a permit, or the date the Administrative Official enters an order, ruling, decision, or determination, that is the subject of the appeal.
- B. **Jurisdiction** – Special Exceptions, Variances and Other Matters. The Board may hear and decide requests for special exceptions, variances and other matters authorized by an ordinance.
- C. **Justiciability Required** – No informal request for advice, or hypothetical questions, will be considered by the Board.
- D. **Fee.** Each appeal of an action of an Administrative Official, application for a special exception, or application for variance (each called an “Application”) to the Board shall be filed with the Office of the City Secretary at City Hall located at 1125 Austin, St. Hempstead, Texas. Every Application shall specify the grounds for the requested appeal or action. The City Council sets the application fee. No Application is complete until all applicable fees are paid.
- E. **Appeal from Administrative Official’s Action.** An Application for an appeal from an action of the Administrative Official must include the street address and legal description of the property to which the action in question relates; the name, address, and contact information of the person filing the appeal; the nature and date of the action in question; the specific interest the person filing the appeal has in the action in question; a brief explanation as to why the applicant believes the action was incorrect; and any other information that the applicant believes relevant to the Board’s consideration of the matter. The Board may reverse, affirm, in whole or in part, or modify the Administrative Official’s order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination.

- F. **Special Exceptions.** An Application for a special exception must include: the street address and legal description of the property to which the requested special exception relates; the name, address, and contact information of the person filing the appeal; a citation to the provision(s) of the Zoning Ordinance that authorizes the special exception requested; a specific description of the special exception that the applicant seeks; a brief explanation why the applicant believes the Board should grant the special exception; and any information that the applicant believes relevant to the Board's consideration of the matter. The Board may approve, deny, or approve with conditions a special exception authorized by the Zoning Ordinance.
- G. **Variations.** An Application for a variance must include the street address and legal description of the property to which the requested variance relates; the name, address, and contact information of the person filing the appeal; the provision(s) of the Zoning Ordinance from which the applicant seeks relief; a brief explanation why the applicant believes that the Board should grant the requested variance; and any information that the applicant believes relevant to the Board's consideration of the matter.

The Board may authorize a variance from the terms of the Zoning Ordinance if (1) the variance is not contrary to the public interest and, (2) due to special conditions, a literal enforcement of the Zoning Ordinance would result in unnecessary hardship, and (3) so that the spirit of the Zoning Ordinance is observed and substantial justice is done.

The Board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
- (2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- (3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (5) the municipality considers the structure to be a nonconforming structure.

- H. **Combined Applications.** A single Application may combine an appeal of the Administrative Official's action and one or more requests for special exceptions or variances if all the applicant's requests relate to a single property and contain the information required for each request.
- I. **Owner Approval.** The owner or owners of the property involved in an Application must join in the Application.
- K. **Rejection of Applications.** An Application may be rejected that is:
 - (1) not filed by the applicable deadline;
 - (2) not substantially complete; or
 - (3) not accompanied by the required fee.

An applicant who believes that their Application was wrongfully rejected may appeal the rejection by filing a written notice of appeal. The rejection will be placed on the agenda for the next meeting. The Board may reject any Application not made on the prescribed form properly filled out with all required data and fees attached.

- L. **Other Communications.** Any communication purporting to be an appeal, request for special exception or variance, or an Application shall be regarded as mere notice to seek relief until it is made in the form required by these rules, accompanied by the tender to the City of the applicable fees.
- M. **Stays.** An Application to appeal of an action of an Administrative Official stays all proceedings in furtherance of the action that is appealed (e.g., discontinuance of utility service by the Administrative Official) unless the Administrative Official from whom the appeal is taken certifies in writing to the Board facts supporting the Administrative Official's opinion that a stay would cause imminent peril to life or property. After notice to the Administrative Official, the Board may stay the Administrative Official's proceedings in furtherance of the Administrative Official's action for due cause shown.

ARTICLE III The Docket; Minutes

- A. **The Docket.** The Docket shall be numbered serially, docket, date and place upon the Board's agenda each Application filed in proper form. The docket numbers shall begin anew on January first of each year and shall be hyphenated with the number of the year in which the Application is filed.

- B. **Minutes.** City staff shall keep minutes for approval by the Board that indicate the vote of each member on each question, or the fact that a member is absent or fails to vote. The minutes and records shall be filed with the City and are public records.

ARTICLE IV Hearings

- A. **Public Hearing Required.** The Board shall hold a public hearing on an Application to appeal an Administrative Official's action, an Application for special exception, or an Application for a variance. All hearings shall be open to the public.
- B. **Time, Place and Manner of Hearing.** Hearings shall be held by the Board at such place and in such other manner as set forth in the notice of hearing. Provided, however, the Board shall ensure that it sets a reasonable time for the hearing, gives the public notice of the hearing, and gives the parties in interest due notice.
- C. **Applicant.** The applicant is automatically designated as a party to the case and may appear personally or by agent or attorney at the hearing. In the absence of any appearance on behalf of the applicant, the Board will decide the matter on the record before it, or the Board may provide for a hearing at a future date, in which event it shall give verbal notice at the hearing, so that all present will be on notice of the date set for future hearing.
- D. **Administrative Official.** The Administrative Official is automatically designated as a party to the case.
- E. **Other Parties.** Other persons may be designated as parties to a case, but only after filing a written motion: (i) requesting designation as a party, (ii) explaining how the person is affected differently from the public at large, and (iii) identifying any special statutory right to appeal. Such a motion must be filed before the start of the public hearing. If the person will be affected differently from the public at large, or if the person has a special statutory right to appeal, the Board may designate the person as a party. Designated parties may appear personally or by agent or attorney at the hearing.
- F. **Hearing Process.** The order of proceedings for a hearing before the Board is as follows:
- 1) the Presiding Officer shall determine if there are any issues of notice, standing (jurisdiction or ripeness), or timing (postponement) that should be resolved;
 - 2) the Presiding Officer shall provide for designation of parties; and
 - 3) the Presiding Officer shall determine the time periods of presentations.

- 4) The Administrative Official will present the City's administrative report.
- 5) The applicant shall present applicant's Application and case.
- 6) The Board will identify written comments and protests received. These will be normally received for limited purposes (for example, to indicate the opinion of the writer) but not to establish facts that may be in dispute.
- 7) Other designated parties, if any, shall present their case.
- 8) The Board will hear public comments.
- 9) The applicant may offer a response limited to issues raised by other written comments, presentations, public comments and evidence previously presented.
- 10) Prior to closing the public hearing, the Presiding Officer shall provide for the incorporation of testimony, exhibits, and other evidence into the record. Evidence relating to any matter before the Board shall be submitted only to the Board in a public meeting. Any written or physical evidence offered by a party shall be submitted through the Presiding Officer. Strict rules of evidence shall not be followed regarding physical or written evidence, but the Board may allow a party to point out questions of authenticity, reliability, relevance, bias, prejudice or other relative objections to evidence submitted.
- 11) Deliberation. At the close of the hearing, the Presiding Officer shall call for deliberation of the Board on the question. During the deliberation, a member may call the applicant, the Administrative Official or any other individual that the board deems have relevant information for further questioning.

ARTICLE V

Final Disposition

- A. **Time of Decision.** The Board shall decide any Application at the meeting for hearing on the Application or at the next meeting for which notice can be provided following the hearing; provided, further, that the Board shall decide an Application to appeal the action of an Administrative Official following the hearing on the appeal, or at the next meeting for which notice can be provided following the hearing, but not later than the 60th day after the Application was filed.

B. Scope of Decision.

- 1) **Appeals.** In exercising its authority to hear an appeal of an Administrative Official's action, the Board's decision may reverse or affirm, in whole or in part, or modify the Administrative Official's order, requirement, decision, or determination from which the appeal is taken and make the correct order, requirement, decision or determination.
- 2) **Other Applications.** In exercising its authority to hear and decide an Application for special exception or variance, the Board's decision may authorize, grant, modify or deny the special exception or variance, including approval with conditions.
- 3) **Vote Required to Make Decision on an Application.** Every Application shall be deemed disallowed unless the concurring vote of four (4) members of the Board shall favor the Application. The vote, absence, or failure to vote of each member on each decision shall be recorded with the decision.
- 4) **Amendment and Withdrawal of Application.** An Application may be amended after notice has been given only by permission of the Board. Any applicant may, in writing or upon the record at a meeting, withdraw an Application prior to a final disposition by the Board.
- 5) **Written Decisions.** Each decision on an Application shall be reduced to writing and shall set forth the action taken and the conditions, if any, imposed. If an Application for a special exception or variance is granted by the Board, the written decision shall contain conditions as follows: (i) that all permits necessary for the prosecution of work shall be applied for within such period determined by the Board, and (ii) that construction shall be commenced and completed within such period determined by the Board an extension of time is granted by the Board. The Board may provide that the decision shall be recorded with the applicable County Clerk's Office (Real Property Records).
- 6) **Extension of Time for Work Under a Variance or Special Exception.** The Board may extend the time to apply for a permit.
- 7) **Judicial Review of Board's Decision.** The Presiding Officer shall file the Board's decision with the City at which time the decision becomes final and subject to judicial review in accordance with Texas Local Government Code Section 211.011. The City staff shall notify the applicant, the Administrative Official, and any other person given party status by the Board of the decision in accordance with the information provided to the Board by such person prior to the decision.
- 8) **Reconsideration of Decision.** No additional Application to the Board shall be allowed for substantially the same relief for substantially the same property unless there shall have been a substantial change in the circumstances affecting such

property since the prior decision.

ARTICLE VI Meeting Procedures-Generally

- A. **Decorum Required.** The Presiding Officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comments not relevant to the orderly conduct of business. The Presiding Officer shall request speakers to keep comments brief and relevant to the question before the Board. All persons in the meeting should eschew abusive, rude or inappropriate conduct.
- B. **Limitation on Public Comments.** This Section applies to general comments in public sessions (but does not apply to comments regarding a pending case received during the public hearing on that case). Speakers should limit their presentations to three (3) minutes each or other such limitations as may be decided by the Presiding Officer. Speakers should direct all remarks and questions to the Presiding Officer, who may refer them for investigation, response or other action. The Board will not consider a subject raised by a member of the public not on the agenda, except the Presiding Officer or the Board may direct that the matter be placed on the agenda for an upcoming meeting.
- C. **Conflicts of Interest.** A member who has a conflict of interest as defined by Chapter 171 of the Texas Local Government Code or who, because of personal circumstances, believes that he or she cannot render a fair and impartial decision in a matter, should inform City staff of the conflict prior to the start of the meeting at which the matter will be considered. A member shall abstain from participation in any matter in which they have a conflict of interest.

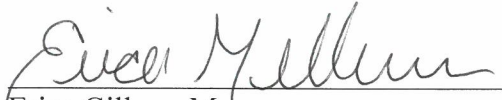
ARTICLE VII Precedents

Precedents. Recognizing that each parcel of real property is unique, that the facts presented in each case are almost always unique and that the applicant may not always meet the heavy burden of proof imposed by state law and city ordinances, no action of the Board shall set a precedent. Each case shall be decided upon its merits and upon the circumstances attendant thereto.

Adopted by the Zoning Board of Adjustment of the City of Hempstead, Texas on _____
_____, 202____.

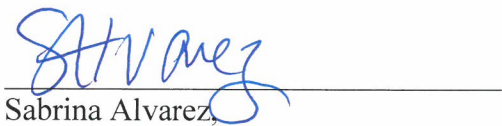
_____, Presiding Officer
Zoning Board of Adjustment
City of Hempstead, Texas

Approved by the City Council of the City of Hempstead on May 15 ____, 2023.

A handwritten signature in black ink, appearing to read "Erica Gillum", written over a horizontal line.

Erica Gillum, Mayor
City of Hempstead, Texas

Attest:

A handwritten signature in blue ink, appearing to read "Sabrina Alvarez", written over a horizontal line.

Sabrina Alvarez,
City Secretary

City of Hempstead

Request for a Zoning Variance Form

NOTE: Please print all information requested below.

Number _____

Date 4.23.23

Name of Applicant Clarence Peterson

Applicant's Signature Clarence Peterson

Current Address 350 3rd street
Hempstead, TX 77445

Phone (281) 795-5266

Address of the subject property 350 3rd street, Hempstead, TX 77445

Legal description of the property _____

Subdivision	Block	Lot	Parcel	Lot Width	Lot Depth
	<u>55</u>	<u>5</u>			

Legal capacity in which you are applying for this rezoning:

☒ Owner ☐ Representative of the owner ☐ Other (explain below)

Current zoning classification of the subject property: R1

Variance requested: 5' ft Front & side of Home

A variance may only be granted where due to special conditions which are not self-imposed, a literal enforcement of the zoning ordinance would result in unnecessary hardship. A variance may only be granted where it is not contrary to the public interest. A variance may only be granted where the spirit of the zoning ordinance will be observed and substantial justice will be done.

Reasons supporting your request: Need a double car-port to
extend.

(over)

Current land use activities abutting the subject property:

On the North: BACKYARD

On the South: Vacant Home

On the East: Residential Home

On the West: Vacant Lot

May 23, 2023 Public hearing date for the Board of Adjustment

Decision of the Board of Adjustment:

_____ Variance approved _____ Variance Denied

Board of Adjustment members voting to approve the variance:

Board of Adjustment members voting to deny the variance:

Reasons given for the decision of the Board of Adjustment:



TOPIC

DATE

AGENDA

ATTENDEES

To whom it may concern:

To put a carport from the front property line to the sidewalk in front of house

NOTES

Dimensions are

19.6 feet by 24.7

Clarence Peterson

3-17-2023

ACTION ITEMS

B.L. BUILDING LINE
 U.E. UTILITY EASEMENT
 I.R. IRON ROD
 W.C.D.R. WALLER COUNTY DEED RECORDS

FND 5/8" I.R.
 W/ CAP "EIC"
 BEARS S 00°34'28" W,
 0.75'



3rd STREET
 (100' R.O.W.)

Handwritten red notes:
 11.6 ft
 9.6 ft
 15.0 ft
 6.3 ft

FND 1/2" I.R.
 W/ CAP
 "PRECISION"

FND 1/2" I.R.
 W/ CAP
 "PRECISION"

FND 1/2" I.R.
 W/ CAP
 "PRECISION"

FND 1/2" I.R.
 W/ CAP
 "PRECISION"

S 89°25'32" E 125.00'

N 89°25'32" W 125.00'

CONC. DRIVE
 SET "X" IN CONC.

ONE STORY FRAME

LOT 5

A/C

FND 1/2" I.R.
 W/ CAP
 "PRECISION"

PUBLIC ALLEY
 (20' WIDE)

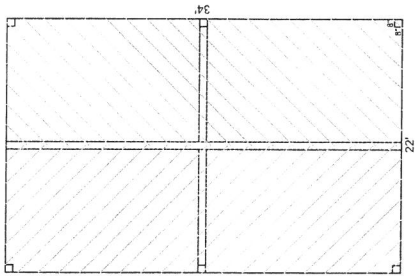
BLOCK 55

NOTES:

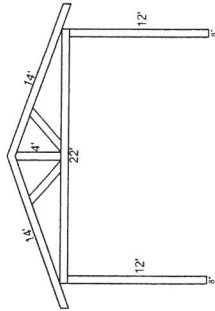
1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
2. BEARINGS BASIS PER TEXAS STATE PLANE COORDINATES, NAD 83 TEXAS SOUTHCENTRAL ZONE (4204).
3. SQUARE FOOTAGE TOTALS SHOWN HEREON OR REFERENCED HEREIN ARE BASED ON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTS.
4. THIS SURVEY DOES NOT PROVIDE A DETERMINATION OR OPINION CONCERNING THE LOCATION OR EXISTENCE OF UTILITIES, EASEMENTS, OR OTHER ADJACENT PROPERTY.

BRAZOS STREET
 (80' R.O.W.)

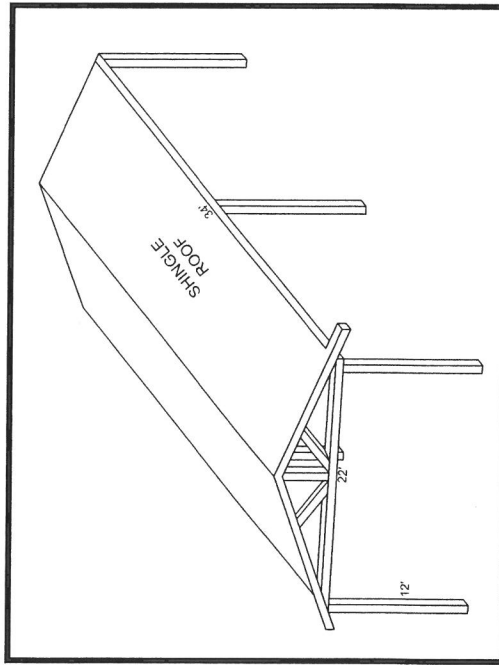




PLAN VIEW NTS

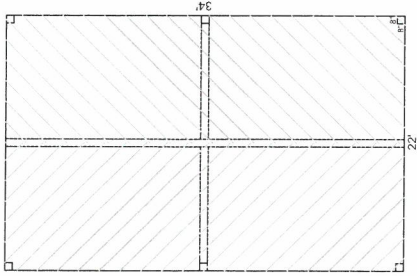


PROFILE VIEW NTS

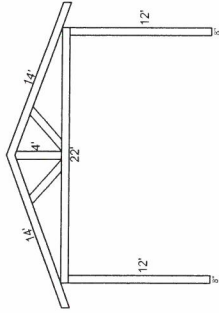


ISOMETRIC VIEW NTS

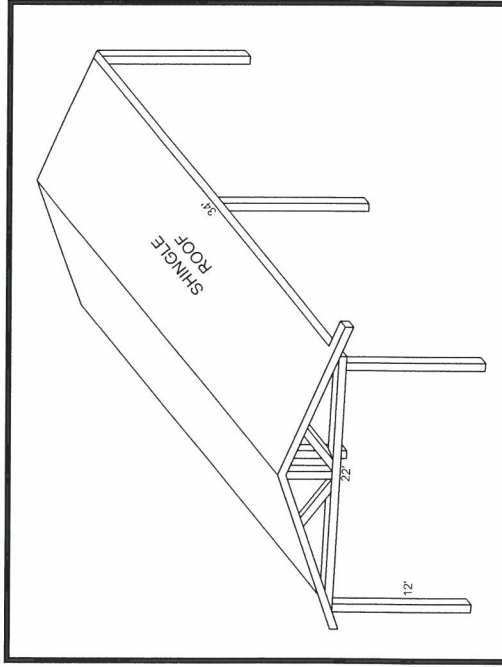
NO.	DATE	REVISION DESCRIPTION	 <p> ASHTON CARPORT 350 3rd STREET, HEMPSTEAD, TEXAS WALLER COUNTY </p>	<p> WILSON ENGINEERING COMPANY, PLLC 208 FOWLKES STREET SEALY, TEXAS 77474 PHONE: 979-886-3344 www.wilsonengr.com </p> <p>TXBPE FIRM NO. F-7678</p>	PROJ. ENG. SCW	SHEET DESCRIPTION: SITE PLAN	SHEET NO. EX	
					DRAWN BY: MEW	SCALE: NTS	PROJ. NO. 20230109	DATE: 20230116
					CHECKED BY: SAW	PROJ. NO. 20230109	DATE: 20230116	



PLAN VIEW NTS



PROFILE VIEW NTS



ISOMETRIC VIEW NTS



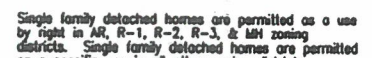
NO.	DATE	REVISION DESCRIPTION	PROJ. ENG.	SCW	DRAWN BY	CHECKED BY	PROJ. NO.	SCALE	SHEET DESCRIPTION	SHEET NO.



WILSON ENGINEERING COMPANY, PLLC
208 FOWLER STREET
SEALY, TEXAS 77474
PHONE: 979-885-3344
www.wilsonengr.com
TXBPE FIRM NO. F-7678

ASHTON CARPORT
350 3rd STREET, HEMPSTEAD, TEXAS
WALLER COUNTY

EX
DATE: 20230116



City of Hempstead

Request for a Zoning Variance Form

NOTE: Please print all information requested below.

Number _____

Date 5/1/2023

Name of Applicant B. Tate Selby, AIA

Applicant's Signature B.T. Selby

Current Address 1005 E. St. Elmo Rd, Bldg 8
Austin, TX 78745

Phone (512) 610-4700

Address of the subject property 836 Austin Street, Hempstead, TX 77445

Legal description of the property S519000 HEMPSTEAD

Subdivision

165

1-5, 9&10

Multiple Lots

Block

Lot

Parcel

Lot Width

Lot Depth

Legal capacity in which you are applying for this rezoning:

☐ Owner

☒ Representative of the owner

☐ Other (explain below)

Project Architect working on behalf of Waller County

Current zoning classification of the subject property: CBD

Variance requested: Requesting an variance for building height

A variance may only be granted where due to special conditions which are not self-imposed, a literal enforcement of the zoning ordinance would result in unnecessary hardship. A variance may only be granted where it is not contrary to the public interest. A variance may only be granted where the spirit of the zoning ordinance will be observed and substantial justice will be done.

Reasons supporting your request: The building has been designed as an architectural
homage to the original 1880s court building, as well as stay in-line with
the architectural style and spirit of other historic county courthouses. These
buildings typically have tall tower/spires associated with them. The building
is therefore approximately 108'-0" feet high, the building is about 60' tall with
a 48'-0" tall architectural tower.

(over)

Current land use activities abutting the subject property:

On the North: CBD - County Services

On the South: CBD - Shopping Center

On the East: CBD - Church, County Services

On the West: CBD - Law Offices, Gas Station

5/23/2023 Public hearing date for the Board of Adjustment

5/5/2023 Date notice published in a local newspaper.

Decision of the Board of Adjustment:

 Variance approved Variance Denied

Board of Adjustment members voting to approve the variance:

_____	_____
_____	_____

Board of Adjustment members voting to deny the variance:

_____	_____
_____	_____

Reasons given for the decision of the Board of Adjustment:

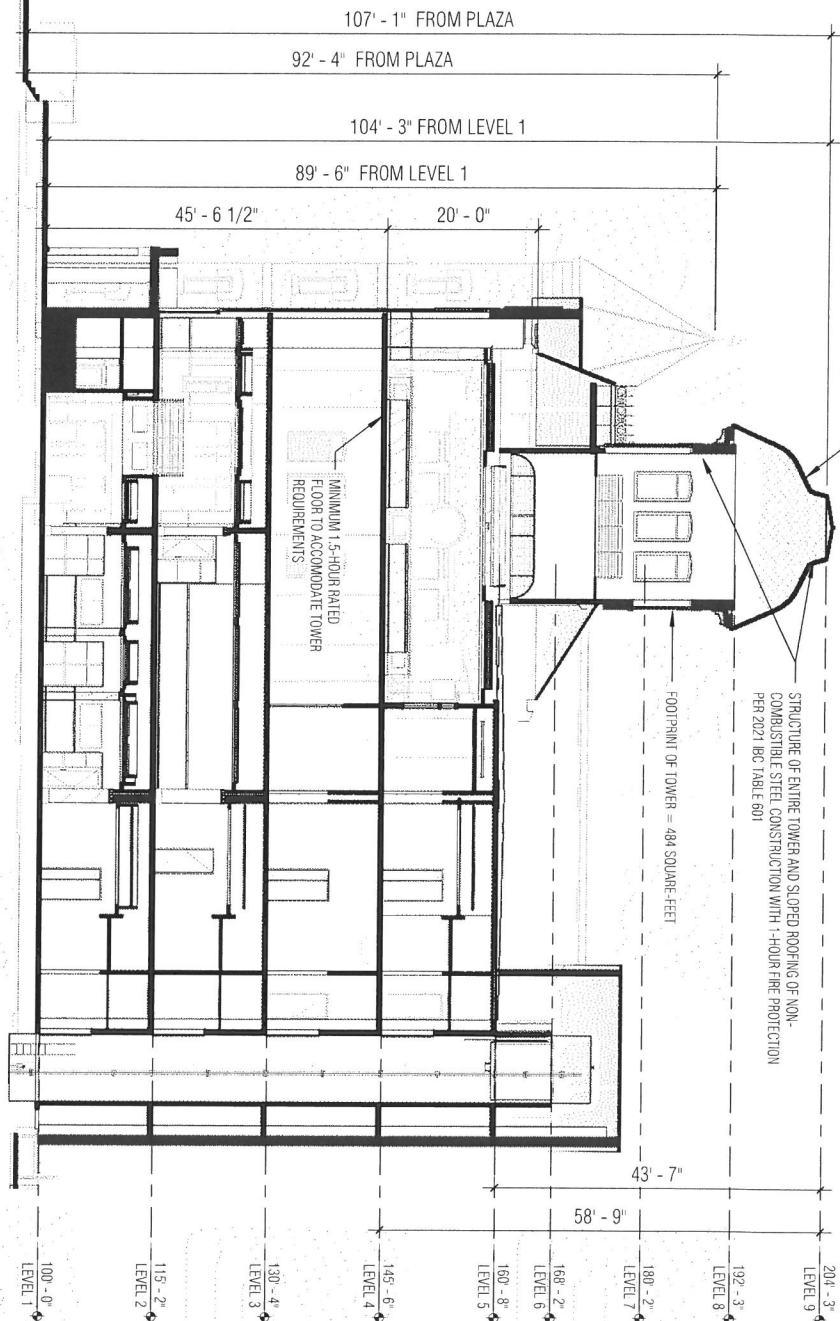
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



HEIGHT VARIANCE NOTES

OCCUPANCY TYPE (2021 IBC TABLE 506.2)	A-3 & B
CONSTRUCTION TYPE (2021 IBC TABLE 601)	II-A
CITY ZONING HEIGHT LIMIT:	50'-0"
2021 IBC HEIGHT LIMIT (2021 IBC TABLE 504.3):	85'-0"
2021 IBC NUMBER OF STORIES (2021 IBC TABLE 504.4):	A-3 = 4, B = 6
2021 IBC TOWER/CUPOLA EXCEPTION:	
-504.3 EXCEPTION TOWERS, SPIRES, STEEPLES AND OTHER ROOF-TOP STRUCTURES SHALL BE CONSTRUCTED OF MATERIALS CONSISTENT WITH THE REQUIRED TYPE OF CONSTRUCTION OF THE BUILDING EXCEPT WHERE OTHER CONSTRUCTION IS PERMITTED BY SECTION 1511.2.4. SUCH STRUCTURES SHALL NOT BE USED FOR HABITATION OR STORAGE. THE STRUCTURES SHALL BE UNLIMITED IN HEIGHT WHERE OF NONCOMBUSTIBLE MATERIALS AND SHALL NOT EXTEND MORE THAN 20 FEET ABOVE THE ALLOWABLE BUILDING HEIGHT WHERE OF COMBUSTIBLE MATERIALS.	
-TABLE 601 FOOTNOTE B EXCEPT FOR GROUP F-1, H, M AND S-1 OCCUPANCIES, FIRE PROTECTION OF STRUCTURAL MEMBERS IN ROOF CONSTRUCTION SHALL NOT BE REQUIRED, INCLUDING PROTECTION OF PRIMARY STRUCTURAL FRAME MEMBERS, ROOF FRAMING AND DECKING WHERE EVERY PART OF THE ROOF CONSTRUCTION IS 20 FEET OR MORE ABOVE ANY FLOOR IMMEDIATELY BELOW. FIRE-RETARDANT-TREATED WOOD MEMBERS SHALL BE ALLOWED TO BE USED FOR SUCH UNPROTECTED MEMBERS.	
-1911.5 TOWERS, SPIRES, DOWES AND CUPOLAS SHALL BE OF A TYPE OF CONSTRUCTION HAVING FIRE-RESISTANCE RATINGS NOT LESS THAN REQUIRED FOR THE BUILDING ON TOP OF WHICH SUCH TOWER, SPIRE, DOME OR CUPOLA IS BUILT. TOWERS, SPIRES, TOWERS AND CUPOLAS GREATER THAN 85 FEET IN HEIGHT ABOVE GRADE PLANE AS MEASURED TO THE HIGHEST POINT ON SUCH STRUCTURES AND EITHER GREATER THAN 200 SQUARE FEET IN HORIZONTAL AREA OR USED FOR ANY PURPOSE OTHER THAN A BELFRY OR AN ARCHITECTURAL EMBELLISHMENT, SHALL BE CONSTRUCTED OF AND SUPPORTED ON TYPE I OR II CONSTRUCTION.	

PLAZA AT PLINTH
APPROXIMATELY 245.0'

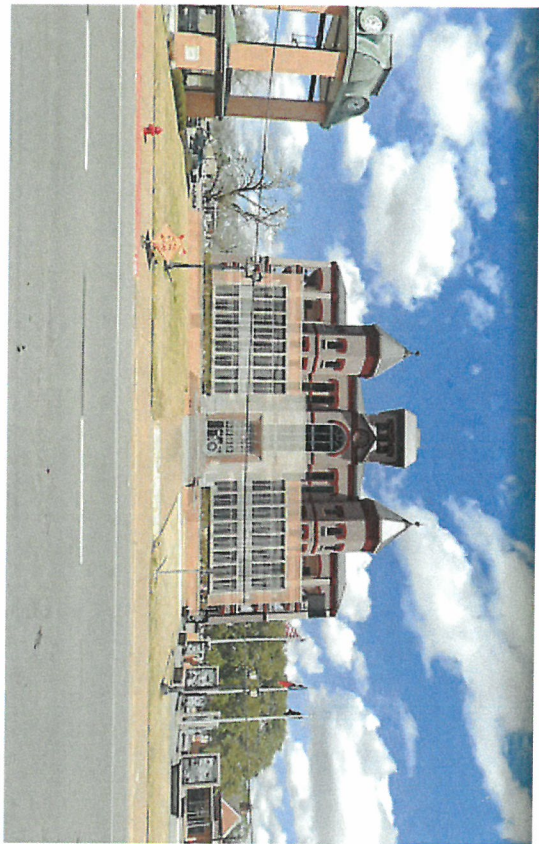
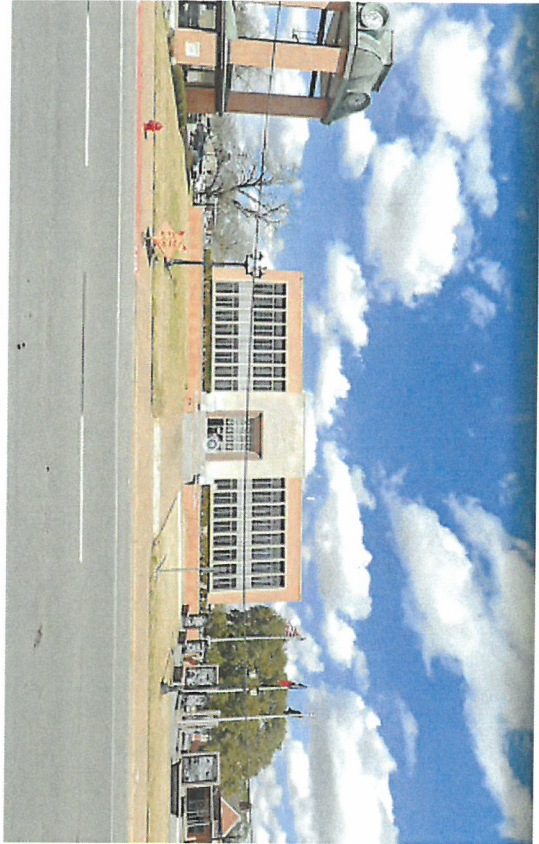


WALLER COUNTY -
BUSINESS NODE

Date: 2023-04-24
Project Number: 22108.01

V101 - HEIGHT VARIANCE

BRINKLEY SARGENT WIGINTON ARCHITECTS

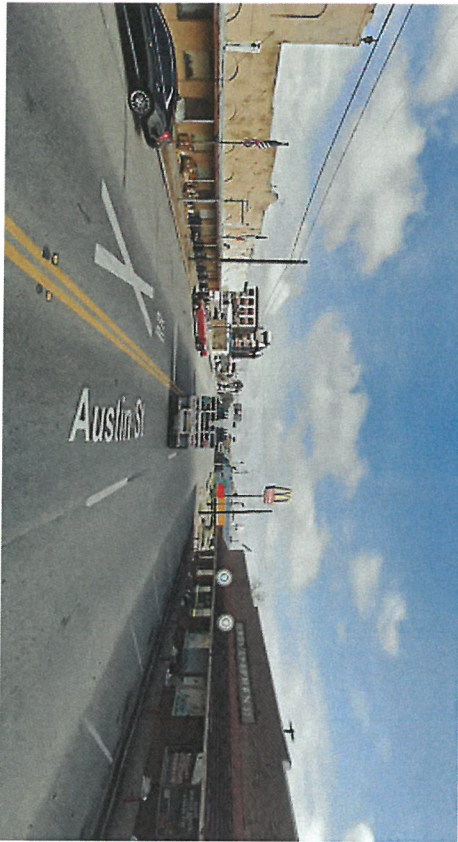
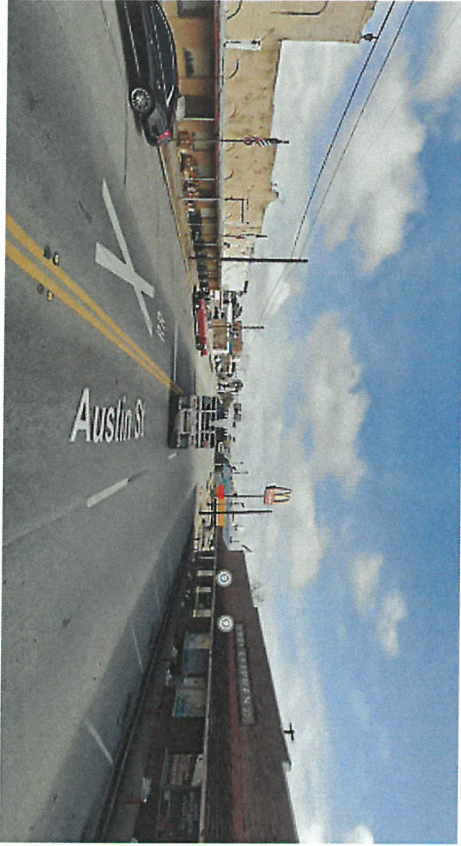


**WALLER COUNTY -
BUSINESS NODE**

**Date: 2023-04-24
Project Number: 22108.01**

V102- HEIGHT VARIANCE

BRINKLEY SARGENT WIGINTON ARCHITECTS

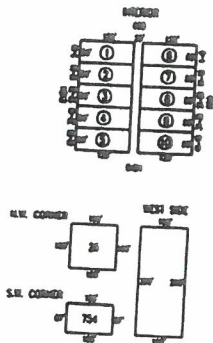


WALLER COUNTY -
BUSINESS NODE

Date: 2023-04-24
Project Number: 22108.01

V103- HEIGHT VARIANCE

BRINKLEY SARGENT WIGGINTON ARCHITECTS



TYPICAL BLOCKS

*LEGEND

- AR - AGRICULTURAL RESIDENTIAL
- R1 - SINGLE-FAMILY RESIDENTIAL
- R2 - MULTI-FAMILY RESIDENTIAL
- R3 - MULTI-FAMILY RESIDENTIAL
- MH - MANUFACTURED HOUSING
- CBD - CENTRAL BUSINESS DISTRICT
- NC - NEIGHBORHOOD COMMERCIAL
- HC - HIGHWAY COMMERCIAL
- HC 2 - HIGHWAY COMMERCIAL A
- PS - PLANNED SHOPPING
- RV - RECREATIONAL VEHICLE PARK
- LM - LIGHT MANUFACTURING
- HISTORIC DISTRICT

Single family detached homes are permitted as a use by right in AR, R-1, R-2, R-3, & MH zoning districts. Single family detached homes are permitted as a specific use in all other zoning districts.

