



College Station, TX

Meeting Agenda Zoning Board of Adjustment

1101 Texas Avenue, College Station, TX 77840

Internet: www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: 277 222 824 268 0 | Passcode: Co7Vy2sJ

Phone: 833-240-7855 | Phone Conference: 547 458 74#

The City Council may or may not attend this meeting.

May 6, 2025

6:00 PM

Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a third-party vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person only.

1. Call meeting to order and consider absence requests.

2. Agenda Items

2.1. Consideration, discussion, and possible action to approve meeting minutes:

Attachments: 1. April 1 2025

2.2. Public Hearing, presentation, discussion, and possible action regarding a contextual front setback variance to the Unified Development Ordinance Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments', for property located at Carter's Grove Ph 1, Block 2, Lot 13 (90' of), generally located at 1104 Berkeley Street. The subject property is zoned GS General Suburban. Case #AWV2025-000014

Sponsors: Gabriel Schrum

Attachments:

1. Staff Report
2. Aerial and Small Area Map
3. Applicant's Supporting Information
4. Applicant's Exhibit
5. Development Permit Plans
6. Residential Permit Plans

2.3. Public Hearing, presentation, discussion, and possible action regarding a side setback variance to the Unified Development Ordinance Section 5.2.A 'Dimensional Standards for Non-Clustered and Clustered Developments', for property located at Mission Ranch Ph 203A, Block 14, Lot 24, generally located at 3545 Anderson Arbor Court. The subject property is zoned RS Restricted Suburban. Case #AWV2025-000018

Sponsors: Garrett Segraves

Attachments:

1. Staff Report
2. Aerial and Small Area Map
3. Applicant's Supporting Info
4. Applicant's Exhibit

3. Discussion and possible action on future agenda items.

A member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

4. Adjourn.

Adjournment into Executive Session may occur in order to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on May 2, 2025 at 5:00 p.m.



Deputy City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."

Minutes
Zoning Board of Adjustments
Regular Meeting
April 1, 2025

MEMBERS PRESENT: Chairperson Bill Lartigue, Board Members Jaymeson Hacker, Justin Collins, James Hutchins, and Michael Martinez

CITY STAFF PRESENT: Assistant Director of Planning and Development Services Molly Hitchcock, Assistant City Attorney David Purnell, Staff Planner Gabriel Schrum, Technology Service Specialist Trey Branson, and Administrative Support Specialist Kristen Hejny

1. Call meeting to order.

Chairperson Lartigue called the meeting to order at 6:00 p.m.

2. **Agenda Items**

- 2.1. Consideration, discussion, and possible action to approve meeting minutes:

Board Member Collins moved to approve the meeting minutes from January 7, 2025, Board Member Martinez seconded the motion, the motion passed 5-0.

- 2.2. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at Boyett, Block 9, Lots 4, 5 & 6, being 0.511 acres generally located at 201 Boyett Street. The property is zoned NG-1 Core Northgate. Case #AWV2025-000008

Staff Planner Schrum presented the item to the Board and stated that the applicant is requesting a height variance of 272 feet to allow for a temporary helper crane to assemble the main crane needed for the construction of the Highrise.

Staff recommended approval of the request due to the fact that it meets the specified criteria. Specifically:

1. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship.
2. The granting of the relief would result in substantial justice being done.
3. The granting of the relief would not be contrary to the public interest.
4. The granting of the relief would be in accordance with the spirit of the regulation.

Board Member Collins asked if there was any alternative to a helper crane.

Veronica Morgan, Applicant, Mitchell & Morgan Engineers, confirmed that there is no alternative.

Chairperson Lartigue opened the public hearing.

No visitors spoke.

Chairperson Lartigue closed the public hearing.

Board Member Martinez moved to approve the item as it will not be contrary to the public interest, Board Member Hacker seconded the motion, the motion passed 5-0.

3. Discussion and possible action on future agenda items - A member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion on future agenda items.

4. Adjourn.

The meeting adjourned at 6:05 p.m.

Approved:

Attest:

Bill Lartigue, Chairperson

Kristen Hejny, Board Secretary



**VARIANCE REQUEST
FOR
1104 Berkeley Street
AWV2025-000014**

REQUEST: A 15.1 ft reduction to the minimum contextual front setback as set forth in Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments'

LOCATION: 1104 Berkeley Street
CARTER'S GROVE PH 1, BLOCK 2, LOT 13 (90' OF)

ZONING: GS General Suburban

PROPERTY OWNER: VL PARTNERS LLC

APPLICANT: LINTZ CONSTRUCTION LLC

PROJECT MANAGER: Gabriel Schrum, Staff Planner
gschrum@cstx.gov

BACKGROUND: The under construction 2,684 sq.ft. single-family dwelling encroaches into the contextual front setback by 15.1 ft. Per UDO Section 5.2.A.c the contextual front setback for this lot should be between 43' and 53'. The existing structure currently has a front setback of approximately 26'. Approximately 466 sq.ft. of the structure encroaches into the contextual front setback. The applicant is seeking a variance to continue the construction on the structure as it sits within the contextual front setback.

The ordinance states that it is "for those lots designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use & Character Map that were created by plat before July 15, 1970, the front setback for a new single-family dwelling unit shall be based on the front setbacks of the adjacent lots per the Required Yards (Setbacks) in Article 7, General Development Standards of this UDO."

A building permit application was submitted in February 2022 which showed the proposed structure having a front setback of 46 ft, meeting the contextual front setback requirements. This application was approved in the beginning of March

2022. With the unique position of this site with the elevations and creek's proximity, the permit was put on hold and then re-approved at the end of March 2022 due to drainage concerns. To identify and alleviate some of these concerns, staff provided direction to submit a Development Permit application with an elevation certificate. This application was submitted in September 2022 and went through three rounds of review to then be approved in April 2023. The elevation certificate outlined a retaining wall to help with the concerns regarding drainage. There were additional modifications made to the structure footprint and overall layout for the proposed home on this document. This did not match the location of the structure on the original approved single family residential building permit and now showed it encroaching on the contextual front setback. When construction occurred the builders utilized the approved development permit plans which inaccurately depicted the approved site layout shown on the building permit. The review of the development permit consisted of grading and drainage on the site, not the review of the structure itself.

With the contextual front setback being applied in this case, the front setback area of encroachment sits at 15.1 ft or 466 sq ft of the home. The proposed and constructed improvements require a variance to Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments' contextual front setback and would be a reduction of approximately 15' into the required 43' front setback.

**APPLICABLE
ORDINANCE SECTION:**

UDO Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments'

ORDINANCE INTENT:

UDO Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments' sets minimum setback standards that allow for some degree of control over population density, access to light and air, and fire protection. It additionally provides regulations to ensure the older neighborhoods (classified as NCO's) that experience redevelopment are harmonious and matches the character of the area. These standards also are typically justified based on the protection of property values.

RECOMMENDATION:

Staff recommends denial of the variance request.

NOTIFICATIONS

Advertised Board Hearing Date: May 6, 2025

Property owner notices mailed: 21

Contacts in support: None at the time of this report

Contacts in opposition: None at the time of this report

Inquiry contacts: None at the time of this report

ADJACENT ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	GS General Suburban	Single-Family Dwelling
North	GS General Suburban	Berkeley Street (Local Street)
South	GS General Suburban	Single-Family Dwelling
East	GS General Suburban	Single-Family Dwelling
West	GS General Suburban	Single-Family Dwelling

PHYSICAL CHARACTERISTICS

- Frontage:** The subject property has approximately 90 feet of frontage on Berkeley Street.
- Access:** The subject property takes access from Berkeley Street.
- Topography and vegetation:** The subject property is relatively flat with trees but has a drop in elevation on the rear and eastern property line abutting a creek.
- Floodplain:** The subject property is not located within FEMA regulated floodplain but is in close proximity.

REVIEW CRITERIA

According to Unified Development Ordinance Section 3.16.E. ‘Criteria for Approval of Variance’, no variance shall be granted unless the Board makes affirmative findings in regard to all nine of the following criteria:

- Extraordinary conditions:** *That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDO will deprive the applicant of the reasonable use of his land.*

Staff has found no extraordinary or special condition exists that would deprive the applicant a reasonable use of the land. The applicant has stated that “The DP (Development Permit) with the site plan was approved prior to the building permit. We received a building permit and started construction, unaware of the contextual front set back requirement. Our front set back is 27’ 1” which is well within the 15’ requirement with rear parking which is allowed by UDO. Our understanding was that our front set back was 15’.”.

The lots within this subdivision were platted in 1964. According to UDO Section 5.2.A.c for all new single family dwelling units put on lots that were platted prior to July 15th 1970 and are designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use & Character Map must meet the front setback based on the adjacent lots front setback. In this case the original residential building permit that was reviewed and approved on March 2022 showed the new single family dwelling unit meeting this requirement. When the subsequent development permit came in September of 2022 and approved in April 2023 to alleviate drainage concerns, the home builder used these plans for the structure and overall site. If the original residential building permit that was approved in March of 2022 was utilized for construction purposes the structure would be conforming.

This lot has unique topography declining as it gets closer to the eastern property line but does not affect the usability of the lot. While this property is subject to these additional standards, and does have a creek in proximity, there were approved plans that showed the subject area remaining unimproved. As there is buildable land on this lot and a plan was both drafted and approved initially meeting requirements, there is no special conditions of the land which have been identified that would deprive the applicant of the reasonable use of the land.

2. Other property: *That these conditions do not generally apply to other property in the vicinity.*

There are no special conditions identified that would deprive the applicant of a reasonable use of the land. With the size of this lot, there is a buildable area outside of the contextual front setback in which the single-family residence can be built without a variance. The other lots within this subdivision were also able to meet this requirement and maintain the character of the neighborhood.

3. Enjoyment of a substantial property right: *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*

The variance is not necessary for the preservation and enjoyment of the substantial property right of the applicant. While the currently constructed dwelling encroaches into the contextual front setback, if the proposed variance is not granted, the applicant can still build a single-family dwelling outside of the 43’ front setback and be in compliance with Section 5.2.A.c ‘Dimensional Standards for Non-Clustered and Clustered Developments’ of the UDO. This is further shown on the initially approved residential building permit plans that do meet the front setback requirements. If the existing partially constructed structure were to remain, it would encroach 15’ 1” into the front setback requirements.

4. Hardships: *That the hardship is not the result of the applicant’s own actions.*

There is not a hardship that has occurred due to an extraordinary condition of the land—the hardship has occurred based upon the applicant’s own actions. The applicant is seeking a variance to the contextual front setback for a single-family structure that was constructed to the wrong set of approved plans. If the applicant had constructed to the initially approved residential building permit plans, then this request would not have come forward. Based on the original approved residential plan proposal, there is ability to develop

on the property outside of the contextual front setbacks and the improvements for the single-family dwelling may be able to be redesigned from how it sits today to meet the requirements of the UDO.

- 5. Subdivision:** *That the granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDO.*

The granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of the UDO. The surrounding properties are platted lots.

- 6. Flood hazard protection:** *That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.*

The granting of this variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements as the site has been reviewed and partially developed and due to no portion of this property being located within floodplain.

- 7. Comprehensive Plan:** *That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.*

The granting of this variance does substantially conflict with the Comprehensive Plan and with the purposes of the UDO as it does not meet the UDO Section 5.2.A.C requirement which is specifically for areas designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use & Character Map. By not meeting this standard of the contextual front setback of the lot, the intent of the Neighborhood Conservation land use and harmonious nature it provides with single family developments will not be met. The subdivision in this area has been able to meet this requirement and has established a consistent front setback around the blocks.

- 8. Utilization:** *That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The application of the UDO standards to this particular property does not restrict the applicant in the utilization of their property. The applicant is still able to utilize their property as a residential lot and build a single-family dwelling while still meeting the contextual setback requirements of the UDO.

- 9. Substantial detriment:** *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this UDO.*

Granting the variance would not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering the UDO. The contextual front setback line that the single family structure sits at will provide a contrast difference in distance from the public right-of-way in comparison to the conforming existing single family developed lots it is adjacent to, as well as the rest of the neighborhood.

ALTERNATIVES

The applicant is proposing to maintain the proposed construction to the approved development permit rather than the initially approved residential building permit. The applicant could demolish a portion of the front of the structure and provide updated plans clearly showing the front setback now being met. This would help alleviate the encroachment completely or help with the severity of it in this case. The applicant has stated that, "The left side of the house is a creek and heavily wooded. We could add some landscaping to the right side of our house to help provide some natural shading."

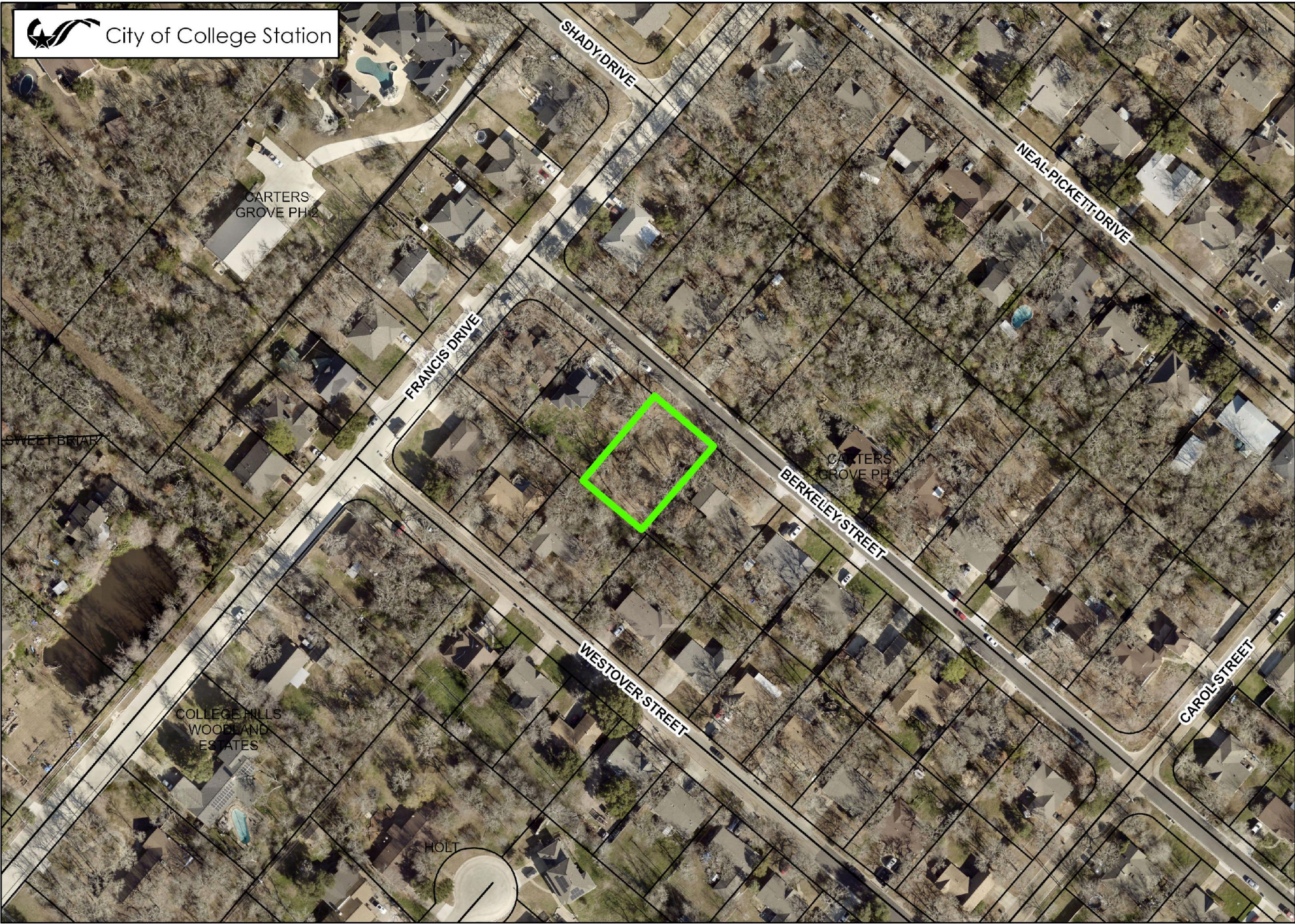
As it sits today with this variance request, there is a substantial encroachment into the setback that the structure has been constructed to. The applicant has demonstrated that the design of the single-family dwelling can meet contextual front setbacks as shown in the initial residential building permit.

STAFF RECOMMENDATION

The applicant is seeking a 15.1 ft. variance to the minimum 43 ft contextual front setback as set forth in Section 5.2.A.c 'Dimensional Standards for Non-Clustered and Clustered Developments'. Due to the lack of meeting all of the required criteria, including having a special condition that has resulted in a hardship on the property, Staff recommends denial of the variance request.

ATTACHMENTS

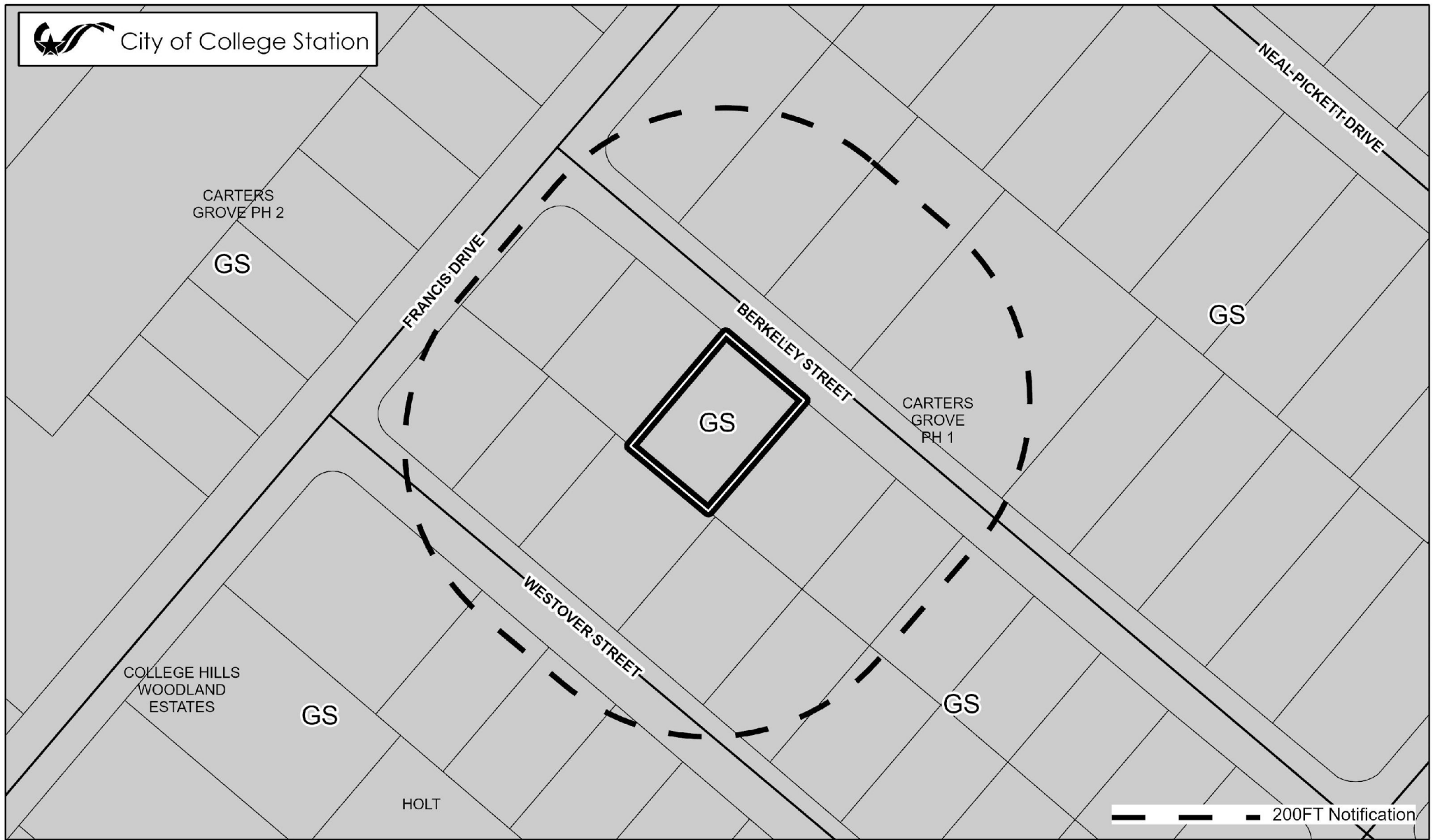
1. Aerial, and Small Area Map
2. Applicant's Supporting Information
3. Applicant's Exhibit
4. Development Permit Plans
5. Residential Permit Plans



0 140 280 Feet

**CONTEXTUAL
SETBACK VARIANCE**

Case: APPEALS WAIVERS VARIANCES
AWV2025-000014



ZONING DISTRICTS (In Grayscale)

Residential	MH	Middle Housing	
R	Rural	MF	Multi-Family
WE	Wellborn Estate	MU	Mixed-Use
E	Estate	MHP	Manufactured Home Pk.
WRS	Wellborn Restricted Suburban		
RS	Restricted Suburban		
GS	General Suburban		
D	Duplex		
T	Townhome		

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

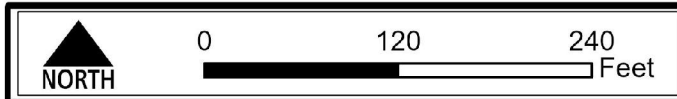
WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
HOO	High Occupancy Ovr.
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts

R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



CONTEXTUAL SETBACK VARIANCE

Case: APPEALS WAIVERS VARIANCES
AWV2025-000014



APPEAL/WAIVER APPLICATION SUPPORTING INFORMATION

Name of Project: CONTEXTUAL SETBACK VARIANCE (AWV2025-000014)

Address: 1104 BERKELEY ST

Legal Description: CARTER'S GROVE PH 1, BLOCK 2, LOT 13 (90' OF)

Applicant: LINTZ CONSTRUCTION LLC

Property Owner: VL PARTNERS LLC

Applicable ordinance section being appealed/seeking waiver from:

5.2.A.c

The following specific variation to the ordinance is requested:

We are looking for a variance on the contextual front set back. The left side is a drainage creek and heavily wooded. The right side neighbor's house is sitting 42'8" from the property line. 1104 Berkeley is at 27' 1" from the front property line.

The following special condition exists:

The PD with the site plan was approved prior to the building permit. We received a building permit and started construction, unaware of the contextual front set back requirement. Our front set back is 27' 1" which is well within the 15' requirement with rear parking which is allowed by UDO. Our understanding was that our front set back was 15'.

The unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

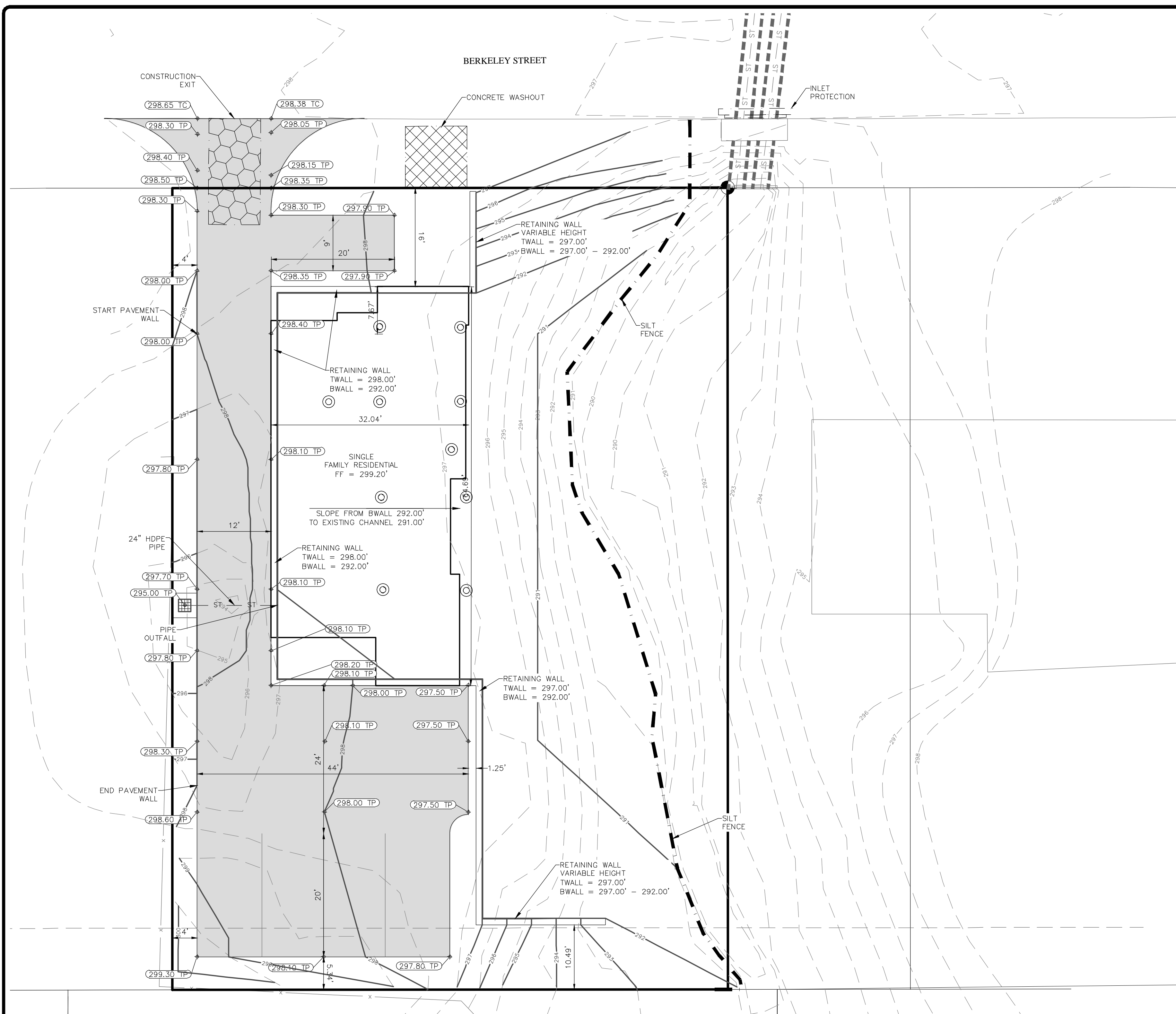
The city official did not make us aware of the front set back difference until March 6th and we were already 80% complete with the house. To meet the contextual front set back at this point would mean tearing the house down which is not financially feasible.

The following alternatives to the requested variance are possible:

The left side of the house is a creek and heavily wooded. We could add some landscaping to the right side of our house to help provide some natural shading.

The variance will not be contrary to public interest due to:

I believe the intent of the contextual front set back is to hinder new development from altering the look and feel of the existing street. This house is unique in that it has the creek to the side of it and there is a natural separation from the neighboring property to distract from seeing all the front elevations of the houses.

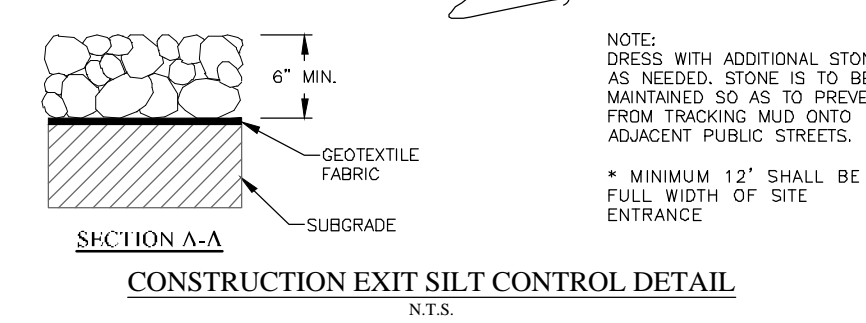
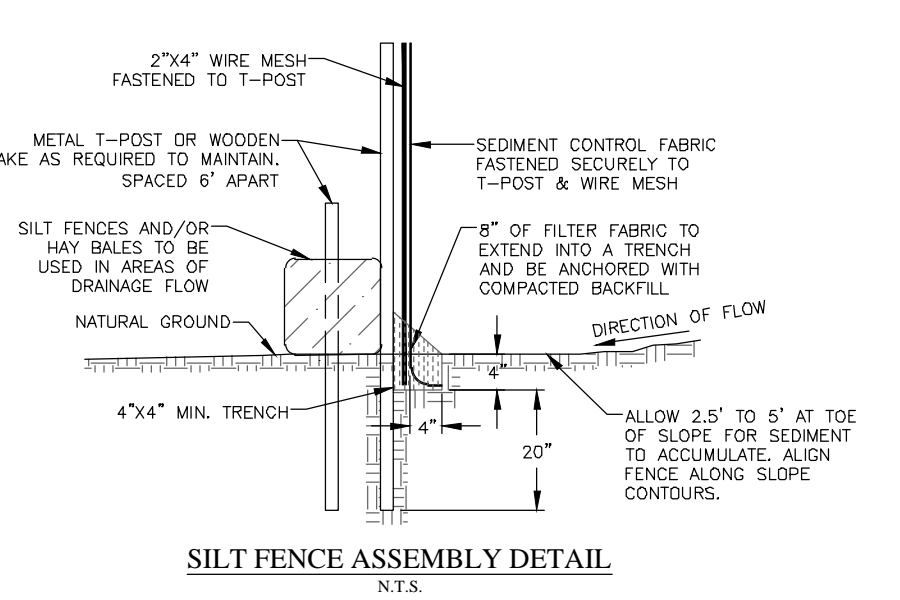
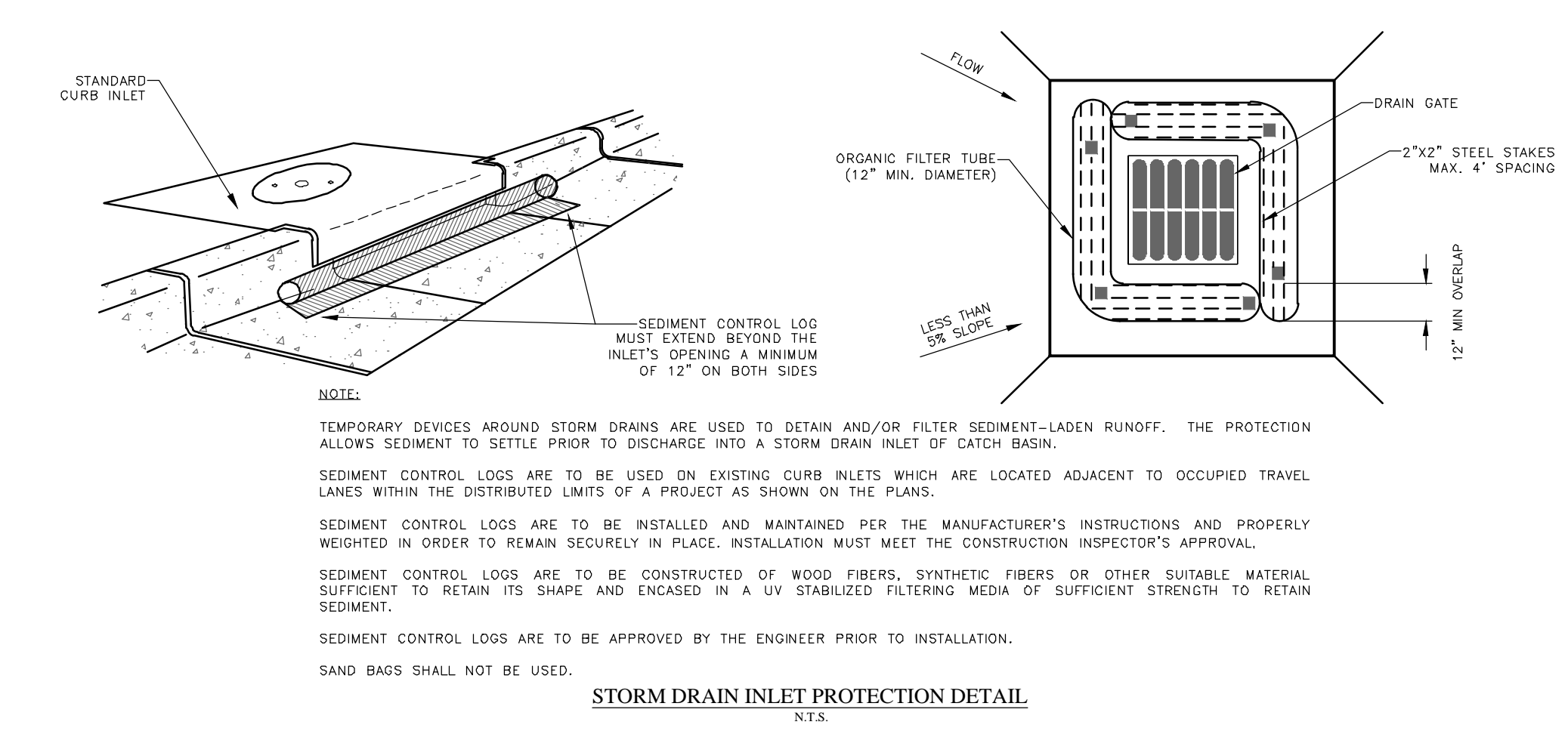
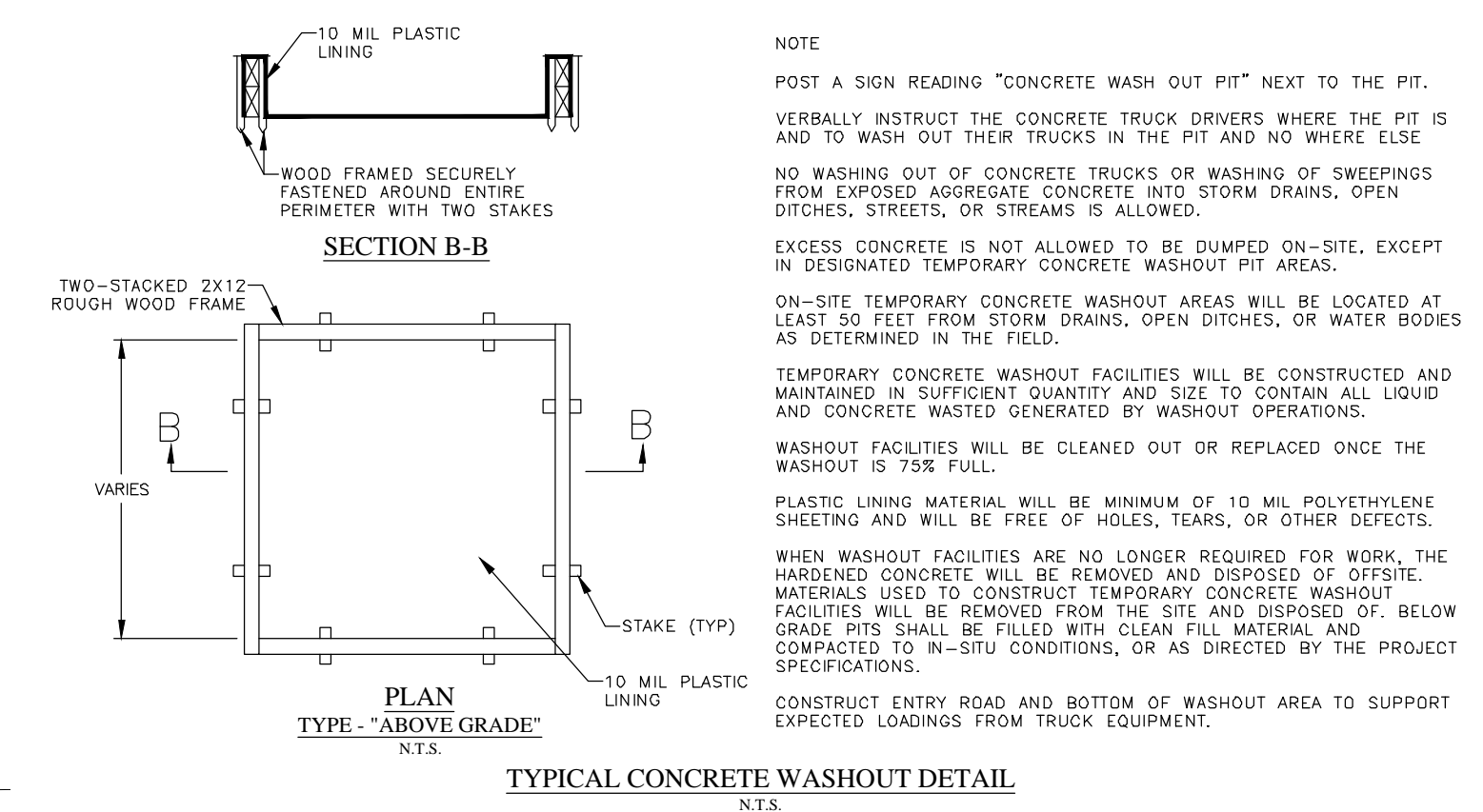
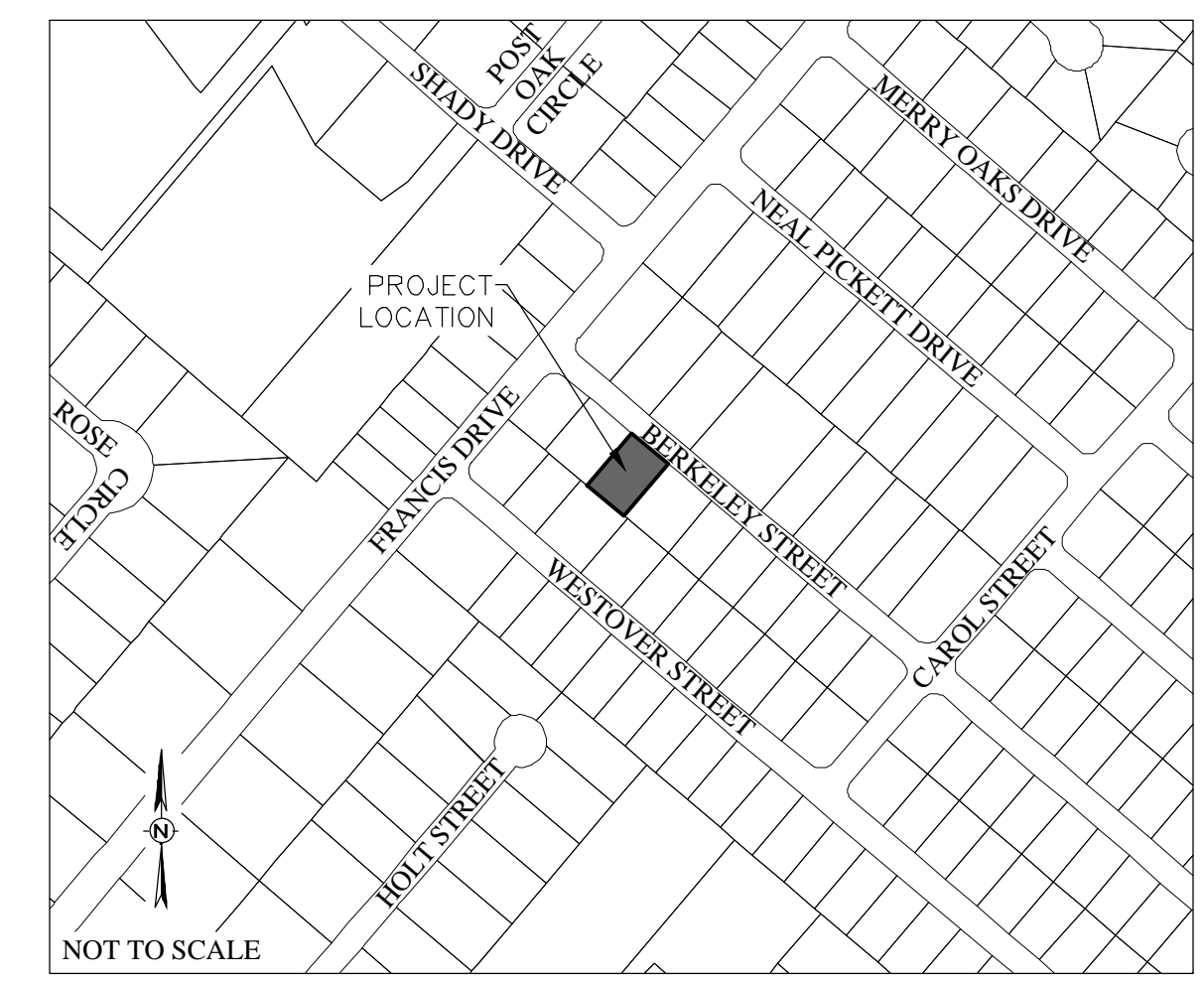


ELEVATION CERTIFICATE REQUIRED

REVIEWED FOR COMPLIANCE
CITY OF COLLEGE STATION
PLANNING & DEVELOPMENT
SERVICES DEPARTMENT
DEVELOPMENT REVIEW DIVISION

GILLIAN SITLER, GRADUATE ENGINEER I
04/18/2023

VICINITY MAP



- EROSION CONTROL NOTES:**
1. THE CONTRACTOR IS REQUIRED TO MAINTAIN THE TPDES GENERAL PERMIT NO. TXR 150000 REQUIREMENTS FOR CONSTRUCTION SITES.
 2. EROSION CONTROL MEASURES SHOWN IN THESE PLANS SHALL BE CONSIDERED THE VERY MINIMUM REQUIRED. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IMPLEMENT ALL OTHER EROSION CONTROL MEASURES (DIVERSION BERMS, DRAINAGE STRUCTURES, SWALES, ADDITIONAL FENCING, ETC.) NECESSARY TO KEEP THE EXISTING IMPROVEMENTS AND DEVELOPMENTS FROM DAMAGE OF ANY KIND, DURING ALL PHASES OF DEMOLITION AND CONSTRUCTION.
 3. ALL SEDIMENT TRAPPING DEVICES SHALL BE INSTALLED AS SOON AS PRACTICAL AFTER THE AREA HAS BEEN DISTURBED. ALL SEDIMENT TRAPPING DEVICES SHALL BE CLEANED WHEN SEDIMENT LEVEL REACHES 25% CAPACITY. SEDIMENT SHALL BE DISPOSED OF BY SPREADING ON SITE OR HAULING AWAY IF NOT SUITABLE FOR FILL.
 4. EROSION CONTROL MEASURES SHALL BE IMPLEMENTED PRIOR TO ANY EXCAVATION OR DEMOLITION WORK.
 5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO USE WHATEVER MEANS NECESSARY TO MINIMIZE EROSION AND PREVENT SEDIMENT FROM LEAVING THE PROJECT SITE. THIS INCLUDES THE INSTALLATION OF A CONSTRUCTION EXIT AND SILT FENCE AS NECESSARY.
 6. THE CONTRACTOR IS RESPONSIBLE FOR INSPECTING AND MAINTAINING THE EROSION AND SEDIMENT CONTROL DEVICES. INSPECTIONS SHALL BE DONE EVERY 14 DAYS AND AFTER EVERY RAINFALL EVENT OF 1/2" OR MORE. THE CONTRACTOR SHALL REMOVE ALL MUD DEPOSITED ON THE ADJACENT STREETS AS A RESULT OF THE CONSTRUCTION OF THIS PROJECT.
 7. THE CONTRACTOR SHALL REMOVE THE EROSION CONTROL MEASURES ONCE GRASS IS ESTABLISHED.
 8. INLET PROTECTION TO BE INSTALLED AT ALL PROPOSED AND EXISTING INLETS ADJACENT TO THE PROJECT SITE.
 9. CONSTRUCTION EXIT IS TO BE DRESSED WITH ADDITIONAL ROCK AS NEEDED AND MAINTAINED SO AS TO PREVENT CONSTRUCTION TRAFFIC FROM TRACKING MUD ONTO ADJACENT PUBLIC STREETS.
 10. ALL AREAS WHERE EXISTING VEGETATION AND GRASS COVER HAVE BEEN DISTURBED BY CONSTRUCTION SHALL BE ADEQUATELY BLOCK SODED OR HYDROSODED, AND WATERED UNTIL GROWTH IS ESTABLISHED. IN DEVELOPED AREAS WHERE GRASS IS PRESENT, BLOCK SOG WILL BE REQUIRED. BARED AREAS SHALL BE SEED OR SODED WITHIN 14 CALENDAR DAYS OF LAST DISTURBANCE.

- GRADING NOTES:**
1. FILL MATERIAL USED TO ACHIEVE GRADE IN AREAS TO RECEIVE PAVEMENT OR WITHIN THE STREET RIGHT-OF-WAY SHALL BE COMPACTED TO AT LEAST 98% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY THE STANDARD PROCTOR TEST, (ASTM D698), AT A MOISTURE CONTENT FROM OPTIMUM MOISTURE CONTENT TO 4% ABOVE THE OPTIMUM MOISTURE CONTENT. AREAS OUTSIDE OF THE STREET RIGHT-OF-WAY OR PAVEMENT AREAS SHALL BE COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY.
 2. THE SUBGRADE BENEATH THE CONCRETE SIDEWALKS SHALL BE 6" STABILIZED SUBGRADE OR SELECT FILL.
 3. HANDICAP RAMP SLOPES SHALL NOT EXCEED 1V:12H.
 4. THE TOPOGRAPHY SHOWN IS FROM FIELD AND AERIAL SURVEY DATA.
 5. STRUCTURAL BACKFILL FOR UTILITY OR STORM DRAIN TRENCHES IS REQUIRED WHENEVER THE TRENCH IS WITHIN 5' OF PAVEMENT OR SIDEWALK.
 6. THE CONTRACTOR SHALL FOLLOW THE GENERAL INTENT OF THE GRADING PLANS. MINOR ADJUSTMENTS TO THE ACTUAL ELEVATIONS SHOWN ON THE GRADING PLAN MAY BE REQUIRED TO MATCH EXISTING GROUND ELEVATIONS AND STRUCTURES. THE PROPOSED CONTOUR LINES SHOWN ARE APPROXIMATE ONLY. THE DESIGN GRADE SPOT ELEVATIONS SHOULD BE USED FOR CONSTRUCTION OF THE SITE WORK.
 7. THE CONTRACTOR SHALL SALVAGE ALL TOPSOIL AND REPLACE IT ON ALL DISTURBED AREAS. ALL PARKING LOT ISLANDS AND AREAS ADJACENT TO PARKING AND SIDEWALK AREAS SHALL RECEIVE 4" SANDY LOAM TOPSOIL PRIOR TO PLACEMENT OF GRASS SOO OR HYDROSOIL.
 8. POSITIVE DRAINAGE AWAY FROM ALL SIDES OF THE PROPOSED BUILDING PAD SHALL BE PROVIDED. USE OF INTERCEPTOR DRAINAGE SWALES OR DRAINAGE PIPING SYSTEMS TO ROUTE STORMWATER AROUND AND NOT THROUGH THE BUILDING PAD AREA. INSTALLATION OF LANDSCAPING SHALL NOT BLOCK POSITIVE DRAINAGE AWAY FROM BUILDING SLABS. IF POSITIVE DRAINAGE CANNOT BE MAINTAINED DUE TO LANDSCAPING, ADDITIONAL SURFACE AND SUBSURFACE DRAINAGE SYSTEMS SHALL BE ADDED.
 9. THE SELECT FILL FOR THE BUILDING FOUNDATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.
 10. THE UPPER PORTION OF ALL UTILITY EXCAVATIONS SHOULD BE BACKFILLED WITH PROPERLY COMPACTED CLAY SOILS TO MINIMIZE INFILTRATION OF SURFACE WATER. A SLAY "SLUD" SHOULD BE PROVIDED IN THE TRENCH ON THE EXTERIOR OF THE BUILDING TO PREVENT WATER FROM GAINING ACCESS ALONG THE TRENCH TO THE SUBGRADE BENEATH THE STRUCTURE. THE SLUD SHALL EXTEND TWO FEET BEYOND THE PIPE FACE IN ALL DIRECTIONS, AND A MINIMUM OF TWO FEET THICK.
 11. REFER TO THE GEOTECHNICAL REPORT FOR DETAILED SPECIFICATIONS ON SUBGRADE, PAVEMENT, FOUNDATIONS, ETC.
 12. ALL UNPAVED AREAS SHALL BE ADEQUATELY GRADED TO DRAIN, SO THAT NO PONDING OCCURS.
 13. FINISH GRADE ADJACENT TO CURBING OR SIDEWALK SHALL BE 1/2" BELOW THE TOP OF CONCRETE AND 2" BELOW IN LANDSCAPING AREAS.
 14. ADEQUATE DRAINAGE SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION AND ANY DRAINAGE DITCH OR STRUCTURE DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO EXISTING CONDITIONS OR BETTER.
 15. THE APPROVAL OF THESE PLANS IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNER(S). ANY ADJACENT PROPERTY AND RIGHT-OF-WAY DISTURBED DURING CONSTRUCTION WILL BE RETURNED TO THEIR EXISTING CONDITIONS OR BETTER.
 16. THE CONTRACTOR SHALL REFER TO THE STRUCTURAL ENGINEER'S PLANS FOR SPECIFICATIONS, PROCEDURES, AND REQUIREMENTS FOR THE BUILDING PAD.
 17. EXISTING TREES, STUMPS, AND LARGE TREE SYSTEMS SHALL BE CRIBBED AND REMOVED. VEGETATION SHALL BE REMOVED AND THE TOP 6-24 INCHES OF TOP SOIL AND SUB-GRADE BE STRIPPED FROM THE AREAS TO BE COVERED BY THE PROPOSED IMPROVEMENTS.
 18. EXISTING DRAINAGE WAYS THAT ARE TO BE FILLED SHALL HAVE BENCHES EXCAVATED INTO THE SIDE WALLS OF THE CHANNEL PRIOR TO PLACEMENT OF FILL. BENCHES SHOULD BE AT LEAST 18 FEET IN WIDTH WITH ONE BENCH BEING PLACED VERTICALLY FOR EVERY 2 FEET OF CHANNEL DEPTH.
 19. MATERIAL EXCAVATED ON SITE, EXCLUDING THE TOP 6-24 INCHES OF TOP SOIL, MAY BE USED AS A FILL MATERIAL UNDER PAVEMENT AREAS ONLY, IF THE MATERIAL IS FREE FROM TRASH, LIMBS, CLODS, ORGANIC SUBSTANCE, & OTHER FOREIGN MATTER AND SUBGRADE PREPARATION FILL MATERIAL PLACEMENT UNDER BUILDINGS SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.
 20. STABILIZED MATERIAL OR FILL MATERIAL SHALL BE PLACED IN EIGHT INCH MAXIMUM LOOSE LIFTS, WITH EACH LIFT WETTED OR DRED TO A MOISTURE CONTENT RANGE OF 0% TO 44% OF THE OPTIMUM MOISTURE CONTENT AND COMPACTED TO A UNIFORM DENSITY OF 98% (FOR STABILIZED) AND 95% (FOR GENERAL FILL) OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D698.

SCHULTZ Engineering, LLC
911 Southwest Pkwy E.
College Station, Texas 77840
979.764.3900
TBPE FIRM NO. 12327

THIS DOCUMENT IS RELEASED FOR PRELIMINARY REVIEW ONLY. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW ONLY UNDER THE AUTHORITY OF DEVEN L. DOYEN P.E., LICENSE NO. 109835, ON DECEMBER 12, 2022. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES.

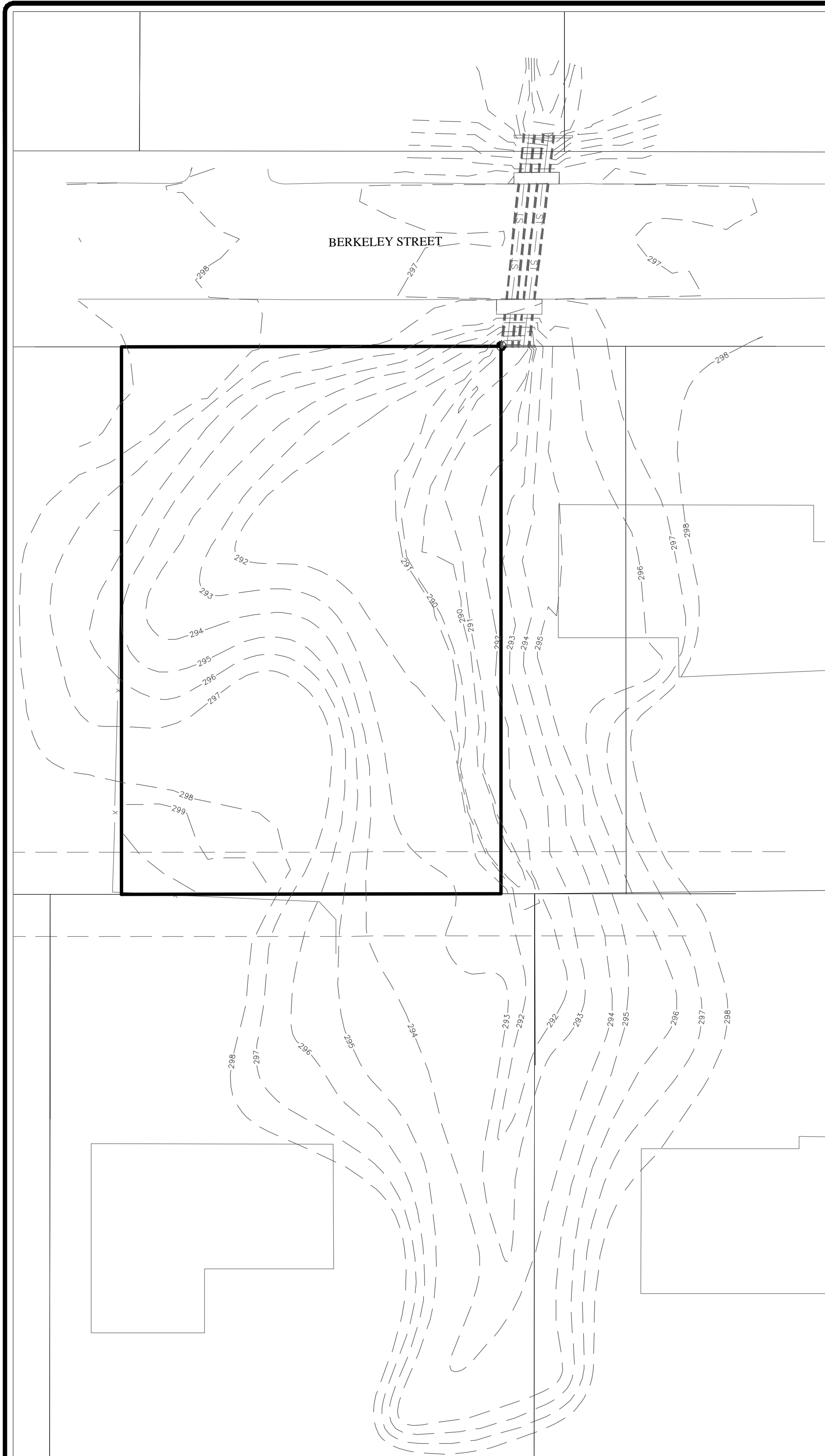
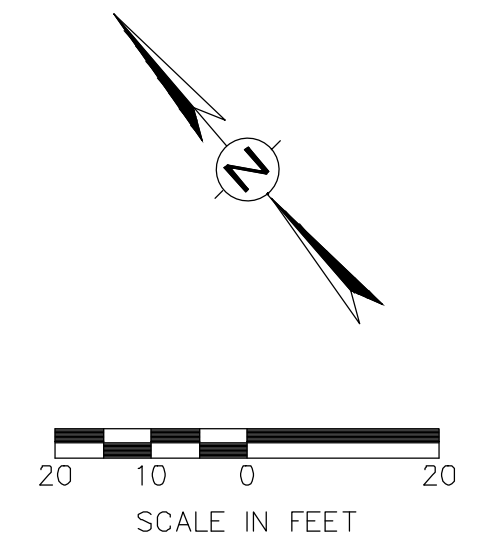
1104 BERKELEY STREET
CARTER'S GROVE PHASE 1
LOT 13, SAVE AND EXCEPT 30' ADJOINING LOT 14,
BLOCK 2 - COLLEGE STATION, TEXAS

GRADING PLAN

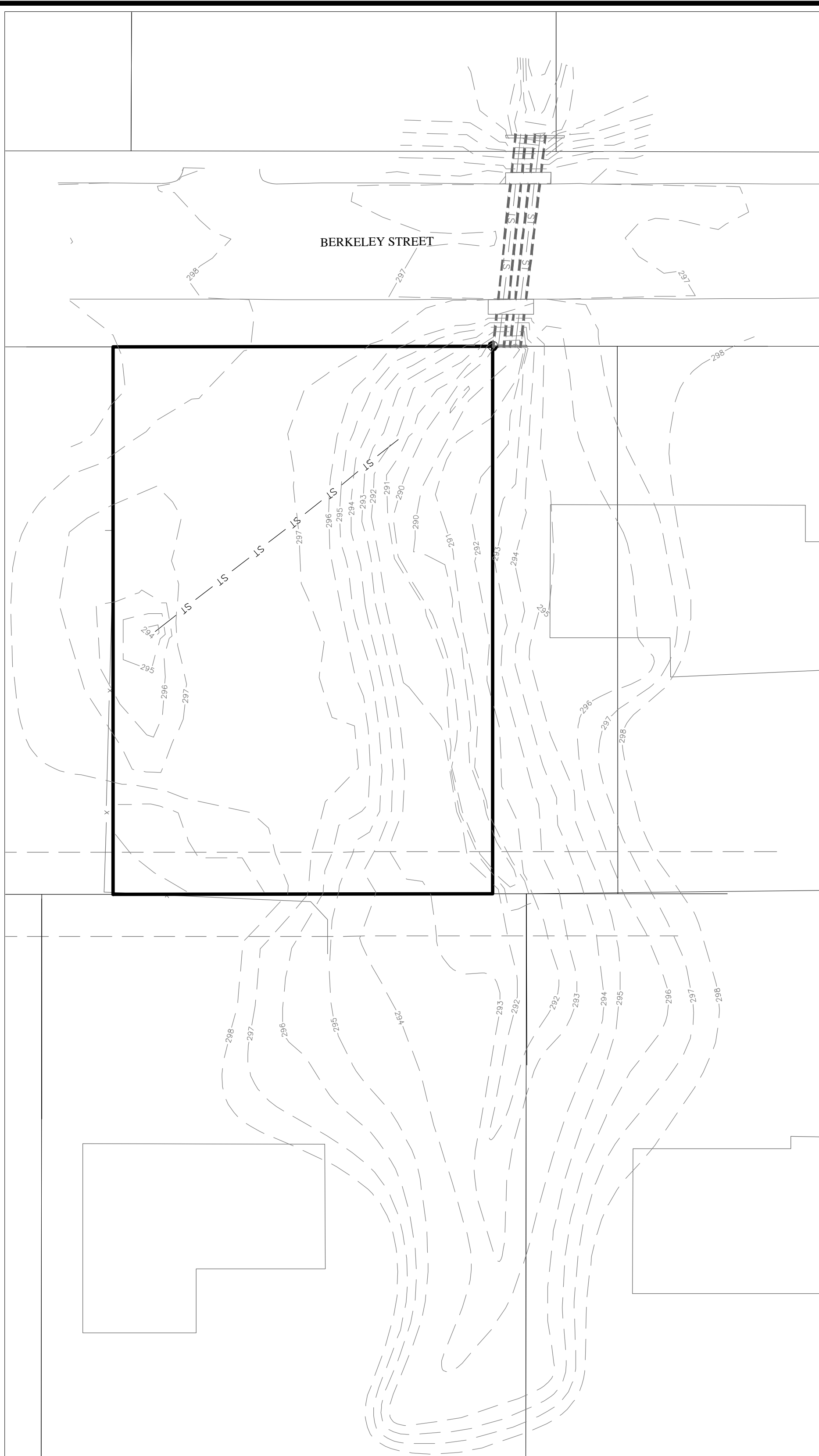
SCALE		SHEET	
VERTICAL	N/A	C1	
HORIZONTAL	1"=30'		
PLOTTING SCALE:	1:1		
FILE NAME:	22-988		

MARK	REVISION	BY	DATE

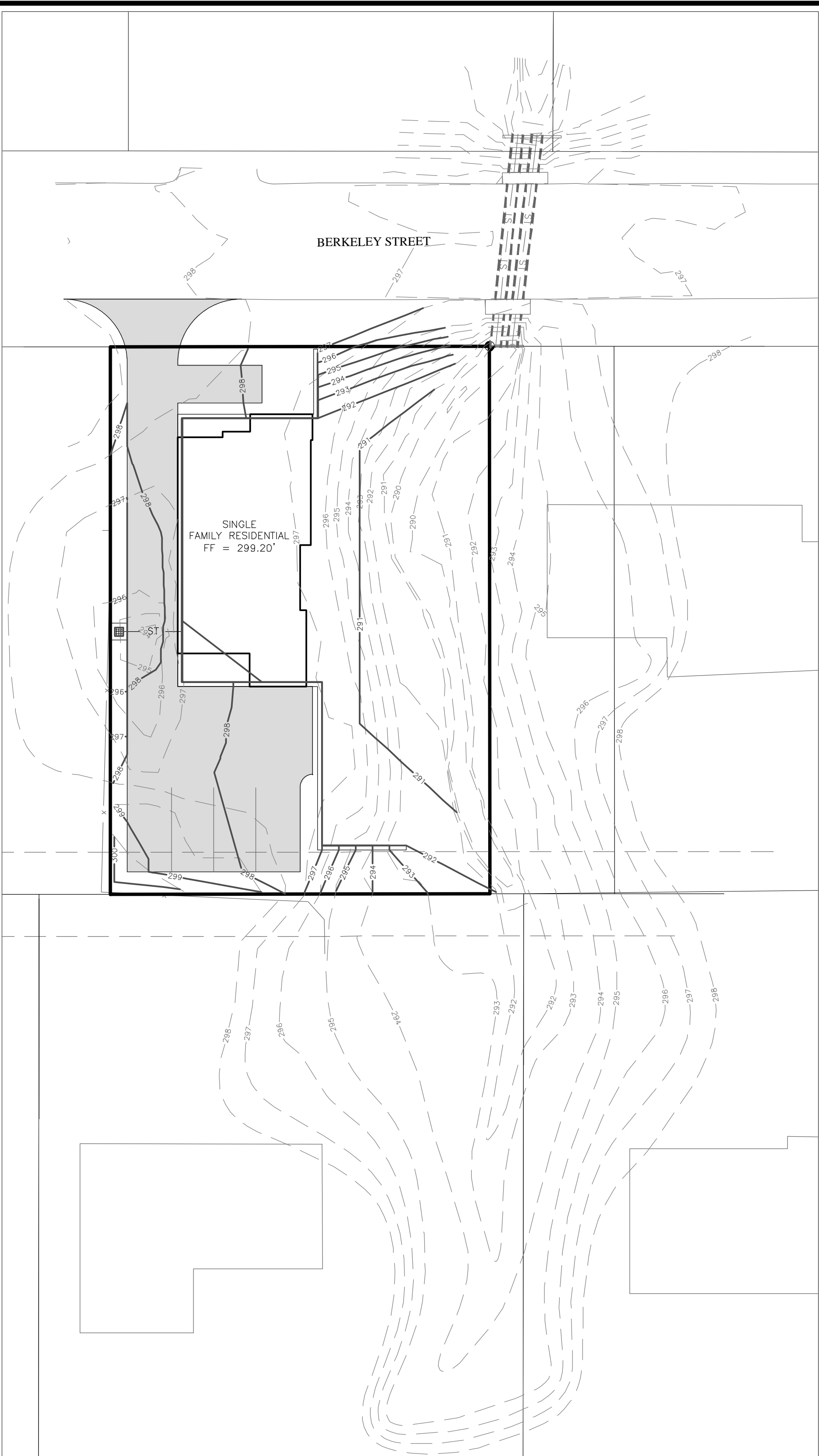
SURVEYED	DESIGNED	DRAWN	APPROVED	JOB NO.	DATE
KERR	DLD	DLD	JPS	22-988	MARCH 2023



PRE-DEVELOPMENT
CONDITION



EXISTING
CONDITION



POST-DEVELOPMENT
CONDITION

ELEVATION CERTIFICATE REQUIRED

REVIEWED FOR COMPLIANCE
CITY OF COLLEGE STATION
PLANNING & DEVELOPMENT
SERVICES DEPARTMENT
DEVELOPMENT REVIEW DIVISION

Gillian Sittler
GILLIAN SITTLER, GRADUATE ENGINEER I
04/18/2023

MARK	REVISION	BY	DATE



911 Southwest Pkwy E,
College Station, Texas 77840
979.764.3900
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SURVEYED	DESIGNED	DRAWN	APPROVED	JOB NO.	DATE
KERR	DLD	DLD	JPS	22-988	MARCH 2023

1104 BERKELEY STREET
CARTER'S GROVE PHASE 1
LOT 13, SAVE AND EXCEPT 30' ADJOINING LOT 14,
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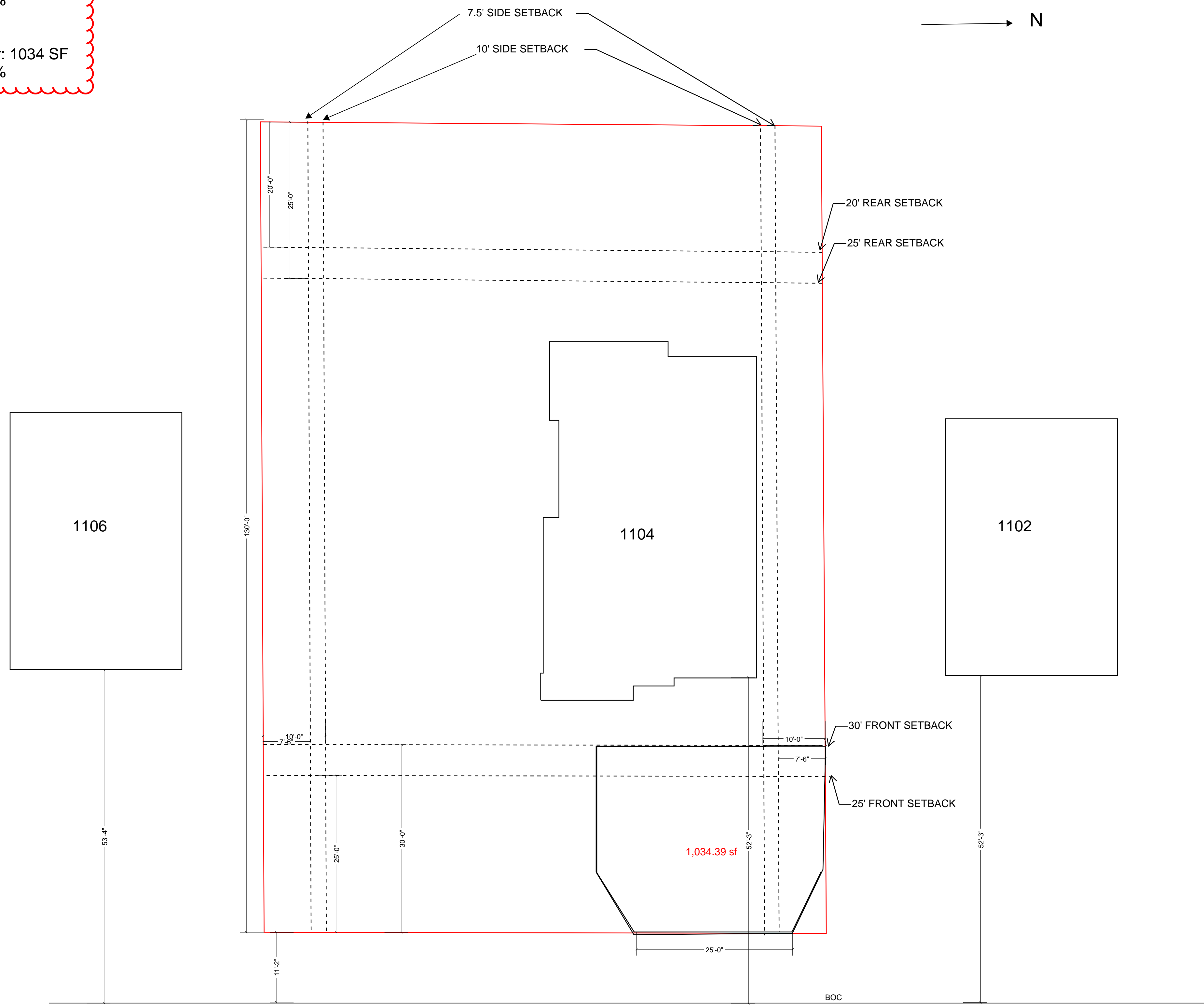
**DEVELOPMENT
CONDITIONS PLAN**

SCALE	
VERTICAL	N/A
HORIZONTAL	1"=30'
PLOTTING SCALE:	1:1
FILE NAME:	22-988

SHEET
C2

Existing lot impervious Cover: 0 SF
 Existing lot size: 11700 SF
 Proposed Impervious cover: 3040 SF
 Impervious percentage: 26%

Total front yard: 3475 SF
 Front yard impervious cover: 1034 SF
 Impervious percentage: 29%





CITY OF COLLEGE STATION

VARIANCE REQUEST
FOR
3545 Anderson Arbor Ct
AWV2025-000018

REQUEST: A 2.3-foot reduction to the minimum 7.5-foot side setback as set forth in Section 5.2.A. ‘Dimensional Standards for Non-Clustered and Clustered Developments’

LOCATION: 3545 Anderson Arbor Ct
Mission Ranch Phase 203A, Block 14, Lot 24

ZONING: RS Restricted Suburban

PROPERTY OWNER: Reece Homes

APPLICANT: Reece Homes

PROJECT MANAGER: Garrett Segraves, Staff Planner
gsegraves@cstx.gov

BACKGROUND: The applicant has built a 3,000 sq. ft. single-family dwelling encroaching approximately 58 sq. ft. within the side setback. This requires a variance to Section 5.2.A. ‘Dimensional Standards for Non-Clustered and Clustered Developments’ and would be a reduction of approximately 2’- 4” into the required 7.5-foot side setback. It is worth noting that with the proposed variance, the development would still be outside of the absolute minimum building separation of 10’ with the adjacent house.

APPLICABLE ORDINANCE SECTION: UDO Section 5.2.A. ‘Dimensional Standards for Non-Clustered and Clustered Developments’

ORDINANCE INTENT: UDO Section 5.2.A. ‘Dimensional Standards for Non-Clustered and Clustered Developments’ sets minimum setback standards that allow for some degree of control over population density, access to light and air, and fire protection. These standards are typically justified on the basis of the protection of property values.

RECOMMENDATION: Staff recommends approval of the variance request.

NOTIFICATIONS

Advertised Board Hearing Date: May 6th, 2025

Property owner notices mailed: 10
Contacts in support: None at the time of this report
Contacts in opposition: None at the time of this report
Inquiry contacts: 1 at the time of this report

ADJACENT ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	RS Restricted Suburban	Single-Family Dwelling
North	MH Middle Housing with a HOO High Occupancy Overlay	Duplex Residential
South	RS Restricted Suburban	Single-Family Dwelling
East	PDD Planned Development District	Multi-family Dwelling
West	RS Restricted Suburban	Single-Family Dwelling

PHYSICAL CHARACTERISTICS

1. **Frontage:** The subject property has approximately 77.5 feet of frontage on Anderson Arbor Ct.
2. **Access:** The subject property takes access from Anderson Arbor Ct.
3. **Topography and vegetation:** The subject property appears relatively flat.
4. **Floodplain:** The subject property is not located within FEMA regulated floodplain.

REVIEW CRITERIA

According to Unified Development Ordinance Section 3.16.E. 'Criteria for Approval of Variance', no variance shall be granted unless the Board makes affirmative findings in regard to all nine of the following criteria:

1. **Extraordinary conditions:** *That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDO will deprive the applicant of the reasonable use of his land.*

There is a 10' Public Utility Easement located on the northwest side of the lot. Per Section 8.3.1.2.c, "Buildings, signs, masonry walls, and other vertical structures that require a building permit are not permitted within utility easements." This reduces the buildable area on the side of the lot by 2.5 ft. Other lots within the subdivision are only subject to a 5' PUE on the side lot line.

2. Other property: *That these conditions do not generally apply to other property in the vicinity.*

There are only a few lots within Mission Ranch Phase 203A that are encumbered by Public Utility Easements on their side lot lines. The typical lot only has a PUE along the rear property line. This lot is equipped with one of three Public Utility Easements that are placed on side lot lines, affecting roughly 5 of the 18 (~28%) lots within Mission Ranch Phase 203A.

3. Enjoyment of a substantial property right: *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*

The variance is necessary for the preservation and enjoyment of the substantial property rights of the applicant. The 10 ft Public Utility Easement located on the northwest side lot line has reduced the buildable area of the lot compared to others in the vicinity. While other lots have a 7.5-ft side setback, any structure on this lot must be set back 10 ft. from the northwest side to stay out of the easement. While the existing dwelling's foundation encroaches a little less than 2.5 ft into the southeast side setback.

4. Hardships: *That the hardship is not the result of the applicant's own actions.*

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

- 1) The financial cost of compliance is greater than fifty (50) percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the city under Chapter 26 of the Texas Tax Code;*
- 2) Compliance would result in a loss to the lot on which the structure is located of at least twenty-five (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 City of College Station ordinance, building code, or other requirement;*
- 4) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or*
- 5) The City considers the structure to be a nonconforming structure.*

A hardship has occurred based on the 10' Public Utility Easement located along the northwest side of the lot. The standard of a 7.5' side setback on the southeast side of the lot would cause the house to encroach into this easement. Per Section 8.3.1.2.c, "Buildings, signs, masonry walls, and other vertical structures that require a building permit are not permitted within utility easements." Compliance would result in the unreasonable encroachment of an easement (Hardship #4).

5. Subdivision: *That the granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDO.*

The granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of the UDO. The surrounding properties are platted lots within the McCulloch's Subdivision.

- 6. Flood hazard protection:** *That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.*

The granting of this variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements as the site is already developed and due to no portion of this property being located within floodplain.

- 7. Comprehensive Plan:** *That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.*

The granting of this variance does not substantially conflict with the Comprehensive Plan and with the purposes of the UDO.

- 8. Utilization:** *That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The application of the UDO standards to this particular property restricts the applicant in the utilization of their property. The applicant is still able to utilize their property as a residential lot and build a single-family dwelling while still meeting the setback requirements of the UDO, but the extra encumbrance restricts full utilization of the property when compared to others on the block.

- 9. Substantial detriment:** *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this UDO.*

Granting the variance would not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering the UDO. Some phases within Mission Ranch Subdivision are developed as a cluster development that allows a reduced setback as long as there is a minimum 10 ft separation between structures. While this lot is not within a phase that allows for reduced setbacks, it would be of similar character to other properties within the subdivision if the variance were granted.

ALTERNATIVES

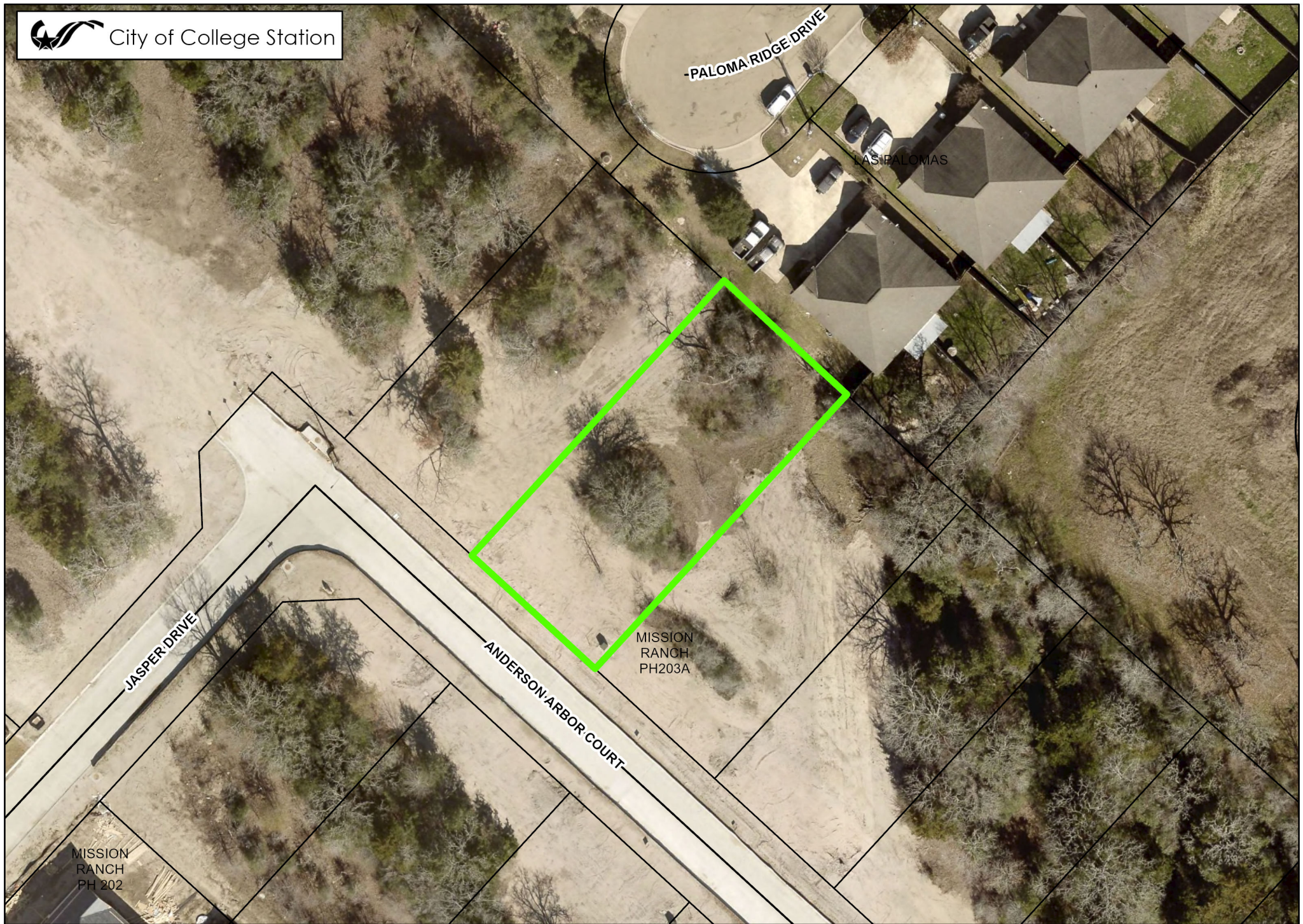
The applicant could reduce the square footage of the single-family dwelling or remodel it so that it could fall outside of the 7.5-foot side setback and meet the requirements set forth in Section 5.2.A. 'Dimensional Standards for Non-Clustered and Clustered Developments' of the UDO.

STAFF RECOMMENDATION

The applicant is seeking a 2'- 4" variance to the minimum 7.5-foot side setback as set forth in Section 5.2.A. 'Dimensional Standards for Non-Clustered and Clustered Developments'. Staff has found that the 10-ft. PUE on the side lot line is an extraordinary condition of the land, a hardship exists, and these conditions generally do not affect other lots within the subdivision. Staff recommends approval of the variance request.

ATTACHMENTS

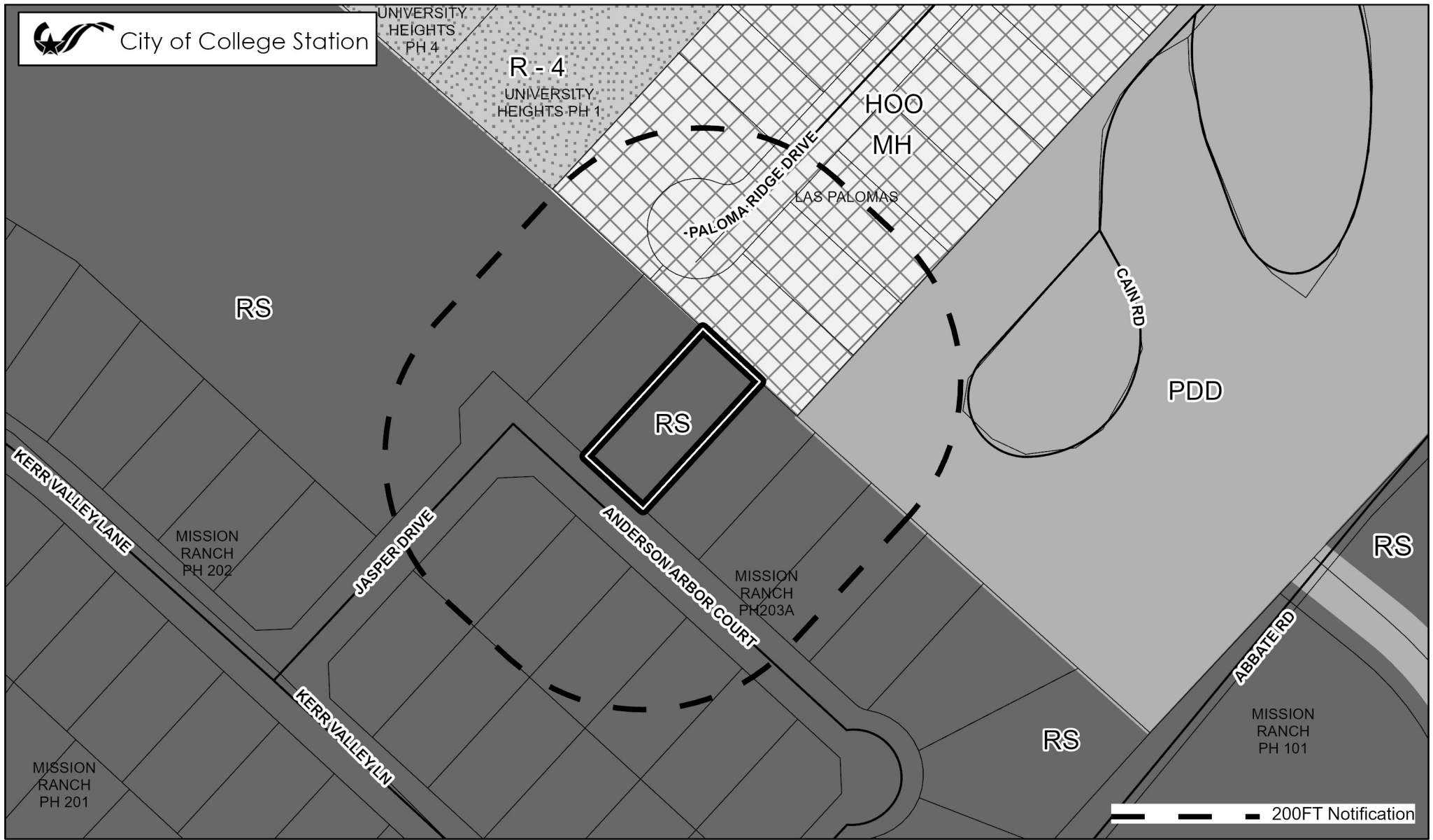
1. Aerial, and Small Area Map
2. Applicant's Supporting Information
3. Applicant's Exhibit



0 55 110 Feet

SETBACK VARIANCE FOR 2.5'

Case: APPEALS WAIVERS VARIANCES
AWV2025-000018



200FT Notification

ZONING DISTRICTS (In Grayscale)

Residential	MH	Middle Housing	
R	Rural	MF	Multi-Family
WE	Wellborn Estate	MU	Mixed-Use
E	Estate	MHP	Manufactured Home Pk.
WRS	Wellborn Restricted Suburban		
RS	Restricted Suburban		
GS	General Suburban		
D	Duplex		
T	Townhome		

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
HOO	High Occupancy Ovr.
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts

R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



SETBACK VARIANCE FOR 2.5'

Case: APPEALS WAIVERS VARIANCES
AWV2025-000018



APPEAL/WAIVER APPLICATION SUPPORTING INFORMATION

Name of Project: SETBACK VARIANCE FOR 2.5' (AWV2025-000018)

Address: 3545 ANDERSON ARBOR CT

Legal Description: MISSION RANCH PH 203A, BLOCK 14, LOT 24

Applicant: REECE HOMES

Property Owner: REECE HOMES LLC

Applicable ordinance section being appealed/seeking waiver from:
Right Side Setback of 7.5'

The following specific variation to the ordinance is requested:
We are requesting a variance of 2.5' over the side setback line.

The following special condition exists:

Building permit was approved without any indication that the side setback was incorrect on the Plans set. This house is complete and compliance with this ordinance would require a complete rebuild. We also received a final survey which is attached that did not indicate any issue with the setbacks.

The unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

1

The following alternatives to the requested variance are possible:

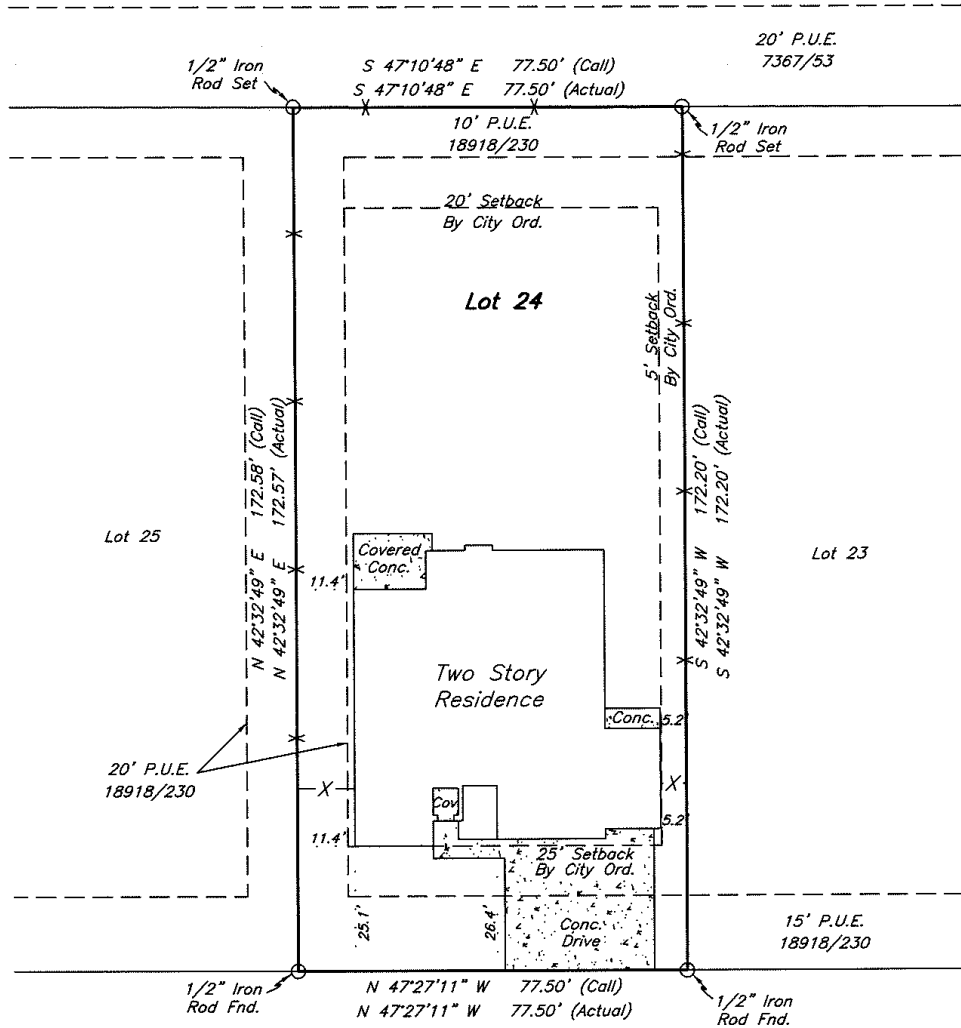
No known alternatives

The variance will not be contrary to public interest due to:

This subdivision allows 5' setbacks in all other phases of the development. Based on setback guidelines throughout this subdivision, we see no reason this variance will be contrary to the public interest.

Scale: 1" = 30'

Los Palomas Subd.
Lot 14

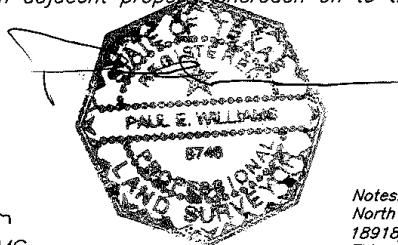


3545 Anderson Arbor Court
Quentin Bartkowiak and Falon Bartkowiak

Being all of Lot 24 (TWENTY FOUR), Block 14 (FOURTEEN), MISSION RANCH, PHASE 203A, an addition to the City of College Station, Brazos County, Texas, according to the plat recorded in Volume 18918 Page 230 of the Official Records of Brazos County, Texas.

I, Paul Williams, Registered Professional Land Surveyor No. 5743 do hereby certify that this plat represents the results of a survey performed on the ground, under my supervision on February 24, 2025, and is true and correct to the best of my knowledge.

I further certify that no improvements on this property encroach on adjacent property, nor do any improvements on adjacent property encroach on to this property, except as shown.



PAUL WILLIAMS
 LAND SURVEYING CO.
 R.P.L.S. No. 5743
 Firm No. 10014300
 1851 Briarcrest
 Bryan, TX 77802
 979-779-7670
 pwlandsurveying@earthlink.net
 paul@pwlandsurveying.com

Notes:
 North orientation is based on rotating to plat calls in 18918/230.
 This survey was prepared with the benefit of University Title Company Commitment No. G.F. 2411010FT and is valid for this transaction only.
 The Following Easements appear to effect the parent tract of this property, however no above ground evidence was located on this survey:
 1) From BCS Mission Ranch, L.P. to The City of College Station in 14527/60.

p:/pwlsco/clients/2024/24198.dwg