

**Notice of Planning and Zoning Commission Regular Meeting
AGENDA**

August 02, 2022 at 6:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery Planning and Zoning Commission Regular Meeting will be held on **Tuesday, August 02, 2022 at 6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may view the meeting live on the City's website www.montgomerytexas.gov under Agenda/Minutes and then select **Live Stream Page (located at the top of the page)**. The Meeting Agenda Pack will be posted online at www.montgomerytexas.gov. The meeting will be recorded and uploaded to the City's website.

CALL TO ORDER

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. The Commission may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

CONSIDERATION AND POSSIBLE ACTION:

- 1.** Consideration and possible action on the July 5, 2022 Regular Meeting Minutes.
- 2.** Consideration and possible action on a request to relocate the rear property fence at 14335 Liberty Street located in the Historic Preservation District.
- 3.** Consideration and possible action on proposed exterior modifications to the building at 504 Caroline Street located in the Historic Preservation District.

COMMISSION INQUIRY:

Pursuant to Texas Government Code Sect. 551.042 the Planning & Zoning Commission may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

ADJOURNMENT

/s/Nici Browe

Nici Browe, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on July 29, 2022 at 4:00 p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.

MINUTES OF REGULAR MEETING

July 5, 2022

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Chairman Waddell declared a quorum was present and called the meeting to order at 6:03 p.m.

Present: Jeffrey Waddell, Merriam Walker, Britnee Ghutzman,

Absent: Bill Simpson, Daniel Gazda

Also Present: Dave McCorquodale, Interim City Admin. / Director of Planning & Development

Katherine Vu, PE, City Engineer Consultant

VISITOR/CITIZENS FORUM

No comments given.

- 1. Consideration and possible action regarding:**
 - a. **Special Meeting Minutes of May 17, 2022, and**
 - b. **Regular Meeting Minutes of June 7, 2022.**

Britnee Ghutzman moved to approve both sets of minutes with the modification to the June 7th minutes to reflect the Commission’s discussions and reservations of the required parking spaces associated with the proposed addition to the Cozy Grape (Agenda Item #1). Merriam Walker seconded the motion, the motion carried unanimously. (3-0)

- 2. Consideration and possible action on a request to relocate the rear property fence at 14335 Liberty Street in the Historic Preservation District.**

Staff presented the information and noted the applicant had a schedule conflict and could not attend the meeting. Discussion was had on the use of the existing sidewalk and staff noted it had been in place several years before the applicant purchased the property. Questions were raised whether the sidewalk access was required by fire code and whether the sidewalk was in an easement.

Merriam Walker moved to table the item to allow staff to determine if access to the sidewalk was required by fire code or similar provision and to inquire if the adjacent owner was aware of the proposed fence. Britnee Ghutzman seconded the motion, the motion carried with Ms. Ghutzman and Ms. Walker voting for and Mr. Waddell voting against. (2-1)

3. Consideration and possible action on a wall sign application for Jewel’s Teahouse located at 14351 Liberty Street in the Historic Preservation District.

Staff presented the information. Discussion was had regarding the size of the sign to affirm that it would be the same size as the previous sign and be installed in the same location.

Britnee Ghutzman moved to approve the proposed wall sign as presented. Merriam Walker seconded the motion, the motion carried unanimously. (3-0)

4. Presentation of Pulte Group and Nantucket Housing Feasibility Studies.

Ms. Katherine Vu reviewed the two studies with the Commission and answered questions and discussed details with the Commission. The Commissioners expressed concern over the 45-foot wide lots in the Pulte Group study as well as the single point of entry for the development.

No action taken.

5. Update on downtown redevelopment projects.

Staff discussed the progress of water, sewer, and drainage upgrades in the downtown as well as the McCown Street design project being funded by the MEDC.

No action taken.

Commission Inquiry

None.

Adjournment

Merriam Walker moved to adjourn the meeting at 7:20 p.m. Britnee Ghutzman seconded the motion, the motion carried unanimously. (3-0)

Prepared by: _____ Date approved: _____
Dave McCorquodale

Chairman Jeffrey Waddell

Attest: _____
Nici Browe, City Secretary

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: August 5, 2022	Budgeted Amount:
Department: Administration	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on a request to relocate the rear property fence at 14335 Liberty Street located in the Historic Preservation District.

Recommendation

The proposed relocation of the fence is not in violation of development regulations or fire code. A common solution between property owners is preferable, but I do not see that the City can require it.

Discussion

(Tabled at the July 5, 2022 meeting)

As you may know, the owners of the Wings of Montgomery restaurant have recently closed the business. As part of the renovation of the building in 2020, P&Z approved the 6-ft height rear metal fence enclosure as seen in the attached images. The existing location of the fence is roughly 3-feet from the rear property line. The owner would like to relocate the fence to the rear property line, resulting in additional storage space at the rear of the building. The relocation of the fence would also prevent use of the existing sidewalk to adjacent properties. The owner stated he communicated this point to adjacent property owners. After speaking with the adjacent property owners, they were not fully aware of the plans to extend the back fence.

After speaking with the Fire Marshal's Office and local Fire Department, there are no access requirements that prevent the owner from relocating his fence.

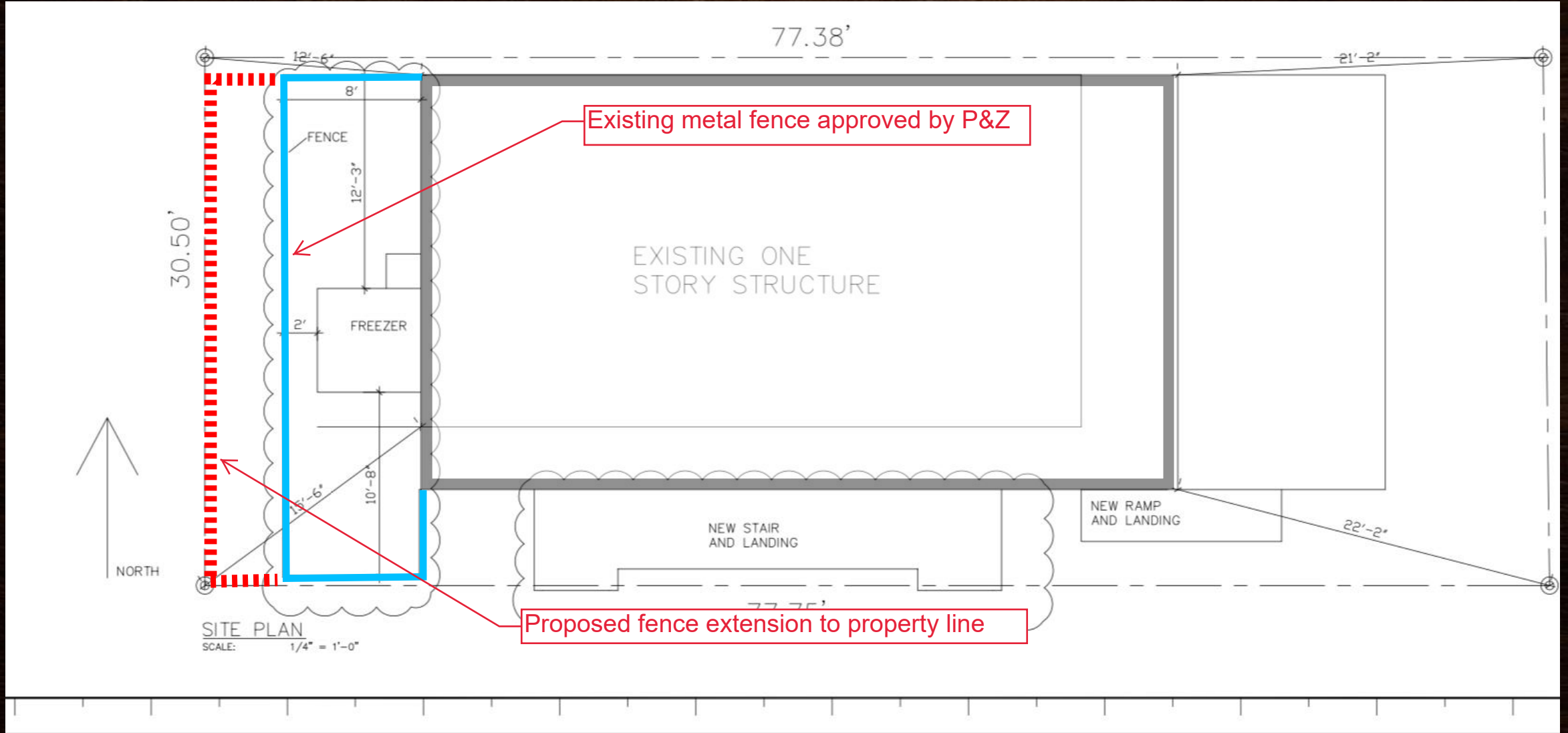
Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

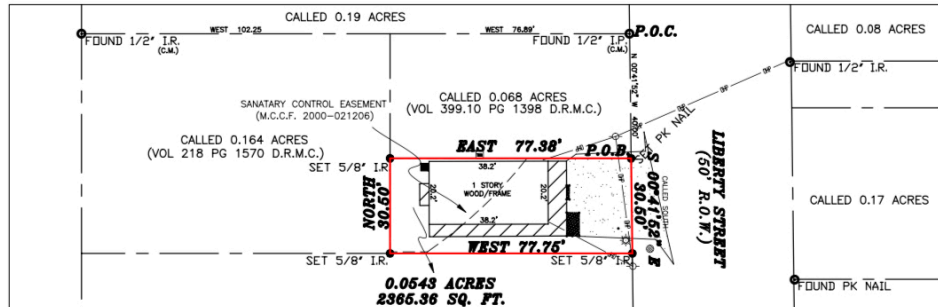
Approved By

Interim City Administrator	Dave McCorquodale	Date: 06/28/2022

Wings Over Montgomery



14335 Liberty St Site Information



NOTES:
 THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH A WRITTEN METES AND BOUNDS DESCRIPTION SURVEYOR DID NOT RESEARCH SUBJECT PROPERTY FOR ANY UNDISCLOSED EASEMENTS ANY IMPROVEMENTS SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES BEARINGS BASED ON RECORDED PLAT/DEED OF VOL 568 PG 216 D.R.M.C. FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE SUBJECT PLAT ON THE FIRMS THE INFORMATION SHOULD ONLY BE USED TO DETERMINE FLOOD INSURANCE RATES AND NOT TO ANY ACTUAL FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE FIRMS

DESCRIPTION: BEING A 0.054 PARCEL

RECORDATION: VOL 568, PG 216 D.R.M.C.	COUNTY: MONTGOMERY TX	ST: TX	ABSTRACT: JOHN CORNER A -- 8
RECORD OWNER: RAMON LAUGHTER	TITLE COMPANY: OLD REPUBLIC TITLE		
PURCHASER: DAMON & CINDY HAYNES			JOB #: 1906143
ADDRESS: 14335 LIBERTY ST MONTGOMERY TX 77356			
FIELD WORK: DK, JR			
DRAFTED BY: DK, JR (07/10/2019)			
CHECKED BY: DK, SR			
G.F. NUMBER: 74620-GAT86			

1" = 30'

STATE OF TEXAS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 DAVID E. KING
 4503

FIRM NO. 10152100

I, David E. King, Sr. Texas Registered Professional Surveyor Number 4503, hereby certify to the Title Insurer, Lender, and Purchaser referenced herein ONLY that the plat was made from an actual survey on the ground by me or under my direction, this survey substantially complies in the current Texas Society of Professional Surveyors Standards and Specifications. Not valid without both electronic seal and signature.

KLSS
 KING'S LAND SURVEYING SOLUTIONS, LLC
 Professional Land Surveyors



Approximate property line location

Property pin location



Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: August 2, 2022	Budgeted Amount:
Department: Administration	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on proposed exterior modifications to the building at 504 Caroline Street located in the Historic Preservation District.

Recommendation

Staff has no objections and recommends approval of the exterior modifications contingent on the applicant obtaining all required building permits for the project.

Discussion

This property received P&Z and City Council approval to demolish a portion of the structure last month. This request is for the construction of an addition to the rear portion of the building and the addition of a roof over the existing front porch on the south façade facing Caroline Street. The attached drawings illustrate the proposed modifications to the structure.

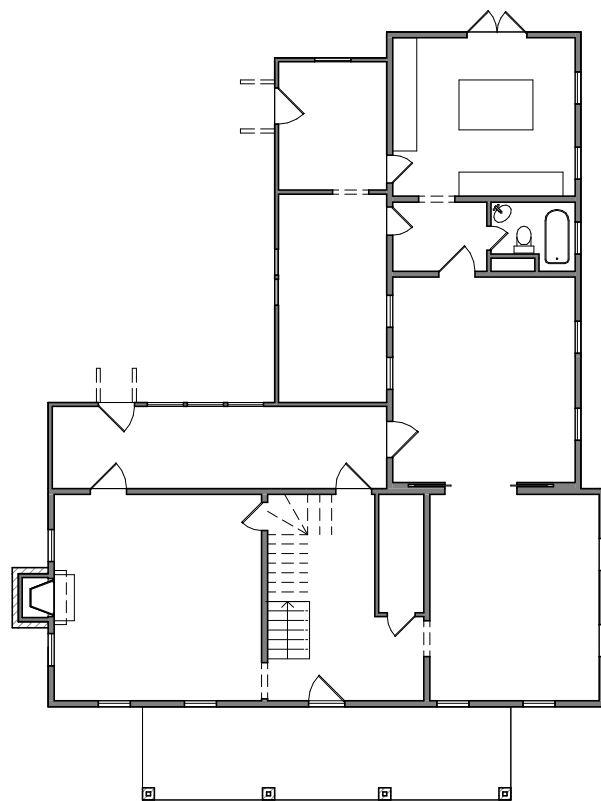
Approved By

Interim City Administrator	Dave McCorquodale	Date:07/26/2022

pond street

north 122.00'

east 180.00'



south 122.00'

liberty street

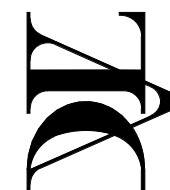
west 180.00'

caroline street



existing
site plan
scale: 1/16" = 1'-0"

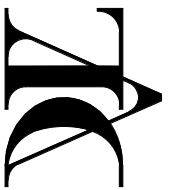
DANIE VAN LOGGERENBERG
ARCHITECTURE



danie van loggerenberg architecture
the woodlands, texas
tel: 281-419-9081
www.dvlcc.com

504 Caroline
Montgomery, TX
77356

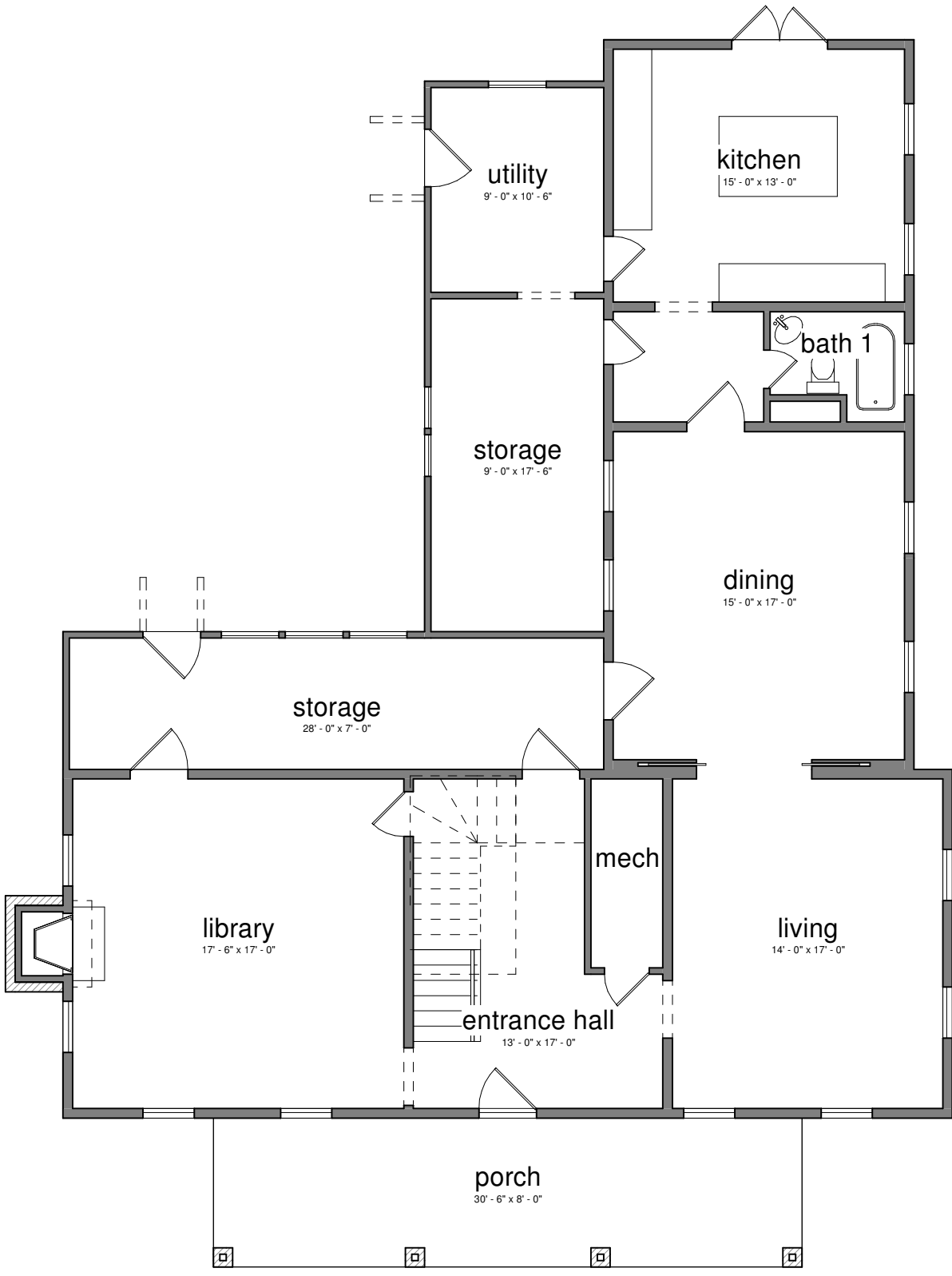
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06/27/22	1/16" = 1'-0"



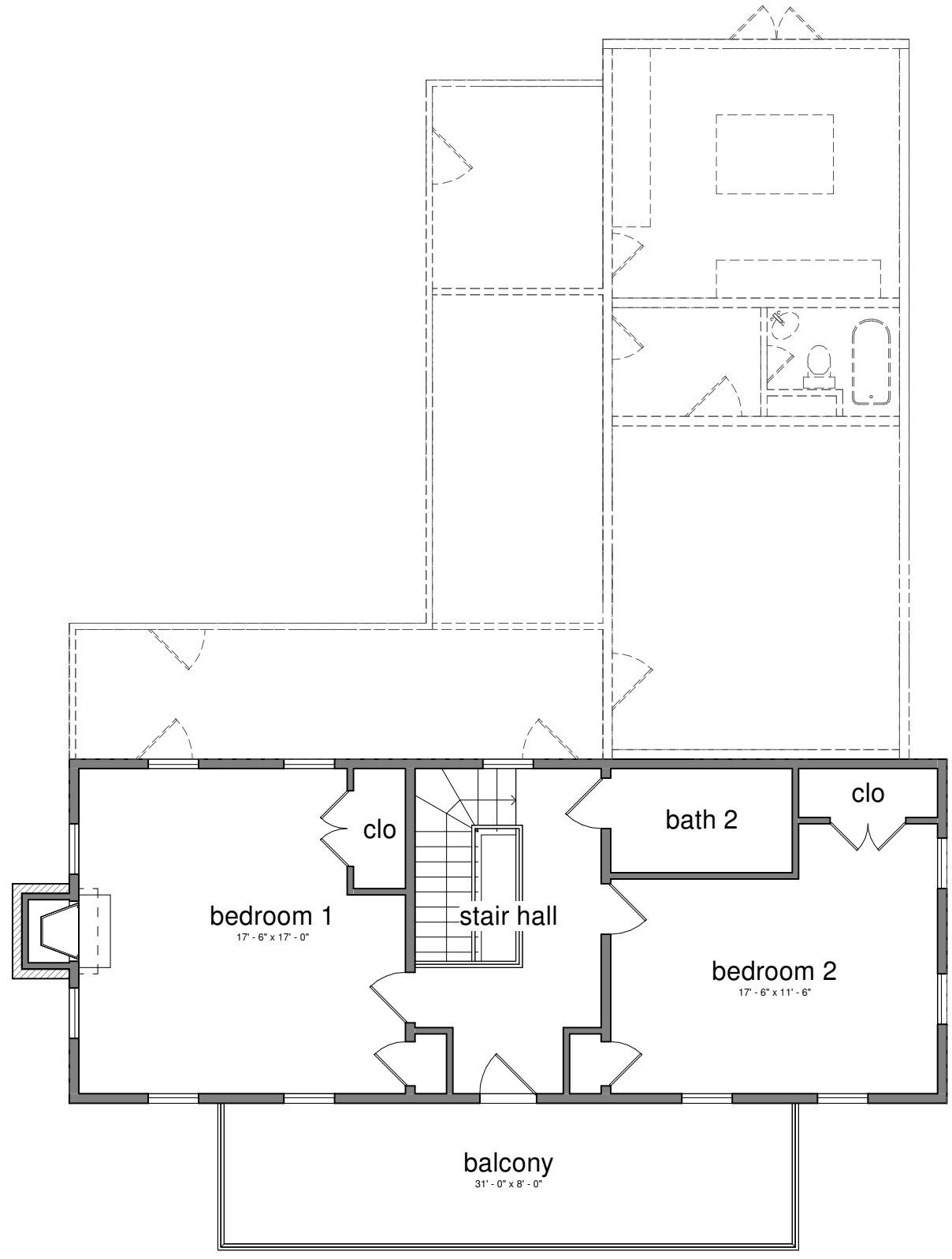
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Montgomery, TX
77356

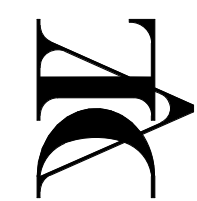
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TX1000	-02
date	scale
06/27/22	1/8" = 1'-0"



existing
1st floor plan
scale: 1/8" = 1'-0"



existing
2nd floor plan
scale: 1/8" = 1'-0"



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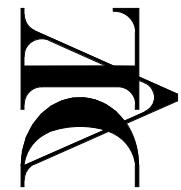
project no.	sheet no.
TX1000	-03
date	scale
06/27/22	1/8" = 1'-0"



existing front elevation
scale: 1/8" = 1'-0"



existing right elevation
scale: 1/8" = 1'-0"



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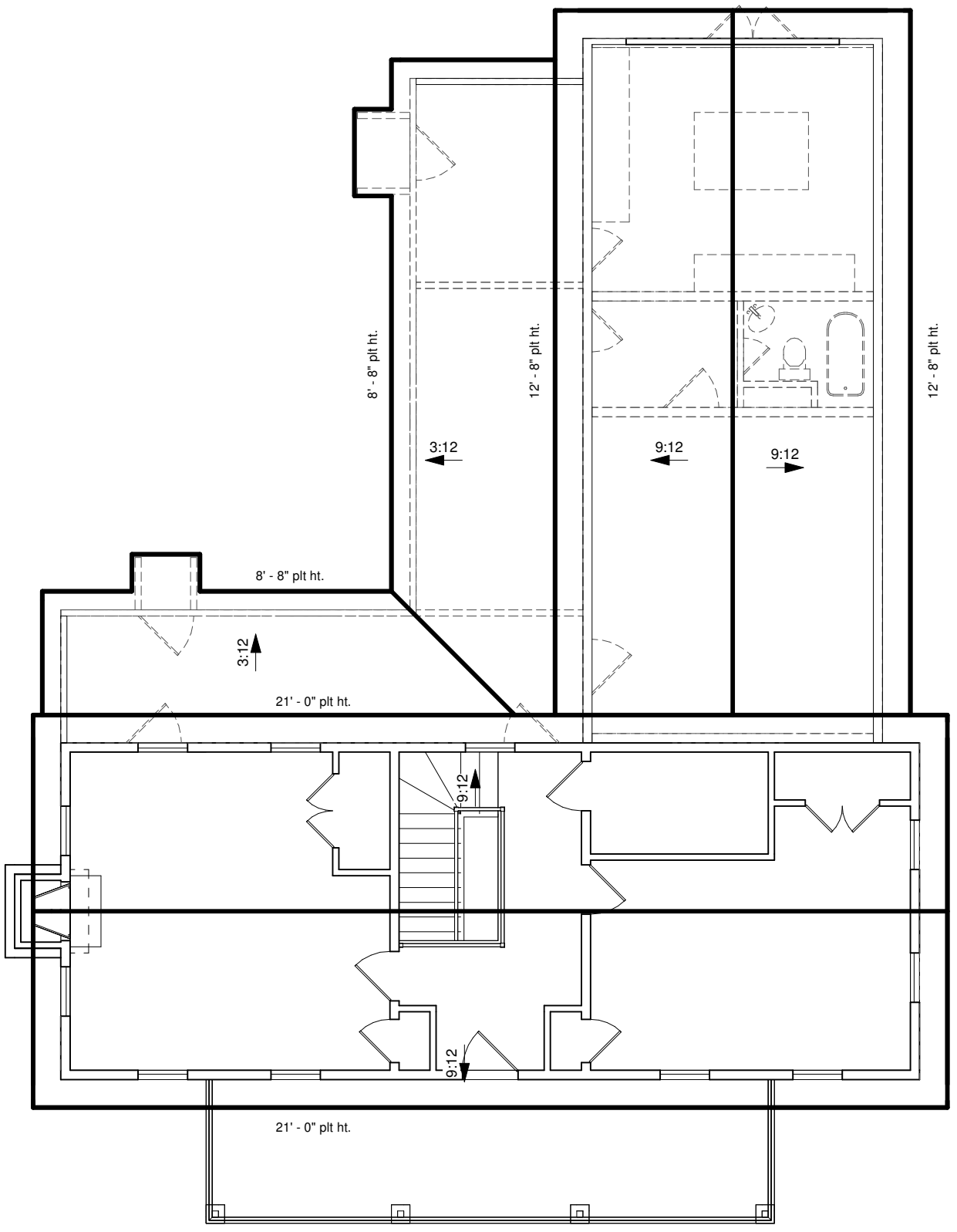
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date	scale
06/27/22	1/8" = 1'-0"



existing rear elevation
scale: 1/8" = 1'-0"

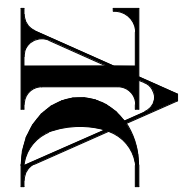


existing left elevation
scale: 1/8" = 1'-0"



existing
 roof plan
 scale: 1/8" = 1'-0"

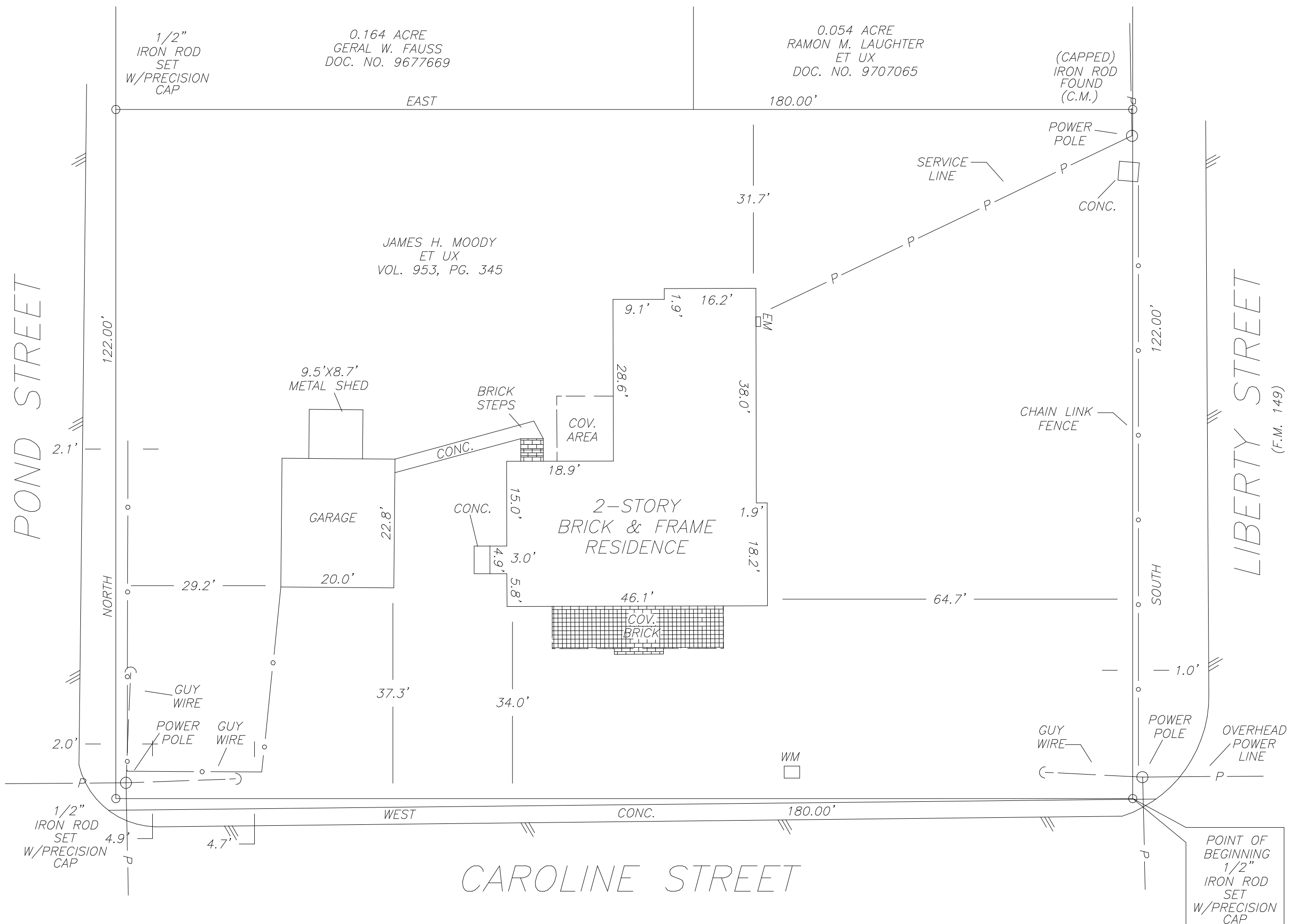
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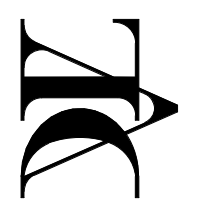
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project no.	sheet no.
TX1000	-05
date	scale
06/27/22	1/8" = 1'-0"



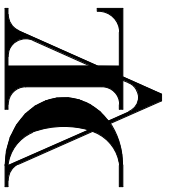
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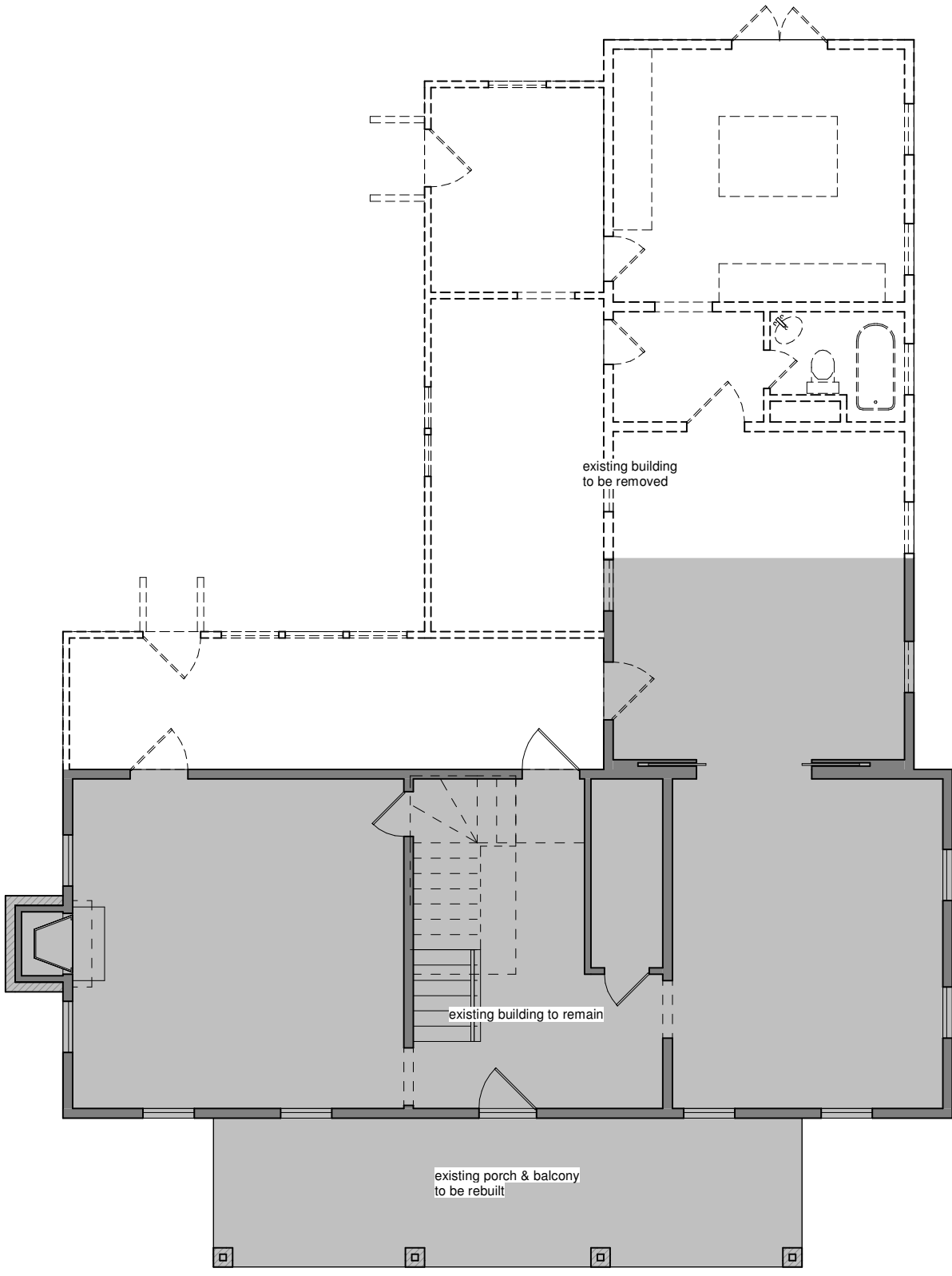
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date	scale
06/27/22	1/16" = 1'-0"



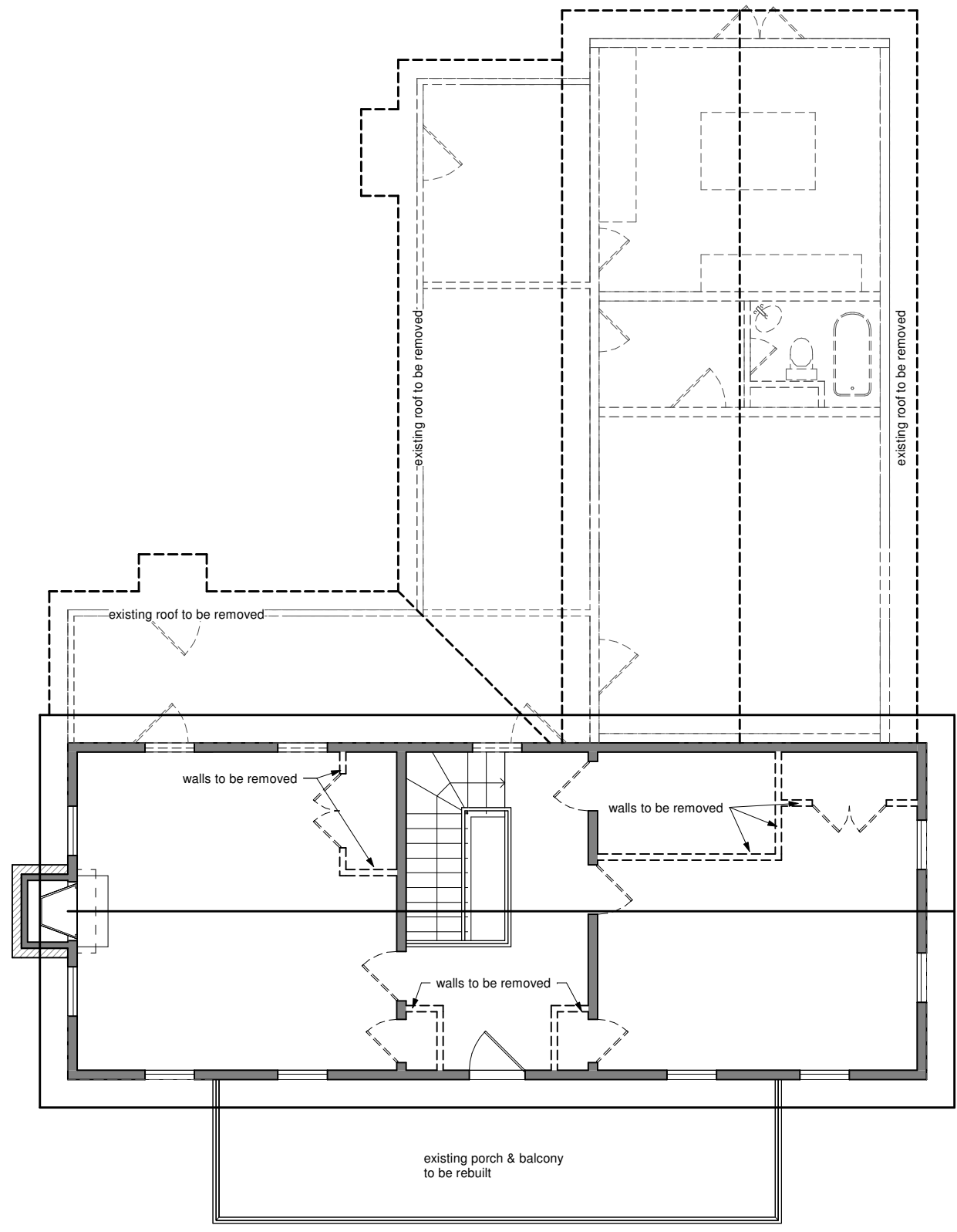
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project no.	sheet no.
TX1000	-07
date	scale
06/27/22	1/8" = 1'-0"



1st floor demo plan
scale: 1/8" = 1'-0"

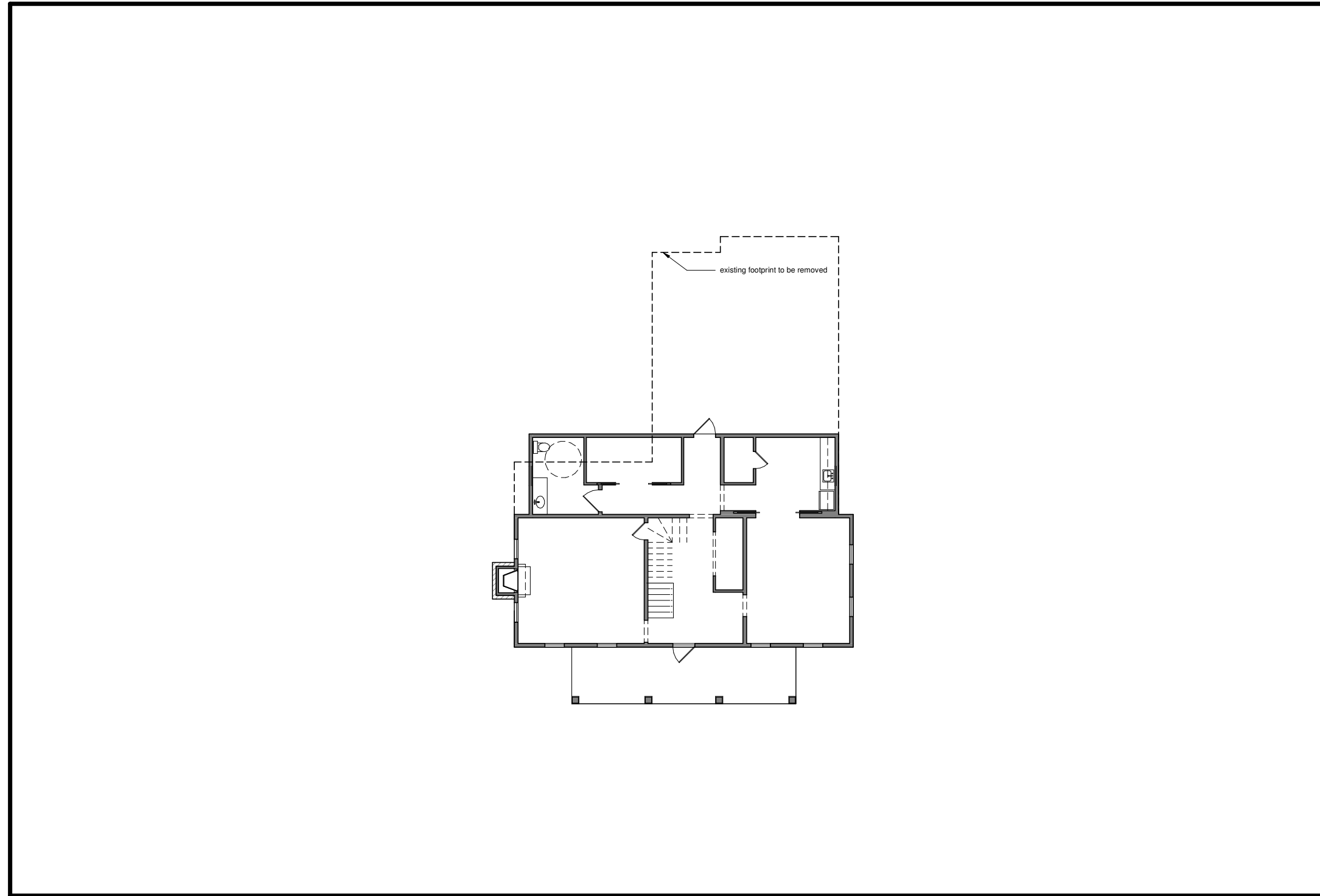


2nd floor demo plan
scale: 1/8" = 1'-0"

pond street

north 122.00'

east 180.00'



south 122.00'

liberty street

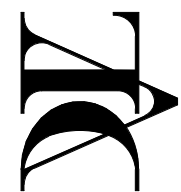
west 180.00'

caroline street



proposed
site plan
scale: 1/16" = 1'-0"

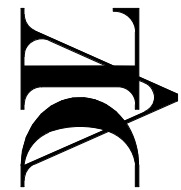
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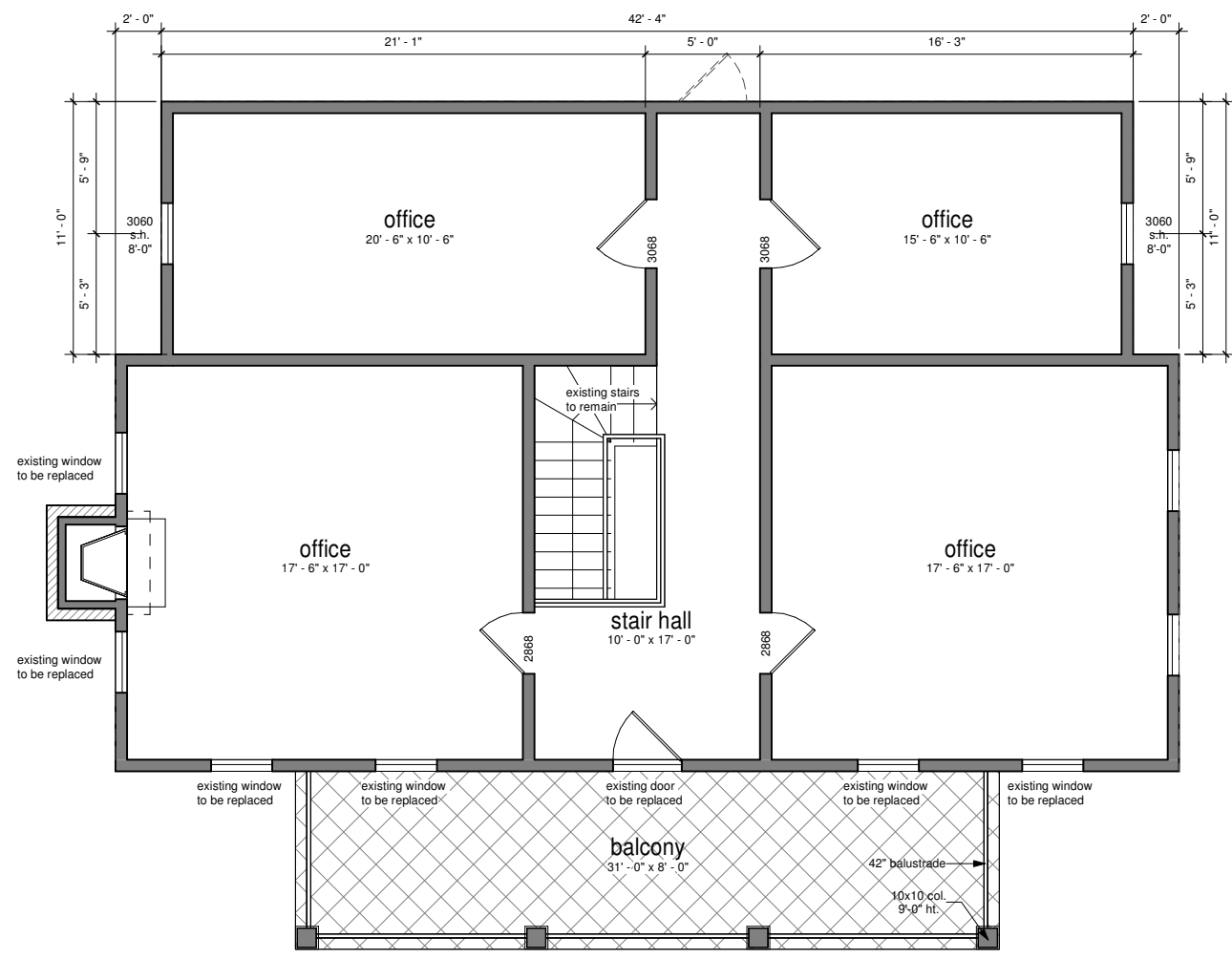
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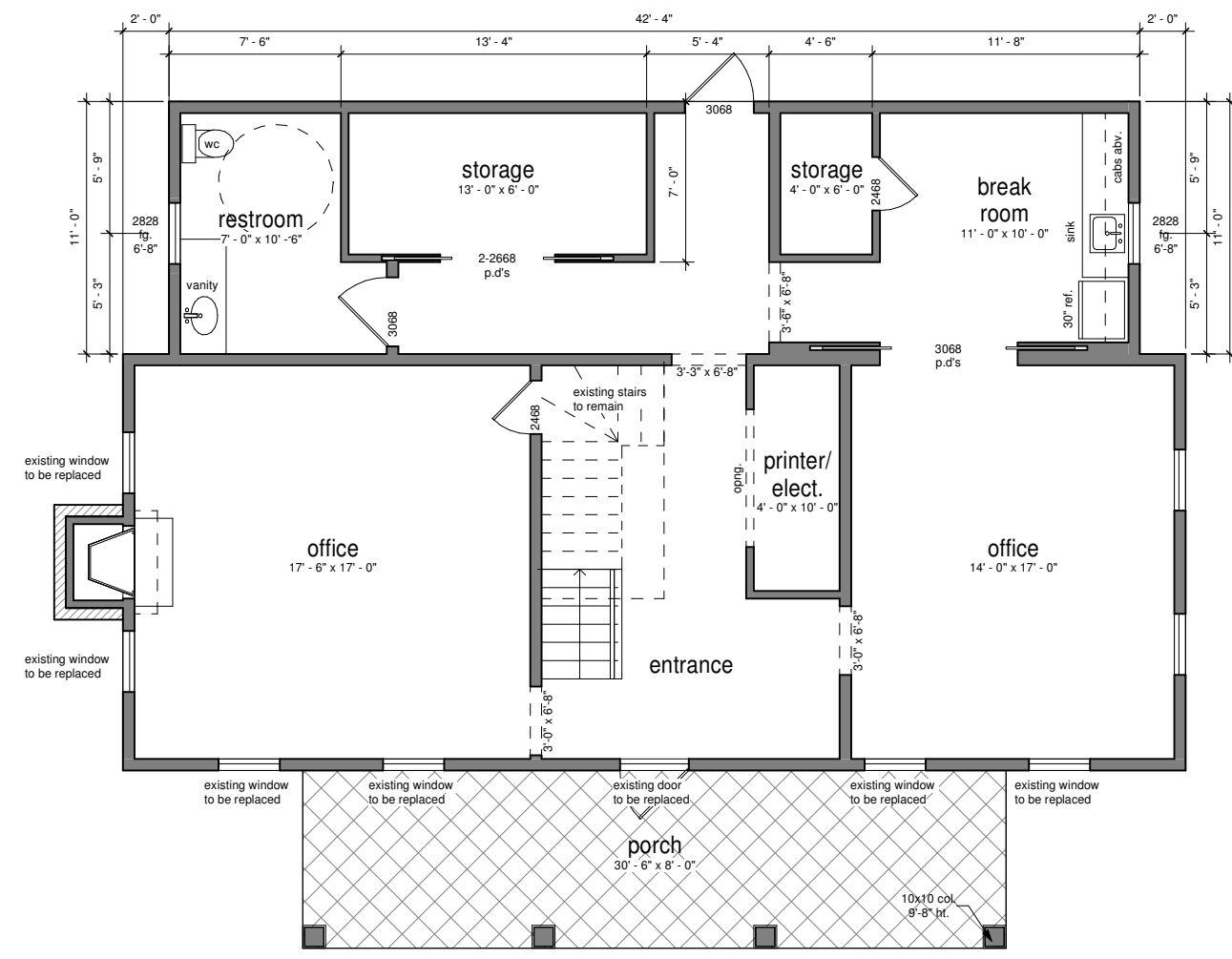
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project no.	sheet no.
TX1000	-09
date	scale
06/27/22	1/8" = 1'-0"



proposed
2nd floor plan
scale: 1/8" = 1'-0"



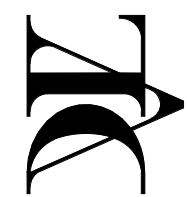
proposed
1st floor plan
scale: 1/8" = 1'-0"



proposed front elevation
scale: 1/8" = 1'-0"



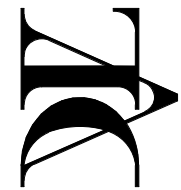
proposed right elevation
scale: 1/8" = 1'-0"



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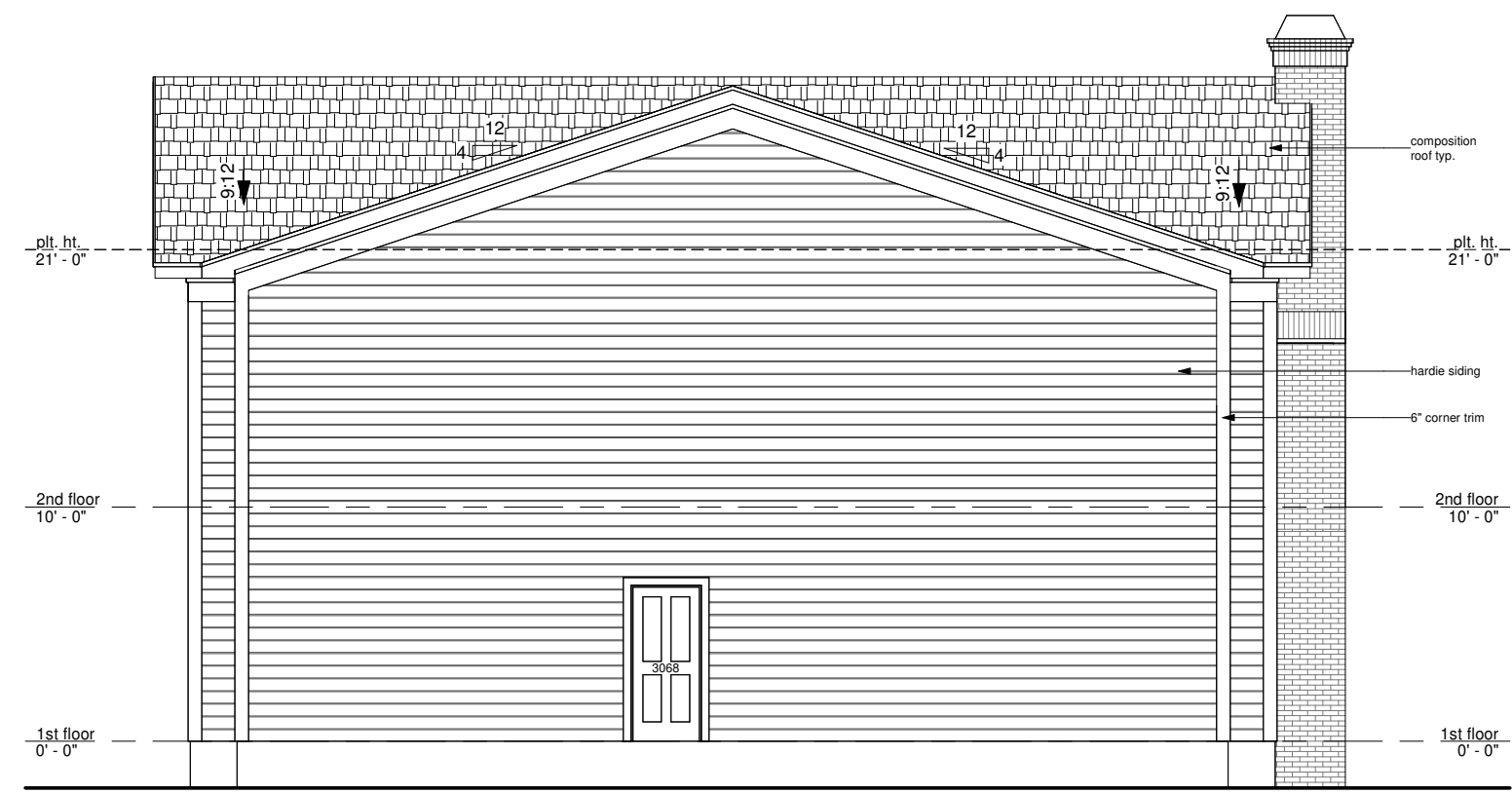
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date	scale
06/27/22	1/8" = 1'-0"



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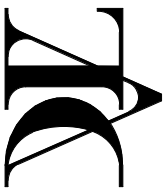
project no.	sheet no.
TX1000	-11
date	scale
06/27/22	1/8" = 1'-0"



proposed rear elevation
scale: 1/8" = 1'-0"



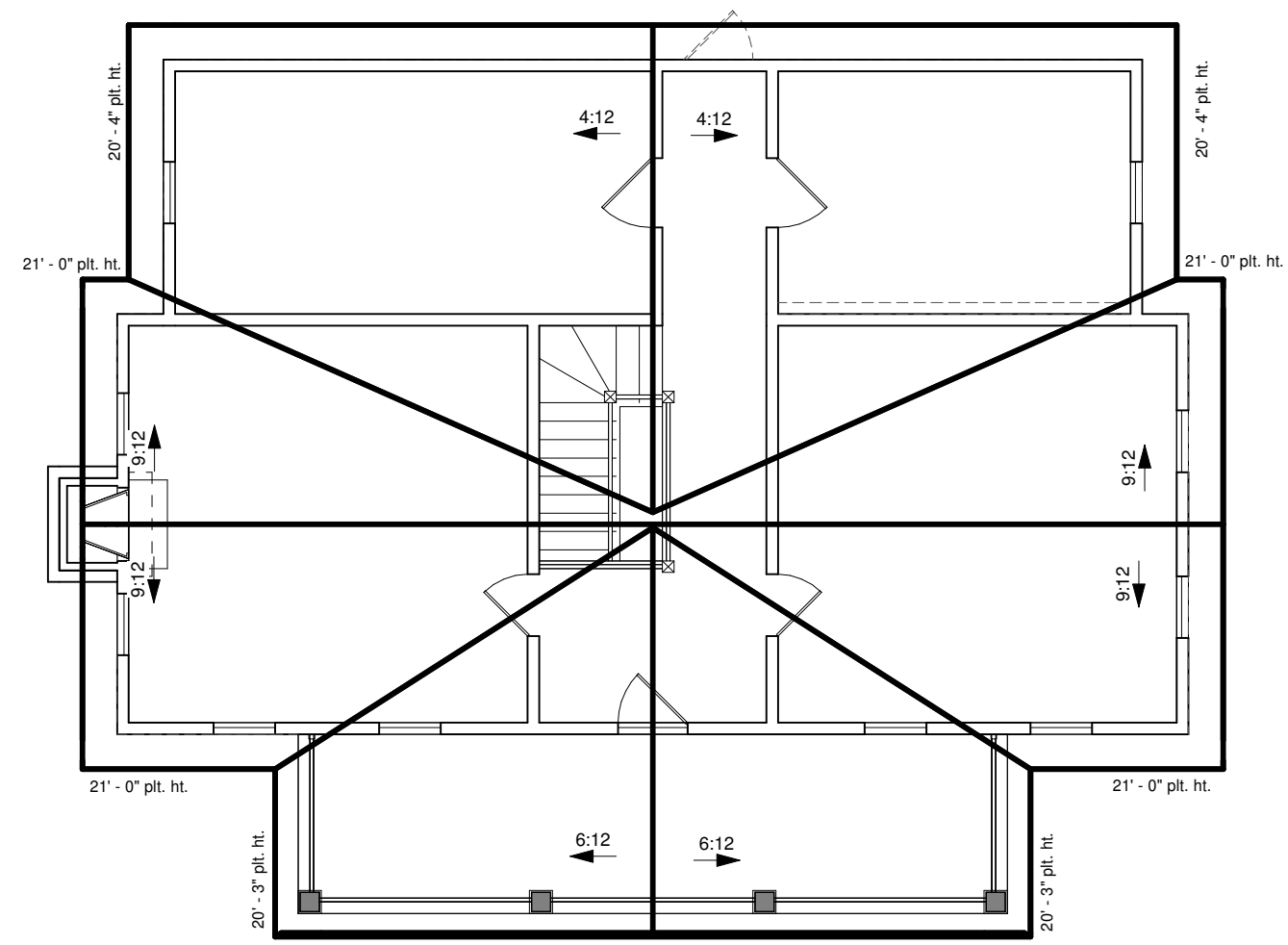
proposed left elevation
scale: 1/8" = 1'-0"



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project no.	sheet no.
TX1000	-12
date	scale
06/27/22	1/8" = 1'-0"



proposed roof plan
scale: 1/8" = 1'-0"