

# FOR SALE



## 401 CLINTON STREET

Lot located at 401 Clinton St. in the City of Brenham near downtown. Approximately 0.184 acres zoned B1 Local Business/Residential Mixed Use District. City of Brenham is thriving with lots of new businesses, developments and events. Adjoining lot also available at the corner of Seelhorst and Mill St appx 0.196 acres for \$45,000.

LISTING PRICE: \$45,000

The Market Team  
Market Realty, Inc.  
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If you have a brokerage relationship with another agency, this is not intended as a solicitation. All information deemed reliable but not guaranteed.

**401 Clinton St**  
Texas, AC +/-



### Sec. 3. - B-1 Local Business/Residential Mixed Use District.

(Sec. 3.01) *Purpose.* The B-1 Local Business/Residential Mixed Use District is established as a medium density, mixed use district in order to provide convenient locations for neighborhood shopping and for affordable moderate density multifamily housing with easy access to transportation routes and neighborhood shopping. To ensure compatibility of diverse uses within the district, development shall conform to applicable performance standards as set forth in this chapter, part II, division 1.

(Sec. 3.02) *Permitted uses:*

(Residential uses)

- (1) Accessory dwelling units.
- (2) Any permitted use in R-2.
- (3) Bed and breakfast house.
- (4) Boarding and lodging houses.
- (5) Multifamily development, including dormitories for students and fraternity or sorority houses on a development site of two (2) acres or more.

(Nonresidential uses)

- (1) Amusement, entertainment and fitness facilities, including bowling alleys, cinemas, health clubs, outdoor amusement, pool halls and private swim, tennis or similar clubs.
- (2) Automobile parts sales, new or rebuilt (over the counter).
- (3) Automobile parking lots (commercial).
- (4) Bakeries, retail sales only.
- (5) Banks, thrifts and similar financial institutions.
- (6) Bowling alleys, and other similar places of entertainment or amusement.
- (7) Churches and other institutions of a religious, educational, charitable or philanthropic nature, but not a penal or mental institution.
- (8) Cinemas and theaters for the performing arts.
- (9) Clinics limited to outpatient care.
- (10) Dancing or music academies.
- (11) Florist shops or greenhouses.
- (12) Frozen food lockers, for individual or family use.
- (13) Hotels and motels.
- (14) Laundries, self-service.
- (15) Mortuaries.
- (16) Pet shops, retail.

- (17) Offices and office buildings, including, but not limited to, medical offices and office buildings.
- (18) Personal service uses including barbershops, beauty parlors, photographic or artist studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning and pressing, dressmaking, tailoring, shoe repairing, repair of household appliances, bicycles and lawnmowers, catering, restaurants, and other personal service uses of a similar character.
- (19) Retail stores, general sales and service, and other local business uses supplying the everyday shopping needs of immediate neighborhood and subject to the following conditions:
  - (a) That it be conducted wholly within an enclosed building.
  - (b) That required yards not be used for display, sale or storage of merchandise, except as provided by specific use permit in the B-1 District.
  - (c) That required yards not be used for the storage of vehicles, equipment, containers or waste material.
  - (d) That all merchandise be sold on or from the premises to retail customers.
- (20) Restaurants and cafeterias with or without drive-through or drive-in service.
- (21) Shopping centers less than three (3) acres.
- (22) Public facility entry monument sign as provided in Chapter 21, Signs, of the Code of Ordinances, City of Brenham, Texas.
- (23) Upholstering shops, not involving furniture manufacturing.
- (24) Accessory buildings and uses customarily incident to any of the above uses, provided that such uses meet applicable performance standards as set forth in part II, division 1 of this ordinance.

(Sec. 3.03) *Specific uses:*

- (1) Automobile service stations, including quick-lubes and windshield repair shops.
- (2) Any extension or enlargement of floor area occupied by a legally existing nonconforming use, provided that said enlargement does not include an increase in the land area that is occupied at the time of the effective date of this ordinance.
- (3) Educational institutions (private):
  - (a) Licensed kindergartens/nursery schools.
  - (b) Accredited elementary and secondary schools.
  - (c) Colleges and universities.
  - (d) Business and trade schools.
- (4) Hospitals, acute or chronic care or nursing and convalescent homes or medical clinics, and assisted living facilities.
- (5) Open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District.

- (6) Private clubs on a site of three (3) acres or more.
- (7) Radio broadcasting towers and stations.
- (8) Retirement villages with site areas of two (2) acres or more.
- (9) Shopping centers, retail stores, general sales and services on a site of three (3) acres or more.
- (10) Automobile detail shop.

(Sec. 3.04) *Height regulations:*

- (1) No building shall exceed forty-five (45) feet or three (3) stories in height.
- (2) Broadcasting and communication towers shall be limited to one hundred fifty (150) feet in height.

(Sec. 3.05) *Area regulations:*<sup>[6]</sup>

(1) *Residential uses:*

- (a) *Size of yards:* Same as district "R-2."
- (b) *Size of lots:* Same as "R-2."

(2) *Nonresidential uses:*

(a) *Size of yards:*

- (i) *Front yards:* There shall be a front yard having a minimum depth of twenty-five (25) feet.
- (ii) *Side yard:* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. Otherwise, no side yard is required, except as required for bufferyards.
- (iii) *Rear yard:* A rear yard of not less than ten (10) feet in depth shall be provided, except as required for buffer yards.

(b) *Size of lot:*

- (i) *Lot area:* No nonresidential building shall be constructed on any lot of less than five thousand (5,000) square feet.
- (ii) *Lot width:* The width of the lot shall not be less than fifty (50) feet at the front building line nor shall its average width be less than fifty (50) feet.
- (iii) *Lot depth:* The average depth of the lot shall not be less than one hundred (100) feet.
- (iv) *Legally existing nonconforming lots:* Where lots having less area, width, and/or depth than herein required existed in separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a nonresidential building thereon, provided the applicable setbacks as provided above shall be maintained.

- (c) *Lot coverage:* In no case shall more than eighty (80) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other

impervious surfaces.

(Sec. 3.06) *Parking and loading regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in part II, division 1, section 15 and section 16 of this ordinance.

(Sec. 3.07) *Screening and fencing regulations.* As provided in part II, division 1, section 12 and section 13 of this ordinance.

(Ord. of 10-3-96, § 3; Ord. of 4-17-97, § 2; Ord. No. O-19-012, § 9, 3-7-19; Ord. No. O-19-018, § 1, 6-20-19)

*Footnotes:*

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*In the event that new development is adjacent to a use that falls within a difference use category, a bufferyard shall be added to the applicable yard regulations (Part II, Division 1, Section 12, Table 3).*





## Information About Brokerage Services

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

### TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

### A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

### A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

**AS AGENT FOR OWNER (SELLER/LANDLORD):** The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

**AS AGENT FOR BUYER/TENANT:** The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

**AS AGENT FOR BOTH - INTERMEDIARY:** To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
  - that the owner will accept a price less than the written asking price;
  - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - any coincidental information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

**AS SUBAGENT:** A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

### TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

**LICENSE HOLDER CONTACT INFORMATION:** This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

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Buyer/Tenant/Seller/Landlord Initials

8/6/2020

Date

Regulated by the Texas Real Estate Commission

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)

IABS 1-0 Date