

**CITY OF VIDOR
ZONING BOARD OF ADJUSTMENTS
PUBLIC MEETING
JANUARY 28, 2025**

MEMBERS PRESENT:

Chairwoman Wendy Glenn
Board Member Dawn Schexneider
Board Member Vicki Smith
Board Member Howard Smith

MEMBERS ABSENT:

Board Member Kolt Malcomb

Others present: Robbie Hood, City Manager; Rachel Duplechain, City Secretary; Layne Williamson, Code Enforcement

A. OPENING, PRESENTATIONS, AND CITIZENS COMMENTS

A -1. Call to order and the establishment of a Quorum

Wendy Glenn, Zoning Board Chairwoman, called the Zoning Board of Adjustments to order at 5:30 p.m. and established that a quorum was present.

A -2. Invocation and Pledge to the United States Flag and the State of Texas Flag

Howard Smith, Board Member, Zoning Board Member, led the Invocation and pledges.

A -3. Citizen Comments

None

B. ZONING BOARD CONSENT AGENDA

B -1. Approval of Minutes: Regular Meeting – December 10, 2024

A motion was made by Vicki Smith, Board Member, seconded by Dawn Schexneider, Board Member, for **approval of minutes**. The members voted four (4) for and none (0) opposed. **The motion carried.**

C. ZONING BOARD REGULAR AGENDA

C -1. PUBLIC HEARING regarding a request from Brian Rosenlund, of Orthogonal LLC, (owner) for a variance to Ordinance No. 1449, Section 6.01 & Section 6.02, to allow the construction of a Multi-Family unit, on the property consisting of approximately 0.26 acres, generally located at 1190 N. Tannahill St., Vidor, Texas 77662, and being part of Lot No. 4, Block 6, part of the 8094 – Miller-Vidor Addition (the “Property”). The current zoning of the Property is Residential.

Wendy Glenn, Chairperson, opened the Public Meeting at 5:32 p.m. Brian Rosenlund, property owner, Good afternoon my name is Brian Rosenlund. I own the property at 1190 N. Tannehill, here in Vidor, and recently I was working on a few renovations on the property and realized there was an infestation of termites, the walls are falling apart, and it's really a building that's uninhabitable at this point. And so, in trying to decide what to do, I realized that the Zoning Board here could grant a variance to construct something a bit larger than what is the single-family residence currently there. And so, I'm coming before the board today to request this variance to construct a multi-family unit three (3) story building with parking underneath, to replace the current structure that's there. Robbie Hood, City Manager, so the dangerous structure that is currently located on the property as Mr. Rosenlund indicated will be demolished, it has to be either way. He will have to obtain permits in order to demo the structure as well. This particular piece of property as indicated is currently zoned as Residential, and it's located on the corner of Tannahill and Garland. He is requesting a variance to allow for construction of a three (3) story apartment complex. Which cannot be any higher than forty-five (45) ft. in height, with the bottom ground story being the parking spaces underneath correct. Rosenlund, that is correct. Hood, there are rules for parking spaces in the Ordinance that they have to have one and half (1.5) spaces allowed for every apartment. Also, there are rules that they can not be any less than 600 square feet. I have spoken with Neil Ford, at the Drainage District, concerning this project and it is a small development, and they have no issue with drainage in the area, so they are saying it will not cause any impact to existing structures that are already there. There will be a drainage study that has to be done and there may be some things required such as some swells or concrete, etc. The Drainage District has no concerns about a small development as long as it falls under that category. The Drainage District is waiting to see what happens here today with the Zoning Board and if there is any reason for concern further analysis testing may be required. You have to remember that you must have a minimum of 600 square feet per apartment and the overall height cannot be over forty-five (45) feet. Rosenlund, yes sir, the overall height is around thirty-two (32) feet. Hood, and just so everyone is aware the current zoning of the property is Residential, and the variant only allows you to use the property as Multi-family. It does not change the zoning of the property, if you were to ever sell it the variant would cease to exist, and the next owner would then have to apply for a variant as well. Rosenlund, yes sir got it. It is the staff's recommendation to allow the variant for Multi-family use at 1190 N. Tannahill. Dawn Schexneider, Board Member, is there any multi-family already in that area? I know it is not zoned for it, but are there any existing around it that are zoned for multi-family? Hood, no most of it is single-family. Hood, is this apartment complex that you building for low to moderate income? Rosenlund, low to moderate income, yes. Hood, so it's not going to be high-dollar apartments. Ramona Dohrman, property owner at 1195 Archie, so how many apartments are going to be there? Hood, it's going to be three (3) stories high. Donald

Dohrman, property owner at 1195 Archie, three stories. Hood, yes. Rosenlund, it will be thirteen (13) units. Hood, Mr. Dohrman, you will have your chance to talk and state your name and address for the record when you do, please. Hood, so it's going to be three (3) stories high which consists of thirteen (13) units and the bottom story will be the parking, correct? Rosenlund, well the parking is underneath on the ground floor. It will not extend over forty-five (45) feet, in fact I believe we are about thirty-two (32) feet. Hood, so everything around it is single-family residential and as he is indicated this will be for low to moderate income, subsidized. I will remind the Board that there are certain grant monies and things like that the City is eligible for because of promoting affordable housing to our community. Glenn, is it going to be twelve (12) or thirteen (13) units? Rosenlund, it will be twelve (12). Glenn, twelve (12), okay. Vicki Smith, Board Member, have you already checked with the pipeline company that runs through there? Because I know there is pipelines all back there. Rosenlund, I've seen the pipeline visually. I have not discussed the pipeline with anyone yet. V. Smith, okay. Hood, once the excavation gets started, he will have to call 811 to line locates for all utilities. Schexneider, just as a typical every pipeline is different, but it's usually about 25 feet. You have to stay off of the pipeline before you can start building. Rosenlund, I'm not sure where the pipeline is relative to the property wide, but we would certainly observe the setbacks required by you know, both the city and in terms of the property line as well as any pipeline setbacks required. Hood, there is a mobile home park on Archie street as well, but it is not right next door, but same vicinity as well. Hood, I don't think that gas line should go through your property. Rosenlund, no I don't think it does. Glenn, does anyone else have any questions? Glenn, thank you Sir. Would you like to come up, please state your name and your address. Donald Dohrman, Yes, my name is Donald Dorman. I live at 1195 Archie Street, right behind where he's going to build. Beings he wants to put an apartment building there, from what I'm understanding. Hood, that's what this variance request is for, yes. Dohrman, okay, where's everybody going to park? And how far back is he going to put it against my fence line? Hood, okay, so behind the fence line you have to be five (5) foot off the back property. Hood, parking is going to be under it. Ramona Dohrman, oh okay so the first level is the parking area. Hood, yes mam, and there will be no parking signs posted on the street as well. D. Dohrman, well you can't park on the street anyhow. Hood, I understand that, but we will still post. So, he is going to have back with my fence. Hood, yes sir but he has to stay the five (5) foot off of it. Dohrman, is going to put a privacy fence up there or what? Hood, you can't require that. Dohrman, why not? Hood, because it is not in the rules. Dohrman, because it's not in the rules. Hood, that's exactly right. R. Dohrman, well what about the trees? Hood, we can't enforce something that is not in this Ordinance. D. Dohrman, well then, I protest the whole deal. Any building that will go up that high and come back that close to my fence, and all them trees in there right now they're dead trees in there. They're already fallen down. There's trees up against my fence. Have been there for 20 some years Because I've lived there for 24 years. And every landlord that's owned that building there has not done a thing to correct anything on that land. The only thing they've ever done for the people or after they left was go in there and band-aid it up and somebody else moved in. Granted, the building's got to be torn down, they've already started tearing it down by hand. But to put apartment building up there that close to my lot and I have to look at these people coming down, there ain't going to be no backyard. So where are these families going to play at? Out on the road, that's where their kids have been playing all the other times. Hood, sir I can't answer those questions. D. Dohrman, well, somebody needs to answer because they're you can't put people building that kind of buildings without knowing. Hood, there are a lot of people that build on properties, sir that don't have a big backyard. D. Dohrman, they don't have a big backyard, that whole yard is a mud hole. Hood, I am not the

one that requested the variance, so those are questions for Mr. Rosenlund. D. Dohrman, well you're the only one doing all the talking. Hood, let's talk about the trees, are they on your property or Rosenlund's property? D. Dohrman, his property up against my fence. Hood, to Mr. Rosenlund, you intend to clear those off, correct? Rosenlund, yes sir. D. Dohrman, every one of those trees have to come down because they are dead. You're going to have to clear out that whole lot the whole thing will have to be cleared. Hood, the only thing that we cannot require is a privacy fence because it is not in the rules. If he chooses to do that as a good neighbor that is up to him, but the Zoning Board cannot require that as a condition for approval. Now we have talked with owners of other properties in the same situation and the requesting party has agreed to put a privacy fence up, but that is their call. The board cannot request a variant based off that stipulation. R. Dohrman, well, if there's kids involved with renting those apartments, we don't want people throwing stuff across the fence into our yard. Previous renters have done that for years, they have dogs their dogs jump the fence. Hood, you're bringing up concerns about financials, about whether various brands, the owner of the property has the power to make that not happen and they structure manually to keep that from happening. And then you also have the power to call City Hall and my staff, my Code Enforcement Officers, will also handle it as well. But we have no way of knowing if any of these things will take place with the new owner without granting the variance request and seeing. We will make sure that if it is granted that the rules and regulations put in place for Code Enforcement will be followed. Glenn, Chairperson, closes the Public Meeting at 5:59 p.m.

C -2. Discussion and possible action to approve a request for variance to Ordinance No. 1449, Section 6.01 & Section 6.02, to allow the construction of a Multi-Family unit, on the property consisting of approximately 0.26 acres, generally located at 1190 N. Tannahill St., Vidor, Texas 77662, and being part of Lot No. 4, Block 6, part of the 8094 – Miller-Vidor Addition (the “Property”). The current zoning of the Property is Residential.

A motion was made by Dawn Schexneider, Board Member, seconded by Vicki Smith, Board Member, **to deny a request for variance to Ordinance No. 1449, Section 6.01 & Section 6.02, to allow the construction of a Multi-Family unit, on the property consisting of approximately 0.26 acres, generally located at 1190 N. Tannahill St., Vidor, Texas 77662, and being part of Lot No. 4, Block 6, part of the 8094 – Miller-Vidor Addition (the “Property”). The current zoning of the Property is Residential.**

ROLL CALL VOTE TO DENY REQUEST:

Board Member Howard Smith, nay; Board Member Vicki Smith, aye; Wendy Glenn, Board Member, nay; and Dawn Schexneider, Board Member, aye; The Board voted two (2) for and two (2) opposed. **The motion dead locked.**

Wendy Glenn, Chairperson, Board Members are requesting to talk in executive session. Regular Meeting convened at 6:06 p.m.

Wendy Glenn, Chairperson, reconvened the meeting at 6:26 p.m. I need a motion to reconsider please. A motion to re-consider the previous motions was made by Howard Smith, Board Member, seconded by Vicki Smith, Board Member.

ROLL CALL VOTE TO RE-CONSIDER:

Howard Smith, Board Member aye; Vicki Smith, Board Member aye; Wendy Glenn, Board Member, aye; and Dawn Schexneider, Board Member, aye; The Board voted four (4) for and none (0) opposed. **The motion carried to re-consider.**

A motion to re-consider Agenda Item C-2, was made by Howard Smith, Board Member, seconded by Wendy Glenn, Board Member, **to approve a request for variance to Ordinance No. 1449, Section 6.01 & Section 6.02, to allow the construction of a Multi-Family unit, on the property consisting of approximately 0.26 acres, generally located at 1190 N. Tannahill St., Vidor, Texas 77662, and being part of Lot No. 4, Block 6, part of the 8094 – Miller-Vidor Addition (the “Property”). The current zoning of the Property is Residential.**

ROLL CALL VOTE TO RE-CONSIDER C-2

Howard Smith, Board Member aye; Vicki Smith, Board Member nay; Wendy Glenn, Board Member, aye; and Dawn Schexneider, Board Member, nay; The Board voted two (2) for and two (2) opposed. **The motion died on the floor.**

C -3. Consideration of Adjournment

A motion was made by Vicki Smith, Board Member, seconded by Howard Smith, Board Member, for **Consideration of Adjournment**. The members voted four (4) for and none (0) opposed. The motion carried and Zoning Board of Adjustments meeting adjourned at 6:28 p.m.

These minutes approved the 29th day of April 2025.



Robbie Hood
City Manager

ATTEST:

Rachel Duplechain, City Secretary