

CITY OF HUNTSVILLE, TEXAS

Ken Holland, Chairman

Nate Grigsby, Position 1
Cheryl Reader, Position 2
Michelle Spencer, Position 3
Elliott Herzlich, Position 5

Jason Warren, Alternate A
Vacant, Alternate B



BOARD OF ADJUSTMENT AGENDA

THURSDAY, MAY 23, 2024, NOON

**HUNTSVILLE PUBLIC LIBRARY-STAGGS COMMUNITY ROOM
1219 13th STREET, HUNTSVILLE, TEXAS 77340**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Planning Division, at 936-294-5782 two working days prior to the meeting so that appropriate arrangements can be made.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

- a. U.S. Flag
- b. Texas Flag - *Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

3. INVOCATION

4. ROLL CALL and selection of Alternate(s) if needed.

5. PUBLIC HEARING

- a. For a variance request, (BOA Case 04-2024), by Equipment Share, property owner, to *Article 6.1106.A (Parking and Driveway Regulations)* of the Development Code to increase their commercial driveway from 24' to 40' to allow heavy commercial trucks safe access to their property site, located at 604 IH-45 N.
- b. For a variance request, (BOA Case 05-2024), by Winter Wonder LLC, property owners, to the 2021 International Plumbing Code to allow the usage of temporary luxury restrooms and holding tanks instead of a septic system, located at 1998 IH-45 S.

6. CONSIDER

- a. The variance request, (BOA Case 04-2024), by Equipment Share, property owner, to *Article 6.1106.A (Parking and Driveway Regulations)* of the Development Code to increase their commercial driveway from 24' to 40' to allow heavy commercial trucks safe access to their property site, located at 604 IH-45 N.
- b. The variance request, (BOA Case 05-2024), by Winter Wonder LLC, property owners, to the 2021 International Plumbing Code to allow the usage of temporary luxury restrooms and holding tanks instead of a septic system, located at 1998 IH-45 S.
- c. The minutes of the April 11, 2024, meeting.

7. ADJOURNMENT

CERTIFICATE

I, Kristy Doll, City Secretary, do hereby certify that the above notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.HuntsvilleTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: May 20, 2024

TIME OF POSTING: 10:30 am

DATE REMOVED:

Kristy Doll

Kristy Doll, City Secretary



BOARD OF ADJUSTMENT AGENDA ITEM DISCUSSION FORM

Prepared by: Layne Yeager
Planner

Armon Irones
City Planner

MEETING DATE: May 23, 2024

TYPE OF REVIEW: Variance from the Requirements of *Development Code*

SUBJECT: Parking and Driveway Regulations (Article 6.1106.A)

REQUESTED BY: EquipmentShare

CASE OVERVIEW: CASE 04-2024

EquipmentShare have applied for a **Variance** from the *Development Code* to allow for the driveway width variance at 604 IH-45 North to allow for safely accessing the property with heavy haul trucks. The property is in the Management (M) District.

The applicant has provided responses to the Variance Criteria in the attached application. The applicant is requesting a variance from one sub-section of the Development Code: 6.1106.A. The applicant is requesting to increase the driveway width from 24-feet to 40-feet to allow for safely accessing the property with heavy haul trucks to the property.

COMMUNITY INPUT

No community input received.

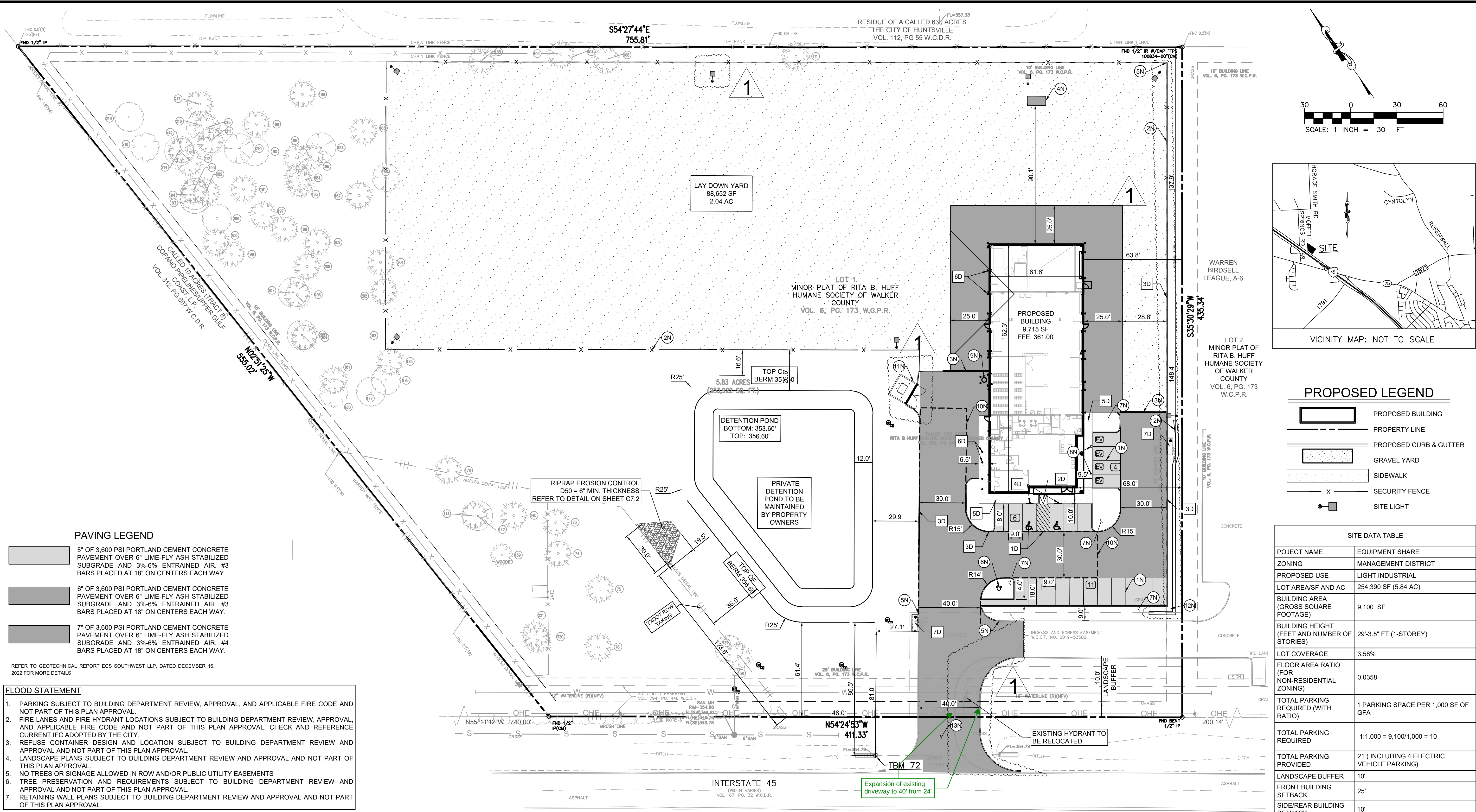
STAFF RECOMMENDATION

Development Code Section 6.1106.A states that the maximum width of a driveway is 24 feet and the proposed 40 feet is identified for safety reasons and accessibility. The wider driveway will also reduce traffic impacts to the IH-45 feeder road that does not have a shoulder.

Staff does recommend approval of the requested variance.

ATTACHMENTS:

- **Application**
- **Site layout**
- **Vicinity Map**



PAVING LEGEND

- 5" OF 3,600 PSI PORTLAND CEMENT CONCRETE PAVEMENT OVER 6" LIME-FLY ASH STABILIZED SUBGRADE AND 3%-6% ENTRAINED AIR. #3 BARS PLACED AT 18" ON CENTERS EACH WAY.
- 6" OF 3,600 PSI PORTLAND CEMENT CONCRETE PAVEMENT OVER 6" LIME-FLY ASH STABILIZED SUBGRADE AND 3%-6% ENTRAINED AIR. #3 BARS PLACED AT 18" ON CENTERS EACH WAY.
- 7" OF 3,600 PSI PORTLAND CEMENT CONCRETE PAVEMENT OVER 6" LIME-FLY ASH STABILIZED SUBGRADE AND 3%-6% ENTRAINED AIR. #4 BARS PLACED AT 18" ON CENTERS EACH WAY.

REFER TO GEOTECHNICAL REPORT ECS SOUTHWEST LLP, DATED DECEMBER 16, 2022 FOR MORE DETAILS

FLOOD STATEMENT

1. PARKING SUBJECT TO BUILDING DEPARTMENT REVIEW, APPROVAL, AND APPLICABLE FIRE CODE AND NOT PART OF THIS PLAN APPROVAL.
2. FIRE LANES AND FIRE HYDRANT LOCATIONS SUBJECT TO BUILDING DEPARTMENT REVIEW, APPROVAL, AND APPLICABLE FIRE CODE AND NOT PART OF THIS PLAN APPROVAL. CHECK AND REFERENCE CURRENT IFC ADOPTED BY THE CITY.
3. REFUSE CONTAINER DESIGN AND LOCATION SUBJECT TO BUILDING DEPARTMENT REVIEW AND APPROVAL AND NOT PART OF THIS PLAN APPROVAL.
4. LANDSCAPE PLANS SUBJECT TO BUILDING DEPARTMENT REVIEW AND APPROVAL AND NOT PART OF THIS PLAN APPROVAL.
5. NO TREES OR SIGNAGE ALLOWED IN ROW AND/OR PUBLIC UTILITY EASEMENTS
6. TREE PRESERVATION AND REQUIREMENTS SUBJECT TO BUILDING DEPARTMENT REVIEW AND APPROVAL AND NOT PART OF THIS PLAN APPROVAL.
7. RETAINING WALL PLANS SUBJECT TO BUILDING DEPARTMENT REVIEW AND APPROVAL AND NOT PART OF THIS PLAN APPROVAL.

FLOOD STATEMENT

ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 4847100355D DATED AUGUST 16, 2011 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR WALKER COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE X.

BENCHMARK:

CITY OF HUNTSVILLE MONUMENT 7876
BRIDGE SPIKE FOUND ON THE SOUTH SIDE OF THE I-45 NORTHBOUND FEEDER ROAD AT THE INTERSECTION OF A DRIVEWAY WITH A LANDFILL DRIVEWAY, APPROXIMATELY 26 FEET SOUTH OF THE EDGE OF ASPHALT AND APPROXIMATELY 235 FEET SOUTHEAST OF THE SOUTHWEST CORNER OF THE SUBJECT TRACT. ELEVATION=368.09

TEMPORARY BENCHMARKS:

TBM 72
BOX WITH "X" SET ON SAFETY END TREATMENT APPROXIMATELY 10 FEET NORTHWEST OF THE SOUTHWEST CORNER OF DRIVEWAY, APPROXIMATELY 214 FEET SOUTHEAST OF THE SOUTHWEST CORNER OF THE SUBJECT TRACT. ELEVATION=367.63

GENERAL SITE NOTES

1. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB, PROPERTY LINE OR CENTERLINE OF STRIPING UNLESS OTHERWISE NOTED.
2. ALL EXISTING EASEMENTS, RIGHTS-OF-WAY, AND LOT LINES MAY NOT BE SHOWN. REFER TO THE ALTA/NSPS LAND TITLE SURVEY PREPARED BY BOWMAN CONSULTING GROUP, DATED NOVEMBER 09, 2022, FOR COMPLETE BOUNDARY INFORMATION AND ASSOCIATED ENCUMBRANCES.
3. A PRE-CONSTRUCTION MEETING WITH CITY ENGINEER SHALL BE HELD PRIOR TO CONSTRUCTION COMMENCEMENT.
4. CITY OF HUNTSVILLE SHALL BE GIVEN AT LEAST 48 HOURS NOTICE PRIOR TO PERFORMING ANY INSPECTIONS.
5. TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE PROJECT PLANS, THE CURRENT EDITION OF THE TXDOT DESIGN STANDARDS AND THE LATEST MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
6. ALL MECHANICAL EQUIPMENT TO BE ROOF MOUNTED AND SCREENED FROM HE STREET.
7. CONTRACTOR TO PROVIDE AS-BUILTS OF ALL IMPROVEMENTS TO THE SITE. AS-BUILTS TO INCLUDE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES INCLUDING, BUT NOT LIMITED TO, PIPES, FITTINGS, STRUCTURES, AND OTHER APPURTENANCES. ELEVATIONS OF PIPES AT CROSSING POINTS MUST BE SUFFICIENT TO IDENTIFY MINIMUM SEPARATION OF UTILITIES. IN ADDITION TO THE AFOREMENTIONED CRITERIA AS-BUILTS MUST MEET ALL LOCAL AND JURISDICTIONAL REQUIREMENTS FOR CERTIFICATION OF CONSTRUCTION.
8. ALL AFFECTED SIDEWALKS, RAMPS AND CROSSWALKS, WILL BE BUILT AND INSPECTED TO MEET CURRENT ADA REQUIREMENTS.
9. BUILDING SETBACK DIMENSIONS MEASURED TO OUTERMOST ARCHITECTURAL FEATURE. CONTRACTOR TO REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.
10. ALL CURB RADI ARE 5' UNLESS SHOWN OTHERWISE.
11. PRIOR TO INSTALLATION, CONTRACTOR MUST VERIFY LOCATIONS OF LIGHT POLES, LANDSCAPING AND UTILITIES.
12. ROW PERMITS REQUIRED FOR WORK WITHIN ROW.

NOTES

- 1N PARKING STALL STRIPING
- 2N SECURITY FENCING
- 3N 30' SLIDING GATE
- 4N FUEL ISLAND (REFER TO BUILDING PLANS)
- 5N END CURB AND MATCH EXISTING
- 6N REMOTE FDC
- 7N LANDSCAPE AREA
- 8N ELECTRIC VEHICLE CHARGING STATION
- 9N AIR COMPRESSOR (PER ARCHITECTURAL PLAN)
- 10N FIRE ACCESS LANE
- 11N DUMPSTER ENCLOSURE (PER ARCHITECTURAL PLAN)
- 12N WALL
- 13N DRIVEWAY EXPANSION (EQUIPMENTSHARE TO MAINTAIN)

DETAILS

- 1D ADA PARKING AND STRIPING
- 2D ADA RAMP
- 3D 6" CONCRETE CURB & GUTTER
- 4D ADA SIGN
- 5D SIDEWALK
- 6D CONCRETE BOLLARDS
- 7D CURB INLET

EXISTING LEGEND

- FIBER OPTIC CABLE MARKER
- FIRE HYDRANT
- POWER POLE
- PVC RISER
- SAFETY END TREATMENT
- WATER METER
- ACCESS DENIAL LINE
- TALLOW TREE
- ELM TREE
- SWEETGUM TREE
- HACKBERRY TREE
- TREE
- OAK TREE
- PINE TREE
- CEDAR TREE
- MAPLE TREE

PROPOSED LEGEND

- PROPOSED BUILDING
- PROPERTY LINE
- PROPOSED CURB & GUTTER
- GRAVEL YARD
- SIDEWALK
- SECURITY FENCE
- SITE LIGHT

SITE DATA TABLE	
PROJECT NAME	EQUIPMENT SHARE
ZONING	MANAGEMENT DISTRICT
PROPOSED USE	LIGHT INDUSTRIAL
LOT AREA/SF AND AC	254,390 SF (5.84 AC)
BUILDING AREA (GROSS SQUARE FOOTAGE)	9,100 SF
BUILDING HEIGHT (FEET AND NUMBER OF STORIES)	29'-3.5' FT (1-STORY)
LOT COVERAGE	3.58%
FLOOR AREA RATIO (FOR NON-RESIDENTIAL ZONING)	0.0358
TOTAL PARKING REQUIRED (WITH RATIO)	1 PARKING SPACE PER 1,000 SF OF GFA
TOTAL PARKING REQUIRED	1:1,000 = 9,100/1,000 = 10
TOTAL PARKING PROVIDED	21 (INCLUDING 4 ELECTRIC VEHICLE PARKING)
LANDSCAPE BUFFER	10'
FRONT BUILDING SETBACK	25'
SIDE/REAR BUILDING SETBACK	10'
IMPERVIOUS LAND COVER	39,072 SF / 15%
PERVIOUS LAND COVER	215,317 SF / 85%

ENGINEERING DEPARTMENT
CITY OF HUNTSVILLE, TX
REVIEWED FOR CONSTRUCTION PERMIT

THIS REVIEW OF THE SUBMITTED DRAWINGS AND DOCUMENTS DOES NOT RELIEVE THE OWNERS, DEVELOPERS, ENGINEERS, CONTRACTORS, AND THEIR REPRESENTATIVES FROM THEIR INDIVIDUAL OR COLLECTIVE RESPONSIBILITY TO COMPLY WITH THE APPLICABLE PROVISIONS OF THE CITY OF HUNTSVILLE DEVELOPMENT CODE OF ORDINANCES. THE REVIEW IS ALSO NOT TO BE CONSTRUED AS A CHECK OF EVERY ITEM IN THE SUBMITTED DRAWINGS AND DOCUMENTS AND DOES NOT PREVENT THE CITY ENGINEER FROM HEREAFTER REQUIRING CORRECTIONS OF ERRORS AND OMISSIONS IN THE DRAWINGS AND DOCUMENTS FOR CONSTRUCTION.

REVIEWED BY: _____
DATE: _____

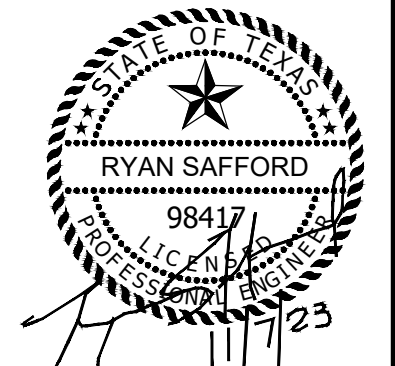


THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

REVISIONS	
REVISION	DESCRIPTION
1	WIDENING OF EXISTING DRIVE, EXISTING FIRE HYDRANT RELOCATION, ADDITIONAL INLET, ADDITIONAL LIGHT POLE, DUMPSTER RELOCATION, RETAINING WALL ALONG EASTERN DRIVE TO SOUTH EAST CORNER.

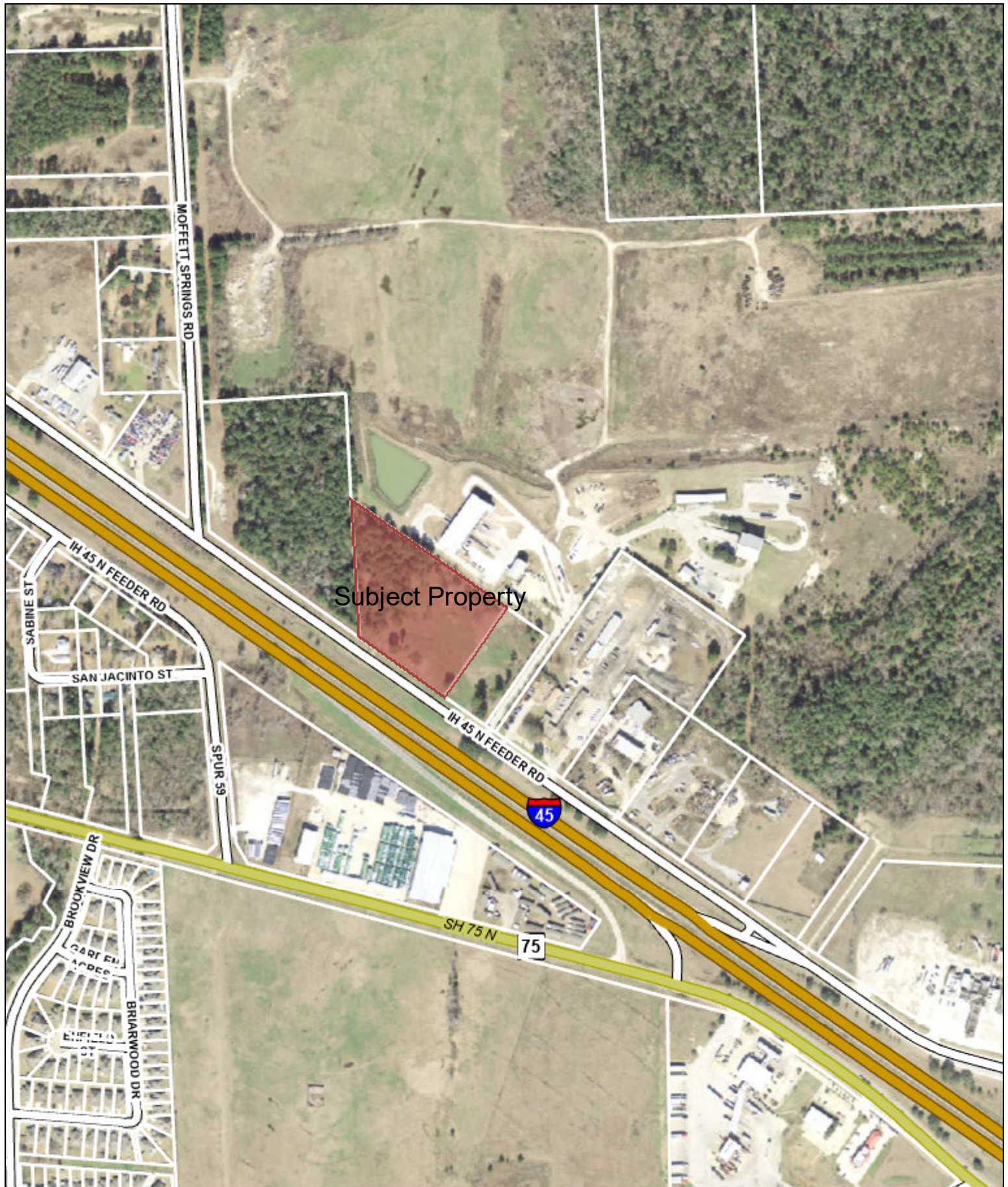
SITE & PAVING PLAN

EQUIPMENT SHARE
600 I-45
HUNTSVILLE, TX 77320



DESIGN	DRAWN	CHKD
AM	AM	RS
JOB No. 070605-01-001		

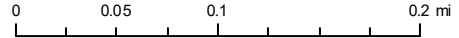
SHEET
C3.0



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1 in = 500 ft

On 8.5 x 11 inch Print



On Any Print Size

CREATED DATE: 5/20/2024

CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION

Vicinity Map
Huntsville GIS Division



Service Layer Credits:



BOARD OF ADJUSTMENT AGENDA ITEM DISCUSSION FORM

Prepared by: Layne Yeager
Planner

Armon Irones
City Planner

MEETING DATE: May 23, 2024

TYPE OF REVIEW: Variance from the Requirements of *2021 International Plumbing Code*

SUBJECT: Employee and Public Toilet Facilities (Article 403.3) and Connection to
Sewer Required (Article 701.2)

REQUESTED BY: Winter Wonder LLC DBA The Christmas Village

CASE OVERVIEW: CASE 05-2024

Winter Wonder LLC DBA The Christmas Village has applied for a **Variance** from the *2021 International Plumbing Code* to allow for the usage of temporary luxury restrooms and holding tanks instead of septic system. The property is in the Management (M) District.

The applicant has provided responses to the Variance Criteria in the attached application. The applicant is requesting a variance from one sub-section of the *2021 International Plumbing Code*: 403.3 and 701.2.

COMMUNITY INPUT

No community input received.

STAFF RECOMMENDATION

2021 International Plumbing Code: 403.3 states there must be structures in place for public utilization, customers, patrons and visitors. Article 701.2 states that the sanitary drainage piping from the plumbing fixtures in buildings and sanitary drainage piping systems from premises shall be connected to a public sewer or if not available connected to a private sewage disposal system.

The system is proposed to be utilized during the first season of operation to allow for development of permanent restroom facilities.

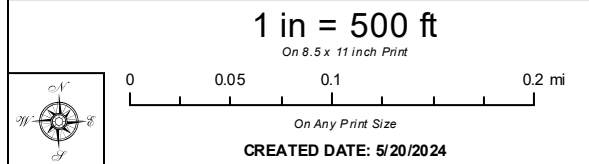
Staff does recommend approval of the requested variance.

ATTACHMENTS:

- Site layout
- Vicinity Map



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CITY OF HUNTSVILLE, TX
ENGINEERING DEPARTMENT / GIS DIVISION
Vicinity Map
Huntsville GIS Division



Service Layer Credits:

MINUTES OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD IN THE COMMUNITY ROOM, AT THE HUNTSVILLE PUBLIC LIBRARY, 1219 13TH STREET, HUNTSVILLE, TEXAS, ON THE 11th DAY OF APRIL 2024 AT 12:00 PM.

Members present: Holland; Spencer; Grigsby; Herzlich; Reader

Members absent: Warren

Staff present: Yeager; Byal; Gibson

Public Present: Judy Emmett

1. CALL TO ORDER

Chairman Holland called the meeting to order. [12:00 PM]

2. PLEDGE OF ALLEGIANCE

a. U.S. Flag

b. Texas Flag

3. INVOCATION

Vice-Chairman Grigsby led the invocation.

4. ROLL CALL and selection of Alternate(s) if needed.

Alternate Warren was absent.

5. PUBLIC HEARING

- a.** For a variance request, (BOA Case 02-2024), by FTC Realty & Development, LLC, property owner, to Article 5.705.A (Lot and Setback Regulations) of the Development Code to allow the 10' side and rear setback lines to be reduced to 5' for the purpose of platting and developing property located at 932 Hwy 190 East.

Planner, Layne Yeager, gave the staff report for the requested variance. Staff recommend approval of the requested variance.

City Staff addressed questions from Board Members.

Variance Request Item

Variance to allow development to utilize the additional area within the narrow lot for the development of the proposed commercial warehouse development, on property located at 932 Hwy 190 East.

Speakers in support of the variance request:

None spoke in support of the variance request.

Speakers in opposition of the variance request:

None spoke in opposition of the variance request.

- b.** For a variance request, (BOA Case 03-2024), by Paul Kooi and Deke Neves, property owners, to Article 5.705.A (Lot and Setback Regulations) of the Development Code to allow the 10' side setback lines to be reduced to 5' for the

purpose of platting and selling a portion of the property located at 2800 Aberdeen Drive.

Planner, Layne Yeager, gave the staff report for the requested variance. Staff recommend approval of the requested variance.

Applicant Presentation:

Dr. Paul Kooi presented his case for the requested variance. The applicant explained the circumstances that require a variance.

Dr. Kooi & City Staff addressed questions from Board Members.

Variance Request Item

Variance to reduce the rear and side setback to allow for the separation of the two buildings, on property located at 2800 Aberdeen Drive.

Speakers in support of the variance request:

Judy Emmett spoke in support of the variance request.

Speakers in opposition of the variance request:

None spoke in opposition of the variance request.

6. CONSIDER

- a. The variance request, (BOA Case 02-2024), by FTC Realty & Development, LLC, property owner, to Article 5.705 A (Lot and Setback Regulations) of the Development Code to allow the side and rear setback lines to be reduced to 5' for the purpose of platting and developing property located at 932 Hwy 190 East.

Board Member Reader moved to approve the Variance. Second was by Vice-Chairman Grigsby. The vote was unanimous.

- b. The variance request, (BOA Case 03-2024), by Paul Kooi and Deke Neves, property owners, to Article 5.705 A (Lot and Setback Regulations) of the Development Code to allow the side setback line to be reduced to 5' for the purpose of platting and selling a portion of the property located at 2800 Aberdeen Drive.

Vice-Chairman Grigsby moved to approve the Variance. Second was by Board Member Spencer. The vote was unanimous.

- c. The minutes of the February 8, 2024, meeting.

Board Member Spencer moved to approve the minutes. Second was by Board Member Herzlich. The vote was unanimous.

7. ADJOURNMENT

Board Member Herzlich moved to adjourn the meeting. Second was by Vice-Chairman Grigsby. The vote was unanimous. [12:14 pm]