

**JAMES BURGESS**

Mayor

**JESSICA KUYKENDALL**

**RITA BISHOP**

Mayor Pro Tem

**GERONIMO HERNANDEZ**

**DREW WILSON**



**TONY BOVINICH**

**Board Of Adjustment**

Venus Civic Center

210 S. Walnut Street

Venus, Texas 76084

Thursday, January 26, 2023 @ 6:30 pm

Page

**1. Call to Order, Roll Call, Invocation, Pledge of Allegiance:**

**2. Citizen Public Comment Period:**

*Citizens may sign up before the meeting begins and will be allowed up to 3 minutes to address the Board of Adjustment. The Board of Adjustment members and staff members may not respond or converse with speakers during this time. The comments from the speaker must be in the form of a statement. By State law, no questions may be asked or answered for items not appearing on the agenda.*

**3. Consent Agenda:**

*All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Administrator to implement each item in accordance with staff's recommendation.*

- 3.1. Approval of meeting minutes for Board of Adjustment on November 9, 2020.

4 - 5

[11-09-2020.pdf](#)

I make a motion to approve/deny the consent agenda.

**4. Public Hearing and Action Item:**

- 4.1. Conduct Public Hearing regarding an application for a variance for property known as 160 Sammy Fowler Ave.

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located on the east side of Sammy Fowler Ave. approximately seventy-five feet from the intersection with Condie Russell Ave. The request is to allow an encroachment of 0.5 ft. into the 10 ft. rear-yard setback. The property is approximately 0.1212 acres (5,280 square feet). The property is located on Patriot Estates PD Phase 8, City of Venus, Texas 76084.

Open Public Hearing:

Close Public Hearing:

[1-A Staff Report.pdf](#)  [1-B Letter from Applicant .pdf](#)  [1-C Variance Application.pdf](#)  [1-D Patriot Estates Phase 8 Plat.pdf](#)  [1-E Zoning Map.pdf](#)  [1-F Aerial View.pdf](#)  [1-G Affidavit of Posting.pdf](#)  [1-H Neighbor Notice.pdf](#)  [1-I Pictures.pdf](#)  [1-J Patriot Estates PD Regulations.pdf](#)  [1-K Owner's list within 200-foot buffer.pdf](#)  [1-L Newspaper Publication.pdf](#) 

- 4.2. Discuss and consider a variance to the City of Venus Zoning Ordinance to allow an encroachment of 0.5 Ft. into the 10 ft. rear yard setback for an existing home at lot 8, Block 27, Patriot Estates Phase 8, Johnson County; 160 Sammy Fowler. I make a motion to approve/deny the variance to the City of Venus Zoning Ordinance to allow an encroachment of 0.5 Ft. 0.5 Ft. into the 10 ft. rear yard setback for an existing home at lot 8, Block 27, Patriot Estates Phase 8, Johnson County; 160 Sammy Fowler.

## 5. Adjournment:

*The Board of Adjustment reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, pursuant to authorization by the Texas Open Meetings Act TEXAS GOVERNMENT CODE, Chapter 551.071 (Private consultation with attorney for the city), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).*

***This is to certify that a copy of this Notice of Meeting was posted on the bulletin board at City Hall, 700 W. Hwy 67, Venus, Texas and at a place readily accessible to the general public at all time and the City's website [www.cityofvenus.org](http://www.cityofvenus.org), on or before January 20, 2023 by 5:00 pm.***

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Callie Green,

*City Secretary*

*For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011. This building is wheelchair accessible. Any request for Interpretive services must be made 48 hours in advance of the scheduled meeting. To make arrangements please call 972-366-3348.*

*Removed:\_\_\_\_\_*

*Time:\_\_\_\_\_*

**JAMES BURGESS**  
Mayor  
**JEANNIE PRAZACK**  
Councilmember Place 1  
**LINDA HARRIS**  
Councilmember Place 2



**JEANIE SCOTT**  
Councilmember Place 3  
**GERONIMO HERNANDEZ**  
Councilmember Place 4  
**ROBERT MCCURDY**  
Councilmember Place 5 / Mayor Pro-Tem

**VENUS BOARD OF ADJUSTMENT MEETING**  
VENUS CIVIC CENTER,  
210 S. WALNUT STREET  
VENUS, TEXAS 76084  
MONDAY, NOVEMBER 9, 2020, 7:30 P.M.

**MINUTES**

**1. Call to Order**

Mayor Burgess called the meeting to order at 11:03 P.M.

**Councilmembers present:** James Burgess, Jeannie Prazak, Linda Harris, Geronimo Hernandez, Robert McCurdy. Councilmember absent: Jeanie Scott.

**Staff present:** Andy Wolfe, City Administrator; Darrell Cook, Assistant City Administrator/Community Development Director; Cheryl Estes, Finance Director; Timothy Dunn, City Attorney; James Groom, Chief of Police.

**2. Announcements from Mayor**

No announcements.

**3. Citizens Public Comment Period**

No public speakers.

**4. Public Hearing and Consideration Items**

**4.1- Conduct a public hearing regarding a request by LGI Homes-Texas, LLC, for a variance on an approximate 0.11 acre tract of land described as being Block 11, Lot 3, of Patriot Estates, Phase 7B, otherwise known as 125 Austin Avenue, Venus, Texas, to grant a variance for a minimum side yard building setback of 3.9 feet for the southeast side lot line of the property.**

**Staff Report:**

Economic Development Director, Darrell Cook presented.

**Open Public Hearing:**

Mayor, Burgess opened the Public Hearing at 11:08 P.M.

Shelley Clower- 601 W. 5<sup>th</sup> – Asked why plates, lot stakes are out, concrete poured, and no-one caught this. It should have been caught and how many more homes will need a variance.

**Close Public Hearing:**

Mayor, Burgess closed the Public Hearing at 11:13 P.M.

**4.2 Consider and act upon a request by LGI Homes-Texas, LLC, for a variance on an approximate 0.11 acre tract of land described as being Block 11, Lot 3, of Patriot Estates, Phase 7B, otherwise known as 125 Austin Avenue, Venus, Texas, to grant a variance for a minimum side yard building setback of 3.9 feet for the southeast side lot line of the property.**

Councilmember Hernandez made a motion to approve request from LGI Homes-Texas, LLC, for a variance on an approximate 0.11 acre tract of land described as being Block 11, Lot 3, of Patriot Estates, Phase 7B, otherwise known as 125 Austin Avenue, Venus, Texas, to grant a variance for a minimum side yard building setback of 3.9 feet for the southeast side lot line of the property. Seconded by Mayor Pro Tem McCurdy. For: Unanimous. Motion Carried. 5-0-0.

**5. Adjournment**

Mayor Burgess adjourned the meeting at 11:21 P.M.

ATTEST:

APPROVE:

\_\_\_\_\_  
Callie Green, City Secretary

\_\_\_\_\_  
James L. Burgess, Mayor

**TO:** Zoning Board of Adjustment

**FROM:** Planning Staff

**DATE:** January 18, 2023

**SUBJECT:**

Request of Elaine Torres for a variance to the City of Venus Zoning Ordinance to allow an encroachment of 0.5 ft. into the 10 ft. rear yard setback for an existing home at lot 8, Block 27, Patriot Estates Phase 8, Johnson County, Texas; 160 Sammy Fowler. (ZBA2023-0001).

**GOAL:**

The Zoning Board of Adjustment (ZBOA) shall have the power to permit such variance of the rear-yard setback. The enforcement of the provision would result in an unnecessary hardship or where such variance is necessary to permit a specific parcel of land, which differs from other parcels of land in the same district by being of such area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. City of Venus, Chapter 34-14.

**REASON FOR APPEAL:**

The applicant requests a variance to allow an existing home to encroach 0.5 ft. into the 10 ft. rear yard setback. The variance is to allow a 9.5 ft. rear-yard setback. The applicant indicates that the home was built by a building contractor that failed to locate the home into the correct setback.

**PROPERTY LOCATION AND VICINITY:**

The property is located on the east side of Sammy Fowler Avenue, north of Son Martin St. The tract has 60 ft. of frontage along Sammy Fowler Avenue and a depth of 88 ft. for a lot size of 5,280 sq. ft. The property is part of the Patriot Estates Phase 8. A single-family residence is located on the subject property. The surrounding land uses are single family residences in all directions.

**BACKGROUND AND HISTORY:**

The Patriot Estates Phase 8 Planned Development (PD) was recorded on November 15, 2021. The PD regulations indicate a rear-yard setback of 10 ft. The applicant requested the variance to close the contract on the property. An application for a variance was submitted on December 6, 2022.

**ANALYSIS:**

The rear yard setbacks are important in establishing distance between buildings, maximize privacy, and the amount of usable open space in the rear. The applicant is requesting a variance to allow a 0.5 ft. encroachment into the 10 ft. rear yard setback because the home contractor built the house with an incorrect rear yard setback.

**RECOMMENDATION:**

Staff recommends disapproval of the variance; however, if the Board chooses to grant the variance request, it should be limited to the current rear-yard setback encroachment shown on the survey attached.



1450 Lake Robbins Drive, Suite 430  
The Woodlands, TX 77380  
Tel: 281.362.8998  
Fax: 281.210.2601  
lgihomes.com

December 6, 2022

Oscar Ortiz, MPA, MUP, CNU-A  
City Planner  
City of Venus 700 West Highway 67  
Venus, TX 76084

Dear Mr. Ortiz,

Patriot Estates Phase 8 is a 115.81 acre development containing 333 residential lots.

I am formally requesting the following variance from the Patriot Estates Planned Development (August 2003):

- In lieu of a minimum rear yard set back of 10 feet, as specified in the Subdivision Ordinance we request the following:
  - A minimum rear yard setback of 9.5 feet for Lot 8, Block 27- 160 Sammy Fowler.

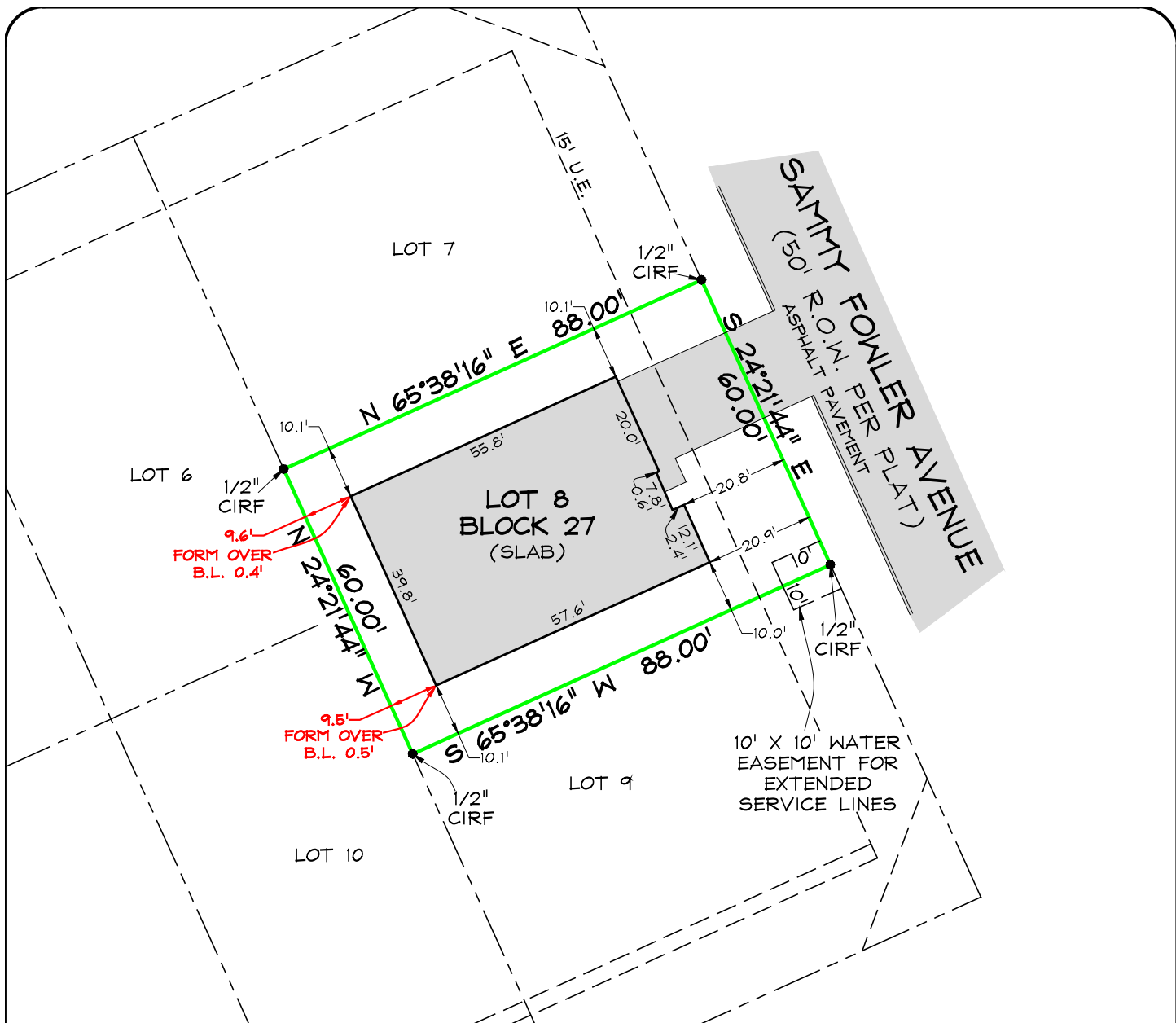
The reason for the variance is the home is fully complete and it was discovered the home was built .5 feet into the rear yard set back. See the exhibit on page 2. The granting of this variance will NOT be detrimental to the public health, safety, or welfare of individuals, or injurious to the other properties in the area. The granting of this variance will NOT cause any adverse impact to the surrounding lots in the development.

Thank you for your consideration of this variance request. Please let me know if you have any questions.

Sincerely,

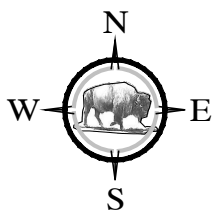
A handwritten signature in blue ink, appearing to read 'ETorres', with a long horizontal flourish extending to the right.

Elaine Torres  
VP Land Development DFW  
Officer  
LGI Homes



**LEGEND**

- CIRS = CAPPED IRON ROD SET STAMPED "BISON CREEK"
- IRF = IRON ROD FOUND
- CIRF = CAPPED IRON ROD FOUND STAMPED "PAPE DAWSON"
- B.L. = BUILDING LINE
- U.E. = UTILITY EASEMENT
- M.P.E. = MOUNTAIN PEAK SPECIAL UTILITY DISTRICT ESMT.
- V.A.M. = VISIBILITY, ACCESS, AND MAINTENANCE EASEMENT
- W.M.E. = WALL MAINTENANCE EASEMENT
- WM = WATER METER
- EP = ELECTRIC PEDESTAL
- LP = LIGHT POLE
- T = TELEPHONE PEDESTAL
- AC = AIR CONDITIONER
- EM = ELECTRIC METER
- GM = GAS METER
- WF = WOOD FENCE
- OE = OVERHEAD ELECTRIC
- FH = FIRE HYDRANT
- WV = WATER VALVE
- CS = STORM SEWER MANHOLE



**NOTES:**

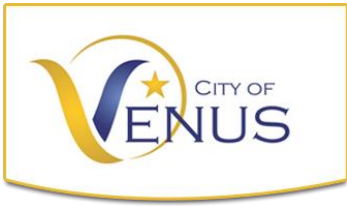
1. All Building Lines, Easements, and Restrictions shown hereon are based on the recorded plat. Additional easements shall be established in accordance with the requirements of the city of Venus zoning ordinances.
2. Basis of bearing is Final Plat of Patriot Estates, Phase 8, an Addition to the City of Venus, Johnson County, Texas, Instrument No. 2021-248, Map Records of Johnson County, Texas.
3. Reference bearing (N 65°38'16" E) is the South line of Block 31 of Patriot Estates, Phase 8 and controlling monuments are 1/2" capped iron rods found at the Southwest corner and Southeast corner thereof.
4. This Survey was prepared without the benefit of a current Title Commitment. There may be additional easements, restrictions and/or other matters of record affecting the subject property that a current Title Commitment might disclose.

Lot 8, Block 27  
 Subdivision: Patriot Estates, Phase 8  
 Instrument No. 2021-248  
 Map Records of Johnson County, Texas  
 City: Venus, Johnson County, Texas

SCALE: 1"=30'	DATE: 07/20/22
DRAWN BY: IAW	
APPROVED: JFK	
FIELD CREW: TWN	
PROJECT NO. 22-2994	

**SLAB SURVEY**  
 #160 Sammy Fowler Avenue  
 Lot 8, Block 27  
 Patriot Estates,  
 Phase 8

**BISON CREEK**  
**LAND SERVICES, LLC**  
 WWW.BISON-CREEK.COM COPYRIGHT 2022  
 FIRM LICENSE NO. 10193880



Planning Department  
700 W US Highway 67  
Venus, Texas 76084  
972-366-3348 extension 206  
[www.cityofvenus.org](http://www.cityofvenus.org)

## Variance Application

### APPLICANT INFORMATION

Property Owner: \_\_\_\_\_ Signature: EEZ

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Authorized Agent: \_\_\_\_\_ Signature: EEZ

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

### PROPERTY INFORMATION:

Legal Description: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Parcel ID #: \_\_\_\_\_ Approximate Acreage: \_\_\_\_\_

Present Property Zoning: \_\_\_\_\_ Existing Land Use: \_\_\_\_\_

### REASON FOR APPEAL:

A variance will not be granted to relieve a self-created or personal hardship, nor shall be based solely on economic gain or loss. Information provided here by the applicant does not guarantee the variance will be granted. Answer these questions in regards to satisfying the variance criteria set forth by state law:

- a) Explain how the enforcement of the zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property.
- b) Explain how the situation causing the hardship or difficulty is or is not self-imposed
- c) Explain how the relief sought will or will not injure any permitted use of adjacent conforming property
- d) Explain how the granting of a variance be in harmony with the purpose of these regulations

## Variance Application Requirements

Please submit the following items along the completed application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete.

ITEM	DESCRIPTION	MARK	INITIALS
1	Variance Application		
2	Application Fee		
3	Property Survey		
4	Metes & Bounds Description		
5	Warranty Deed		
6	Site Plan/ landscape/fencing plans, etc.		
7	If not owner, Authorization Letter from Owner		
8	Written statement describing variance(s) request		
9	Any other information (elevations, pictures, etc.).		

**I understand that in accordance with State Law and Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:**

**A notice will be published in the Midlothian Mirror describing the request and the date, time, and location of the public hearing; and**

**Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.**

**I understand that while all requirements for the submittal or a variance request may be complete, the Planning Commission and City Council are the only authorities for the consideration and approval or denial of the request.**

**OFFICE USE ONLY**

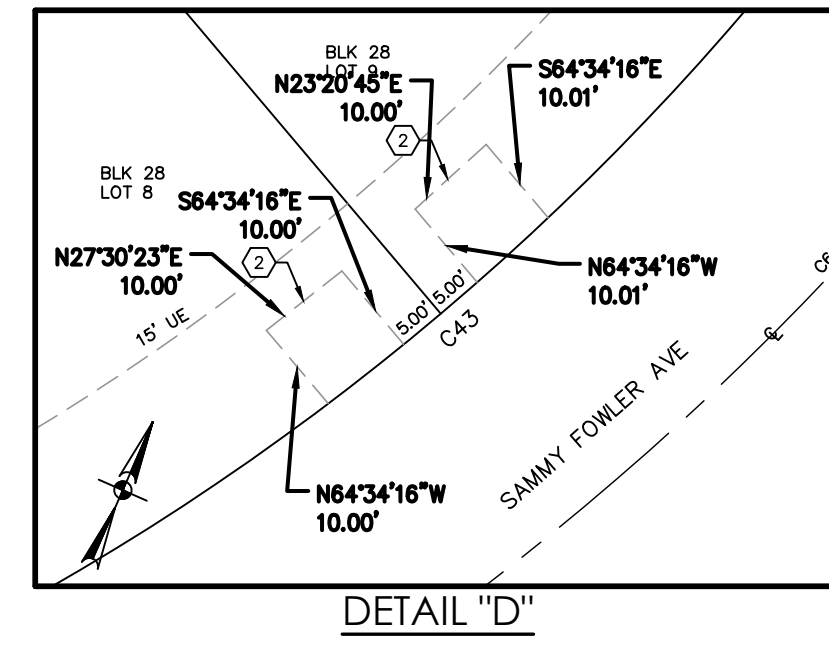
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Planning & Zoning	<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied
City Council	<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied

Case #

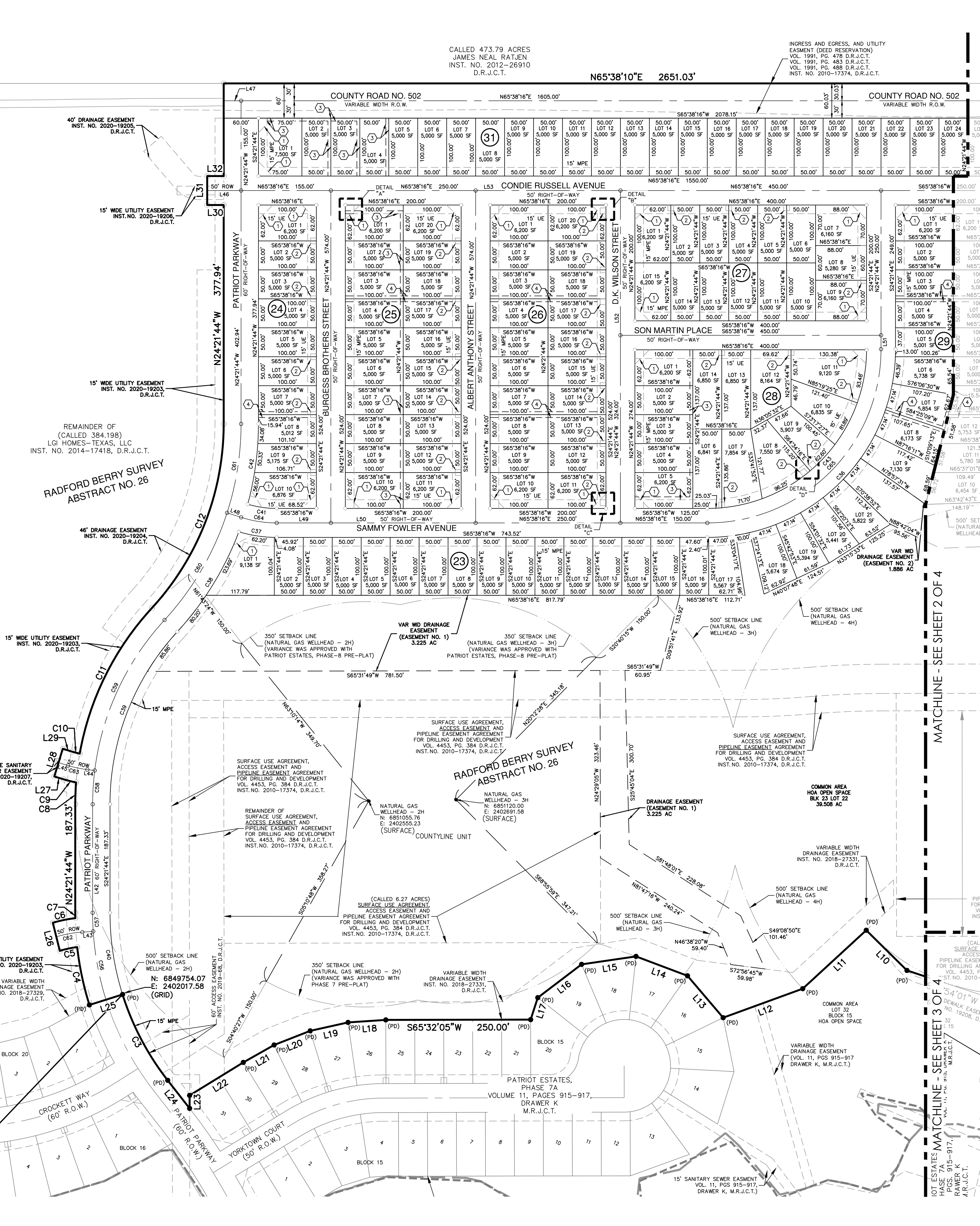
Comments:

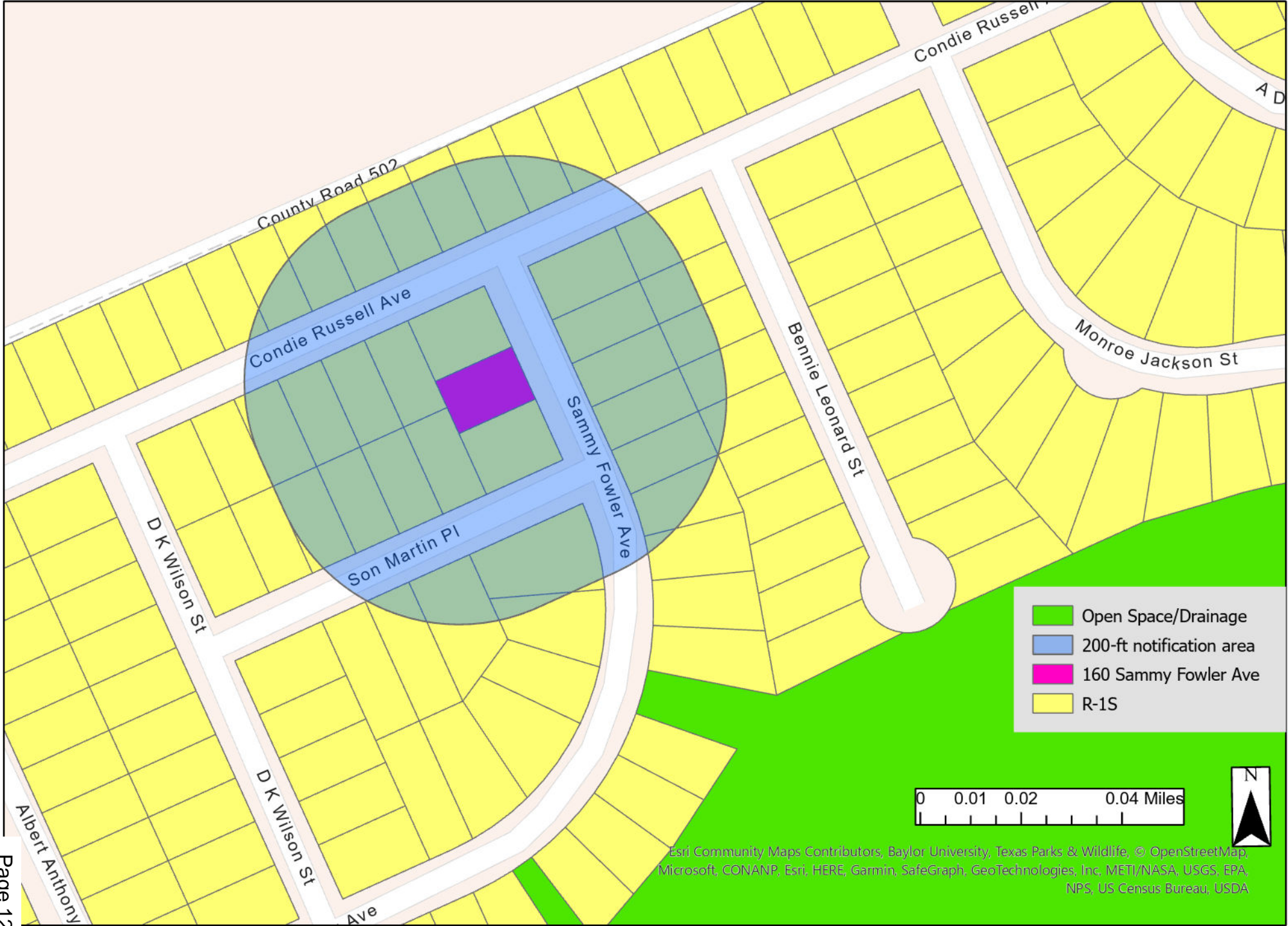
CURVE TABLE				
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	225.00'	137°06'09"	N17°48'39"W	91.34'
C2	50.00'	188°37'51"	N23°05'00"E	99.51'
C3	470.00'	203°13'00"	N52°05'46"W	167.47'
C4	530.00'	110°24'46"	N36°18'38"W	102.02'
C5	175.00'	103°23'28"	S53°28'11"W	30.68'
C6	225.00'	105°24'24"	N54°12'32"E	39.57'
C7	530.00'	100°38'48"	N24°52'03"W	9.35'
C8	500.00'	41°34'46"	N22°11'51"W	37.77'
C9	225.00'	53°34'14"	S79°45'30"W	21.87'
C10	175.00'	42°31'15"	N80°20'59"E	13.40'
C11	500.00'	32°32'54"	N01°59'33"E	280.23'
C12	470.00'	42°37'44"	N03°02'52"W	341.68'
C13	225.00'	24°44'12"	N78°00'22"E	96.39'
C14	1155.00'	15°20'53"	S81°57'06"E	308.47'
C15	225.00'	54°54'27"	S46°49'25"E	207.46'
C16	525.00'	18°38'43"	S10°02'51"E	170.09'
C17	225.00'	45°40'52"	S22°06'57"W	174.68'
C18	50.00'	27°00'01"	S89°57'21"W	70.71'
C19	475.00'	15°34'44"	N52°49'59"W	128.76'
C20	525.00'	33°31'51"	S48°52'20"W	302.88'
C21	9.50'	90°00'00"	S20°38'16"W	13.44'
C22	50.00'	12°48'01"	S66°12'04"E	11.15'
C23	9.50'	54°33'41"	S87°04'54"E	8.71'
C24	475.00'	82°55'25"	N24°10'33"E	629.01'
C25	50.00'	289°56'16"	N70°06'15"E	50.05'
C26	525.00'	44°10'58"	S04°33'24"W	394.89'
C27	525.00'	15°34'44"	S52°49'59"E	142.31'
C28	175.00'	45°40'53"	N22°06'57"E	135.86'
C29	475.00'	18°38'43"	N10°02'51"W	153.89'
C30	425.00'	43°17'47"	N87°07'52"W	313.57'
C31	605.00'	37°07'22"	N84°02'39"W	385.17'
C32	225.00'	27°24'21"	N88°54'10"W	106.60'
C33	50.00'	132°03'40"	N63°29'02"W	91.38'
C34	225.00'	27°24'21"	N38°03'55"W	106.60'
C35	50.00'	300°00'00"	S65°38'16"W	50.00'
C36	325.00'	90°00'00"	S20°38'16"W	459.62'
C37	225.00'	16°52'38"	S74°04'35"W	66.04'
C38	530.00'	22°02'30"	S07°14'45"W	202.63'
C39	440.00'	42°37'44"	S03°02'52"E	319.87'
C40	470.00'	17°28'17"	S33°05'33"E	142.76'
C41	175.00'	16°52'34"	S73°55'58"W	50.49'
C42	530.00'	15°10'44"	N16°46'22"W	140.00'
C43	275.00'	89°47'30"	S20°44'31"W	388.20'
C44	175.00'	24°44'12"	N78°00'22"E	74.97'
C45	1105.00'	15°20'53"	S81°57'06"E	295.12'
C46	175.00'	54°54'27"	S46°49'25"E	161.36'
C47	175.00'	37°21'38"	N85°56'43"W	112.01'
C48	905.00'	24°15'45"	N79°23'47"W	380.38'
C49	175.00'	67°09'56"	N57°58'42"W	205.15'
C50	225.00'	67°09'56"	S57°58'42"E	248.91'

CURVE TABLE				
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C51	855.00'	24°15'45"	S79°23'47"E	359.36'
C52	225.00'	38°25'00"	S86°28'24"E	148.05'
C53	375.00'	43°13'03"	N87°05'30"W	276.20'
C54	655.00'	37°07'22"	N84°02'39"W	417.00'
C55	175.00'	78°14'36"	N63°29'02"W	220.84'
C56	500.00'	13°47'03"	S34°56'30"E	120.00'
C57	500.00'	3°41'14"	S26°12'21"E	32.17'
C58	470.00'	7°07'33"	S20°47'58"E	58.41'
C59	470.00'	35°30'11"	S00°30'54"W	286.60'
C60	500.00'	24°44'29"	N05°53'45"E	214.24'
C61	500.00'	17°53'15"	N15°25'07"W	155.46'
C62	200.00'	13°05'59"	S55°24'02"W	45.63'
C63	200.00'	9°46'49"	S77°39'13"W	34.10'
C64	200.00'	17°53'15"	N74°34'53"E	62.19'
C65	300.00'	90°00'00"	N20°38'16"E	424.26'
C66	200.00'	24°44'12"	S78°00'22"W	85.68'
C67	1130.00'	15°20'53"	N81°57'06"W	301.80'
C68	200.00'	54°54'27"	N46°49'25"W	184.41'
C69	500.00'	18°38'42"	N10°02'51"W	161.99'
C70	200.00'	45°40'52"	N22°06'57"E	155.27'
C71	200.00'	63°40'08"	S56°11'48"E	210.99'
C72	630.00'	37°07'22"	N84°02'39"W	401.08'
C73	400.00'	43°53'14"	S87°25'35"E	298.96'
C74	200.00'	67°09'56"	S57°58'42"E	221.26'
C75	880.00'	24°15'45"	N79°23'47"W	369.87'
C76	200.00'	42°06'18"	S88°19'03"E	133.67'
C77	500.00'	15°34'44"	N52°49'59"W	145.53'
C78	500.00'	36°15'37"	N47°30'28"E	311.18'
C79	500.00'	51°49'21"	N03°29'58"E	436.46'
C80	501.00'	46°07'27"	S86°08'13"E	392.51'
C81	175.00'	11°09'01"	S71°10'39"W	30.00'
C82	155.00'	11°56'38"	S71°34'42"W	32.25'
C83	445.00'	46°41'40"	N85°40'05"W	352.72'
C84	625.00'	24°15'47"	N53°30'22"E	262.70'
C85	65.00'	73°23'23"	S24°29'15"W	77.68'



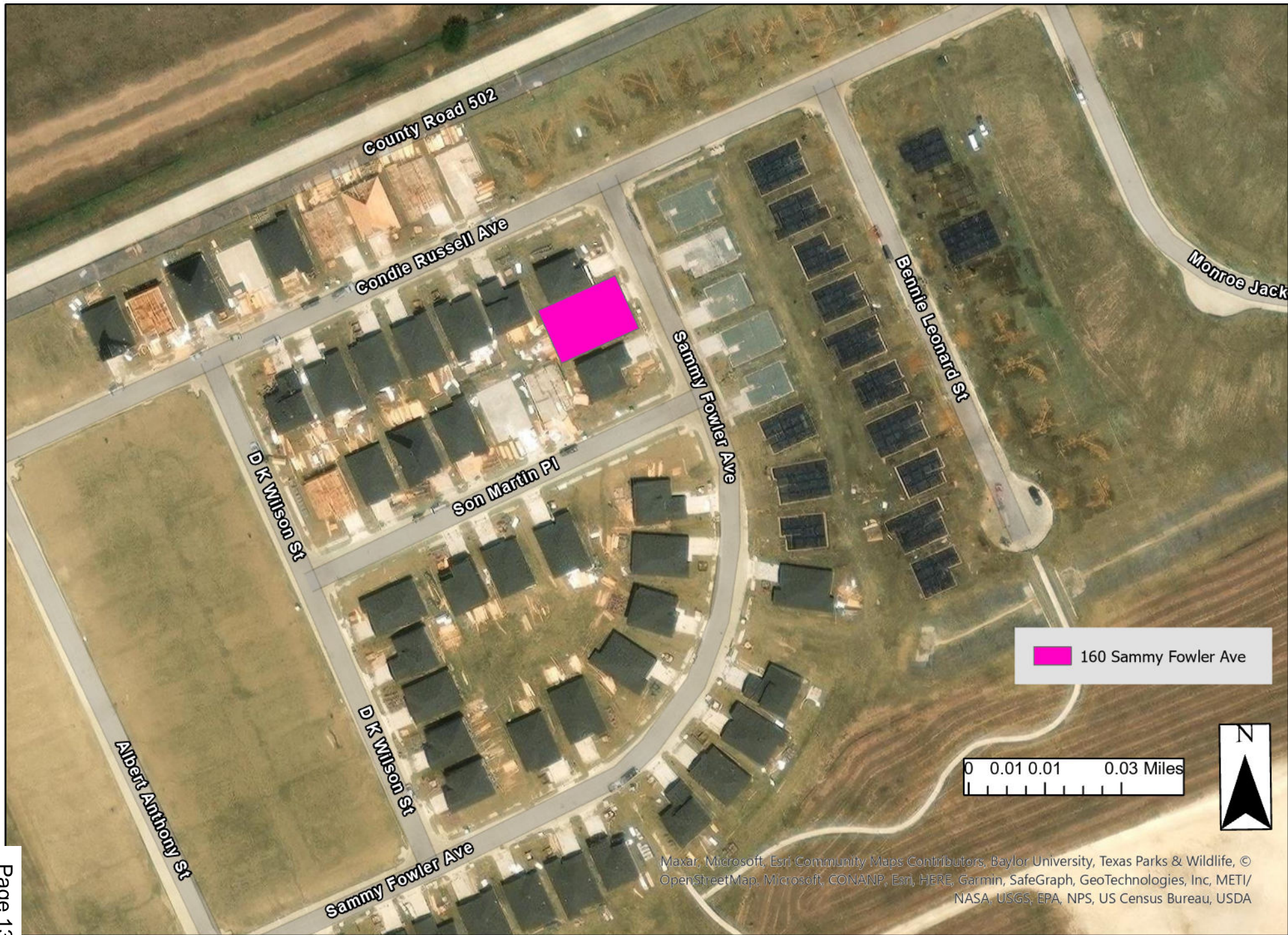
LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	BEARING	LENGTH	LINE #	BEARING	LENGTH	LINE #	BEARING	LENGTH
L1	S24°21'50"E	60.00'	L51	S24°21'44"E	24.00'	L91	S85°38'27"E	17.08'
L2	S60°21'25"W	38.30'	L52	N24°21'44"W	250.00'	L92	N07°27'23"W	50.00'
L3	S56°30'10"W	122.94'	L53	S65°38'16"W	250.00'	L93	N82°32'37"E	17.08'
L4	S81°25'25"W	76.21'	L54	S65°38'16"W	250.00'	L94	S65°38'16"W	28.50'
L5	N11°15'35"W	146.08'	L55	N19°22'12"W	258.97'	L95	N24°21'46"W	50.00'
L6	N24°21'44"W	33.89'	L56	N00°43'30"W	427.03'	L96	N65°38'16"E	28.50'
L7	S65°38'16"W	50.00'	L57	N44°57'23"E	81.17'	L97	N24°21'44"W	79.77'
L8	N24°21'44"W	30.00'	L58	N70°37'48"E	20.62'	L98	N70°37'48"E	15.57'
L9	N24°21'44"W	79.77'	L59	N24°21'44"W	49.30'	L99	N24°21'44"W	187.33'
L10	N89°44'05"W	98.81'	L60	N70°37'48"E	20.62'	L100	N24°21'44"W	187.33'
L11	S23°01'16"E	149.00'	L61	N44°57'23"E	25.00'	L101	N24°21'44"W	187.33'
L12	S45°38'36"W	146.26'	L62	N45°02'37"W	189.75'	L102	N24°21'44"W	187.33'
L13	N64°48'47"W	95.00'	L63	N45°02'37"W	87.00'	L103	N24°21'44"W	187.33'
L14	S86°16'55"W	95.00'	L64	N60°37'21"W	45.36'	L104	N24°21'44"W	187.33'
L15	S57°13'37"W	95.00'	L65	N24°21'44"W	60.00'	L105	N24°21'44"W	187.33'
L16	S38°22'19"W	95.00'	L66	N65°38'16"E	234.29'	L106	N24°21'44"W	187.33'
L17	S06°20'28"E	39.89'	L67	N81°24'01"E	19.87'	L107	N24°21'44"W	187.33'
L18	S61°47'05"W	65.43'	L68	N44°36'17"E	24.84'	L108	N24°21'44"W	187.33'
L19	S53°04'47"W	66.92'	L69	N49°05'54"E	30.21'	L109	N24°21'44"W	187.33'
L20	S44°15'22"W	66.92'	L70	N53°28'50"E	50.00'	L110	N24°21'44"W	187.33'
L21	S36°08'25"W	61.08'	L71	N63°11'22"E	49.97'	L111	N24°21'44"W	187.33'
L22	S34°04'05"W	108.86'	L72	S24°21'44"E	7.94'	L112	N24°21'44"W	187.33'
L23	S24°28'09"E	22.44'	L73	S75°16'12"W	45.06'	L113	N24°21'44"W	187.33'
L24	N62°21'31"W	61.51'	L74	N85°38'27"W	9.45'	L114	N24°21'44"W	187.33'
L25	S48°09'59"W	60.00'	L75	N88°22'48"W	40.55'	L115	N24°21'44"W	187.33'
L26	N38°17'00"W	50.06'	L76	N82°28'30"E	3.92'	L116	N24°21'44"W	187.33'
L27	S82°32'37"W	17.08'	L77	N85°38'27"W	46.07'	L117	N24°21'44"W	187.33'
L28	N07°27'23"W	50.00'	L78	N24°21'44"W	51.60'	L118	N24°21'44"W	187.33'
L29	N82°32'37"E	17.08'	L79	S11°32'02"W	100.17'	L119	N24°21'44"W	187.33'
L30	S65°38'16"W	28.50'	L80	N79°18'33"W	48.39'	L120	N24°21'44"W	187.33'
L31	N24°21'46"W	50.00'	L81	S14°43'05"W	100.27'	L121	N24°21'44"W	187.33'
L32	N65°38'16"E	28.50'	L82	N76°08'36"W	42.87'	L122	N24°21'44"W	187.33'
L33	N24°21'44"W	160.00'	L83	N79°18'33"W	7.13'	L123	N24°21'44"W	187.33'
L34	S44°57'23"W	56.17'	L84	N57°25'58"W	37.37'	L124	N24°21'44"W	187.33'
L35	N60°37'21"W	20.95'	L85	N76°08'36"W	12.66'	L125	N24°21'44"W	187.33'
L36	S24°21'44"E	25.50'	L86	N72°58'58"W	16.61'	L126	N24°21'44"W	187.33'
L37	S60°37'21"E	20.95'	L87	S72°58'38"E	55.52'	L127	N24°21'44"W	187.33'
L38	S40°02'37"E	62.00'	L88	S76°08'36"E	55.52'	L128	N24°21'44"W	187.33'
L39	N44°57'23"E	56.17'	L89	S79°18'33"E	55.52'	L129	N24°21'44"W	187.33'
L40	N24°21'44"W	24.30'	L90	S82°28'30"E	55.52'	L130	N24°21'44"W	187.33'
L41	S24°21'44"E	24.30'	L91	S85°38'27"E	55.52'	L131	N24°21'44"W	187.33'
L42	S24°21'44"E	187.33'	L92	N75°16'12"E	9.91'	L132	N24°21'44"W	187.33'
L43	S61°57'02"W	18.86'	L93	N75°16'12"E	35.15'	L133	N24°21'44"W	187.33'
L44	S72°45'49"W	12.89'	L94	N89°00'32"W	23.79'	L134	N24°21'44"W	187.33'
L45	S82°32'37"W	17.08'	L95	S85°58'08"E	57.63'	L135	N24°21'44"W	187.33'
L46	S65°38'16"W	58.50'	L96	S81°32'39"E	57.63'	L136	N24°21'44"W	187.33'
L47	S65°38'16"W	30.00'	L97	S77°10'10"E	57.63'	L137	N24°21'44"W	187.33'
L48	S83°31'31"W	25.45'	L98	S72°47'40"E	57.63'	L138	N24°21'44"W	187.33'
L49	S65°38'16"W	93.52'	L99	S68°25'11"E	57.63'	L139	N24°21'44"W	187.33'
L50	S65°38'16"W	250.00'	L100	S68°54'9"E	50.00'	L140	N24°21'44"W	187.33'





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# Zoning Map

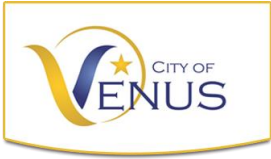


# Aerial View



Exhibit A





January 11, 2023

Dear Property Owner:

I am writing this letter to inform you of an upcoming public hearing, which you may be inclined to attend. The hearing provides residents, especially neighboring landowners such as yourself, the opportunity to voice their opinion on the proposed project to the Zoning Board of Adjustment (ZBOA). The input and opinions of residents and neighboring property owners provide valuable feedback to the ZBOA, City staff, and the applicant. The following is some basic information that pertains to the project.

**Application Type:** **Variance:** A request to vary from the Planned Development (PD) Regulations pertaining for this property addressed at 160 Sammy Fowler Ave.

**Summary:** **Request:** The request is to allow an encroachment of 0.5 ft. into the 10 ft. rear yard setback. The property is approximately 0.1212 acres (5,280 square feet). The property is located on Patriot Estates PD Phase 8, City of Venus, Texas, 76084.

**Location/Site Plan:** Generally located on the southwest corner of N. 10<sup>th</sup> Avenue approximately one hundred feet from the intersection with Walnut Street. – *See the reverse side for vicinity map.*

**Reviewing Body:** The ZBOA will decide on the variance request.

**Public Hearing:** **January 26, 2023 at 6:30 p.m.**  
The hearing will take place at Civic Center, 210 S Walnut St, Venus, TX 76084.

**Official Notice Publication:** January 12, 2023, on the Cleburne Times newspaper.

**City Staff Project Manager:** Oscar Ortiz, *City Planner*  
(972) 366-3348 extension 206  
oortiz@cityofvenus.org

**Applicant:** Elaine Torres, *VP Land Development, LGI Homes LLC*  
(972) 467-5214  
[elaine.torres@lgihomes.com](mailto:elaine.torres@lgihomes.com)

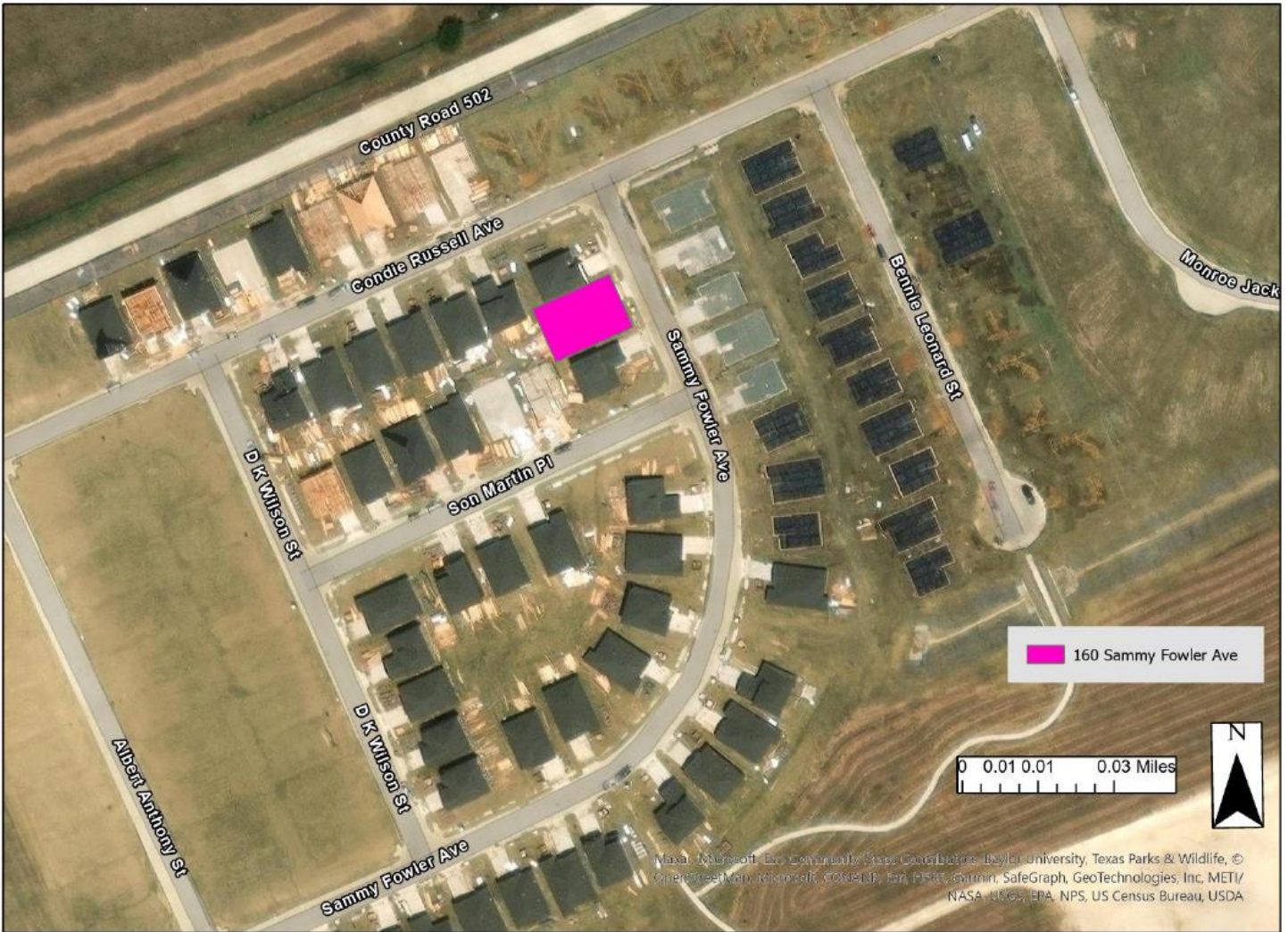
**Property Owner:** LGI Homes, LLC  
1450 Lake Robbins Dr., Suite 430  
The Woodlands, TX 77380  
[www.lgihomes.com](http://www.lgihomes.com)

**Additional Info:** This review process allows the Planning Department to determine the completeness of the application, and its adherence to City Codes and policies. The request and application will be reviewed by the ZBOA.

Please do not hesitate to contact me if you have any questions on this project or if you are unable to attend this hearing but would like to submit comment into the record. Thank you for your time.

Best regards,

# Vicinity Map







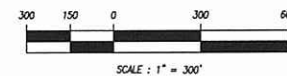






LEGEND (349.18 ac. - 2011 lots = 5.8 lots/ac (gross))

- 7500 sf Lots - 248 (57.7 ac.) - 65' x 116' typ.
- 6000 sf Lots - 261 (52.1 ac.) - 60' x 100' typ.
- 5000 sf Lots - 1502 (239.38 ac.) - 50' x 100' typ.
- Retail - 25.36 ac.
- Park/Open Space - 51.29 ac.
- Future School Site - 49.73 ac. OR 5000 sf Lots - 283 (45.88 ac.) - 50' x 100' typ.



**PLANNED DEVELOPMENT REQUIREMENTS**

LOT SIZE	5000	6000	7500
MINIMUM WIDTH (ft.)	50	60	65
MINIMUM DEPTH (ft.)	80	90	100
FRONT YARD SETBACK (ft.)	20	20	25
SIDE YARD SETBACK (ft.)	5	5	6
REAR YARD SETBACK (ft.)	10	15	15
REQUIRED 1-1/2" TREES	1	1	2
REQUIRED ONE-GALLON SHRUBS	6	8	8
MINIMUM HOUSE SIZE (s.f.)	1100	1400	1600
MASONRY REQUIREMENT *	50%	65%	75%

\* First floor only, excluding windows, doors, garage doors and covered porches/patios. Masonry products shall include brick, stone and cementitious fiberboard.

**NOTES:**

1. All front yards will be sodded.
2. All streets will be 26' B-B except Ronald Reagan Drive, Freedom Drive (from Ronald Reagan Drive to west) and Sam Houston Drive (from Ronald Reagan Drive to west) which will be 31' B-B.
3. Retail sites shall screen from residential sites.
4. Retail development shall be governed by C-1 zoning criteria with the exception that service station/convenience store will be a permitted use.
5. Park fees will be paid as follows:  
Developer - \$100/lot prior to final plat recording  
Home Builder - \$100/lot prior to issuance of certificate of occupancy
6. Park dedication in its entirety shall occur not later than the recording of the 300th lot.
7. Two school sites have been reserved as shown. If VISD chooses not to purchase these sites, the sites will be developed as shown in background.
8. All development/building requirements/standards governing this planned development will be those in effect at the time of this ordinance approval.
9. Roof pitch shall be a minimum of 6/12.

**PLANNED DEVELOPMENT USAGE & PROHIBITION**

No temporary dwelling, shop, trailer or mobile home of any kind or any improvement of a temporary character (except children's playhouses, dog houses, greenhouses, gazebos may be placed on a lot only in places which are not visible from any street on which the lot fronts) shall be permitted on any lot except that the builder or contractor may have temporary improvements (such as sales office and/or construction trailer) on a given lot during construction of the residences on that lot.

No boat, marine craft, hovercraft, aircraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked for storage in a driveway or front yard of any dwelling or parked on any public street in the addition, nor shall any such vehicle or equipment be parked for storage in the side yard or rear yard of any residence unless completely concealed from public view. This restriction shall not apply to any vehicle, machinery or equipment temporarily parked and in use for the construction, maintenance or repair of a residence in the immediate vicinity.

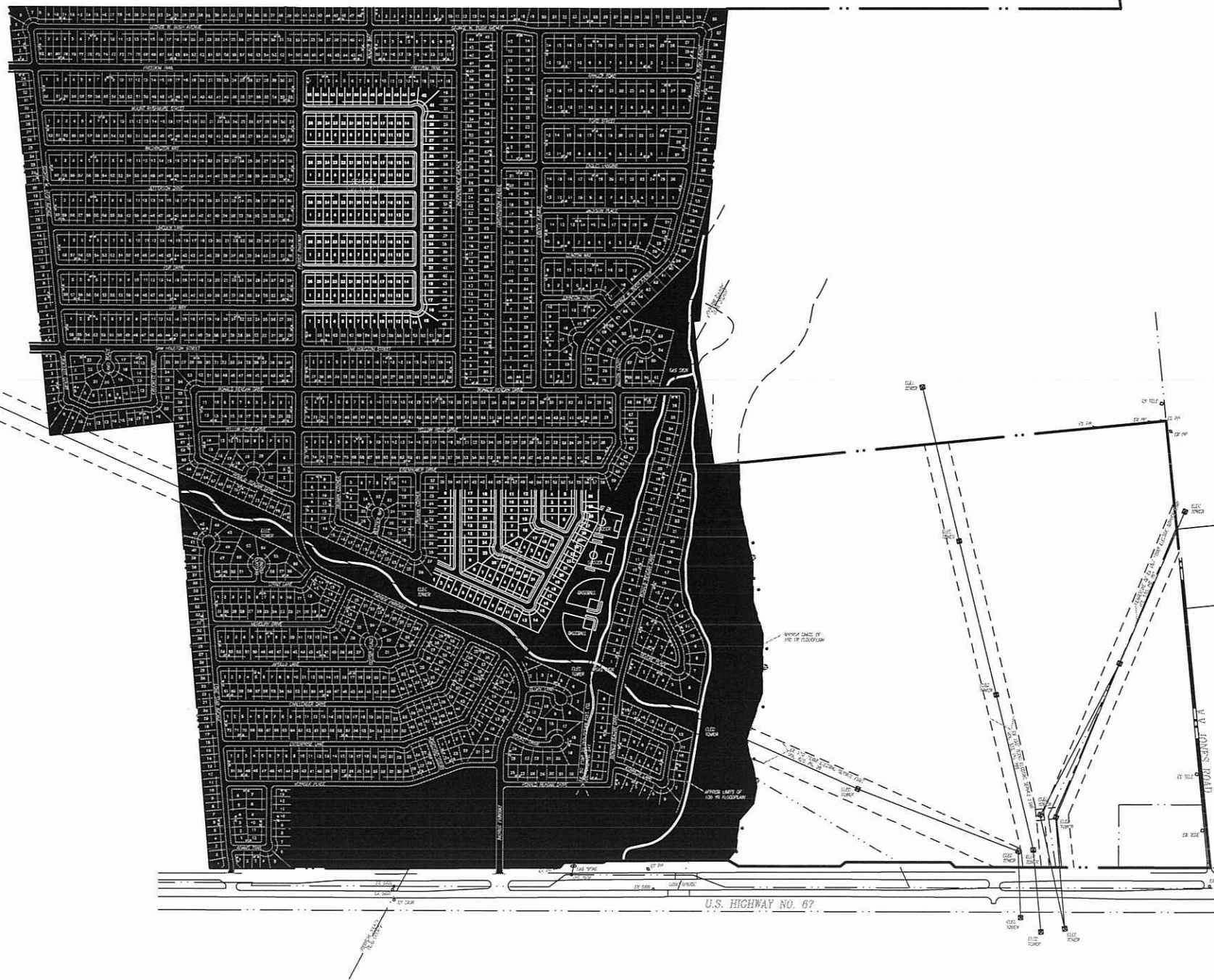
Trucks with tonnage in excess of one (1) ton and any vehicle with painted advertisement shall not be permitted to park overnight within the addition except those used by a builder during the construction of improvements.

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any property in the addition except that dogs, cats or other household pets may be kept for the purpose of providing companionship for the private family. Animals are not to be raised, bred or kept for commercial purposes or for food. It is the purpose of these provisions to restrict the use of the property so that no person shall quarter on the premises cows, horses, bees, hogs, sheep, goats, guinea fowls, ducks, chickens, geese, turkeys, skunks or any other animals that may interfere with the quietude, health, or safety of the community. No more than four (4) pets will be permitted on each lot. Pets must be restrained or confined on the homeowner's back lot inside a fenced area or within the house. It is the pet owner's responsibility to keep the lot clean and free of pet debris. All animals must be properly tagged for identification.

No air-conditioning apparatus shall be installed on the ground in front of a residence. No air-conditioning apparatus shall be attached to any front wall or window of a residence.

No antennas shall be permitted in this addition except antennas for AM/FM radio reception, UHF/VHF television reception and DSS satellite reception. All AM/FM radio and UHF/VHF television antenna shall be located inside the attic of the main residential structure. All DSS satellite dishes shall be located in such location on the side or back of the house to minimize visibility from the front of the house. DSS satellite dishes in excess of three (3) foot diameter are prohibited.

No sign of any kind shall be displayed to the public view of any lot except one (1) professional security system sign of not more than one (1) square foot, one (1) sign of not more than fifteen (15) square feet advertising the property for rent or sale, or signs used by a builder to advertise the property during the construction and sales period. Agents of the City of Venus or of the developer of the addition shall have the right to remove any sign, billboard or other advertising structure that does not comply with the above, and in so doing shall not be subject to any liability for trespass or any other liability in connection with such removal.



DEVELOPER:  
**RAILPORT, LP**  
c/o Bryan N. Mitchell, Sr.  
6815 Manhattan Blvd, Suite 400  
Ft. Worth, TX 76120  
(817) 429-8008

ENGINEER:  
**GRONHOLT - LYON & ASSOCIATES, LLC**  
6800 Manhattan Blvd., Suite 102 - Fort Worth, Texas 76120  
(817) 654-2250; (800) 398-0510; (817) 492-0174 fax  
email: admin@gronholt-lyon.com

**ZONING ORDINANCE NO. 876-8003**  
**PLANNED DEVELOPMENT SITE PLAN**  
FOR  
**PATRIOT PLANTATION**  
VENUS, TEXAS

330 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 16, Block 31 FID 89983 GIS 126.4415.83116	332 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 17, Block 31 FID 9003 GIS 126.4415.83117	334 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 18, Block 31 FID 90009 GIS 126.4415.83118	336 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 19, Block 31 FID 89988 GIS 126.4415.83119	338 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 20, Block 31 FID 89992 GIS 126.4415.83120	340 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 21, Block 31 FID 89999 GIS 126.4415.83121	342 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 22, Block 31 FID 90010 GIS 126.4415.83122
344 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 23, Block 31 FID 89996 GIS 126.4415.83123	346 Condie Russell Avenue LGI Homes Texas LLC 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 24, Block 31 FID 9001 GIS 12.4415.83124	329 Condie Russell Avenue Johnson Latamerson 329 Condie Russell Ave. Venus, TX 76084 Lot 3, Block 27 FID 89954 GIS 126.4415.82703	331 Condie Russell Avenue SFR Owner LLC 401 E Jackson St., Suite 3000 Tampa, FL 33602 Lot 4, Block 27 FID GIS 126.4415.82704	333 Condie Russell Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 5, Block 27 FID GIS 126.4415.82705	335 Condie Russell Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 6, Block 27 FID GIS 126.441582706	337 Condie Russell Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 7, Block 27 FID GIS 126.4415.82707
104 Son Martin PI 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 13, Block 27 FID GIS 126.4415.82713	106 Son Martin PI 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 12, Block 27 FID GIS 126.4415.82712	108 Son Martin PI 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 11, Block 27 FID GIS 126.4415.82711	110 Son Martin PI 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 10, Block 27 FID GIS 126.4415.82710	158 Sammy Fowler/112 Son Martin PI 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 9, Block 27 FID GIS 126.4415.82709	105 Son Martin PI Hale Brandon Etux Jessica 105 Son Martin PI. Venus, TX 76084 Lot 13, Block 28 FID GIS 126.4415.82813	107 Son Martin PI SFR Owner LLC 401 E Jackson St. Suite 3000 Tampa, FL 33602 Lot 12, Block 28 FID GIS 126.4415.82812
111 Son Martin PI/150 Sammy Fowler Avenue SFR Owner LLC 401 E Jackson St. Suite 3000 Tampa, FL 33602 Lot 11, Block 28 FID GIS 126.4415.82811	146 Sammy Fowler Avenue SFR Owner LLC 401 E Jackson St. Suite 3000 Tampa, FL 33602 Lot 10, Block 28 FID GIS 12.4415.82810	343 Condie Russell Avenue/163 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 1, Block 29 FID GIS 126.4415.82901	347 Condie Russell Avenue/ 522 Bennie Leonard St 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 19, Block 29 FID GIS 126.4415.82919	161 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 2, Block 29 FID GIS 126.4415.82902	520 Bennie Leonard St 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 18, Block 29 FID GIS 126.4415.82918	159 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 3, Block 29 FID GIS 126.4415. 82903

518 Bennie Leonard St 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 17, Block 29 FID GIS 126.4415.8291 7	157 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 4, Block 29 FID GIS 126.4415.8290 4	516 Bennie Leonard St 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 16, Block 29 FID GIS 126.4415.82916	155 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 5, Block 29 FID GIS 126.4415.8290 5	514 Bennie Leonard St 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 15, Block, 29 FID GIS 126.4415.8291 5	153 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 6, Block 29 FID GIS 126.4415.8290 6	151 Sammy Fowler Avenue 1450 Lake Robbins Dr., Suite 430 The Woodlands, TX 77380 Lot 7, Block 29 FID GIS 126.4415.8290 7
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**NOTICE OF PUBLIC HEARING**

**ZONING BOARD OF ADJUSTMENT CITY OF VENUS, TEXAS**

**160 SAMMY FOWLER AVENUE VARIANCE**

Notice is hereby given that the Zoning Board of Adjustment (ZBOA) of the City of Venus will hold a public hearing regarding an application for a variance for property known as 160 Sammy Fowler Ave. located on the east side of Sammy Fowler Ave. approximately seventy-five feet from the intersection with Condie Russell Ave. The request is to allow an encroachment of 0.5 ft. into the 10 ft. rear-yard setback. The property is approximately 0.1212 acres (5,280 square feet). The property is located on Patriot Estates PD Phase 8, City of Venus, Texas, 76084.

The ZBOA will hold a public hearing to consider the application for a variance at 6:30 p.m. on Thursday, January 26, 2023. The hearing will take place at Venus Civic Center, 210 S Walnut St. Venus, TX 76084. The ZBOA will hear evidence from City staff, the applicant, and any interested parties and will decide on the application thereafter.

Further information may be obtained from the City of Venus Planning Department by calling (972) 366-3348 extension 206.

*For publication on newspaper: Thursday, January 12, 2023*