

# MINUTES

## RICHWOOD CITY COUNCIL SPECIAL MEETING

Tuesday, October 18, 2022 at 6:00 PM

---

BE IT KNOWN THAT a City of Richwood City Council will meet Tuesday, October 18, 2022, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77531 with the following agenda:

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

II. INVOCATION

Patricia Ditto, Finance Director, led the invocation.

III. PLEDGES OF ALLEGIANCE

Rory Escalante, Mayor Pro Tem, led the pledges.

IV. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Absent
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Present
Rory Escalante, Mayor Pro Tem:	Present
Carey Lankford, Position 5:	Present

Others present: Eric Foerster, City Manager; Kirsten Garcia, City Secretary; Patricia Ditto, Finance Director; Clif Custer; Public Works Director; Stephen Mayer, Chief of Police; Philip Knop, City Attorney.

IV. PUBLIC COMMENTS

There was no public comment.

VI. DISCUSSION AND ACTION ITEMS

- A. Public hearing regarding possible amendments to Appendix B Zoning Ordinance of the Code of Ordinances, to include but not limited to, changes in definitions, district setbacks, violations and penalties, and other zoning regulations regarding R-4 Rural Residential Zoning.

***Public Hearing was opened at 6:03 p.m.***

Discussion held on possible action for tonight, Mayor Pro Tem advised tonight's agenda item was discussion only.

Charles Balczo, 33202 Blue Crab Ct – Mr. Balczo wanted to know why he was told there was a 15 foot building line when he purchased his property, just for the City to come back and say it is now 25 feet. He wanted to know how the City chose a setback of 25 feet.

Chris and Taylor Clinton, 31511 Bayou Bend – The Clinton's addressed the research they have been doing on the matter. Mrs. Clinton gave a timeline of the current zoning ordinance. She discussed discrepancies with the HOA guidelines versus / city zoning. Mrs. Clinton presented information in regard to neighbors she has reached out to. She stated 67 out of 70 responses were in favor of change. She ended with the statement that she is not trying to make tonight about their issue or their violation, but she finds it unfair that she has received information through records requests that there are several accessory buildings out of compliance and approved by inspections.

Michael Durham, 31432 Bayou Bend – Mr. Durham spoke in favor of change. He spoke on potential hazards such as fire, flooding, and wind. He stated he spoke to his insurance agent and said he was told by his agent that in their experience of 30 years there have been no claims regarding an accessory structure. Mr. Durham elaborated on the potential fire hazard, stating most people keep flammables in their attached garages. He stated regarding wind that these structures must adhere to windstorm code. Regarding flooding, he stated they must be built to a specific Base Flood Elevation. Mr. Durham stated that he would like to maximize his property and he doesn't understand why he is being taxed for property he can't utilize.

When asked, Mr. Durham stated he was requesting zoning be changed to 15 ft for setbacks, at the request.

John Patterson, 2711 Oakwood Trail – Spoke in support of changing the setbacks to 15 feet.

Burke Pleason - 31518 Bayou Bend – Spoke in regard to existing variance for Bastrop Bayou facing lots and is in support of changing setbacks to match homes.

Estaban Salinas, 33335 Blue Marlin – Spoke in favor of changing the setbacks to 15 feet.

Oswaldo Ibarra, 31710 Amberjack – Spoke in support of the Clinton family and changing the setbacks to 15 feet.

Jim Novak, 3026 Bayou View Court - Spoke in favor of changing the setbacks to 15 feet.

Maria Silva - 33518 Blue Crab Court – Spoke against the changing of setbacks stated she would like to keep aesthetics of the property.

Gary Eames, 32527 Redfish Trail- Spoke in favor of changing the setbacks to 15 feet.

Kyle Purvis, 32226 Bayou Bend - Spoke in support of the reduction of building lines.

Jimmy Silvers, 31410 Bayou Bend – Spoke regarding the 15 foot build lines and the variance granted to the Bayou front lots. He stated he would like the City to match the plats.

Mike Challenger, 32726 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet.

Neil and Stephanie Skinner - 31702 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet and requests that the City and the HOA match in their building requirements.

Nicole Oolut, 32111 Amberjack - Spoke in favor of changing the setbacks to 15 feet.

Oliver Garcia, 32919 Blue Crab - Spoke in favor of changing the setbacks to 15 feet.

Jared Street, 31734 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet. He added that there are current requirements within the HOA guidelines that manages most concerns.

Ed Podhirny, 32502 Bayou bend - Spoke in favor of changing the setbacks to 15 feet.

Cindy Moriarty, 31610 Bayou Bend – Stated she was not in favor of changing the regulations as is and would like to see the City continue with the process and protocol of applying for the variances as needed.

Eric Foger, 32419 Redfish – Mr. Foger stated he was shocked to hear there are structures within the neighborhood that don't follow current guidelines. He added that he would be proud to live next door to the Clintons. Spoke in favor of changing the setbacks to 15 feet.

James Weagler, 32606 Bayou Bend – Stated he would like to see the setbacks reduced.

Ryan Dworacek, 32027 Bayou Bend – Stated he was all for reducing the setback requirements.

Peter Zafereo, 32634 Bayou Bend – Stated he was on a one-acre lot and was in favor of the existing building lines of 7.5 feet

Calvin Steward, 33219 Amberjack - Spoke in favor of 7.5-to-15-foot setbacks.

Mike Johson stated he appreciates the turnout and his goal was to drive the city in the right direction

Melissa Strawn echoed the sentiment

Matt Yarborough spoke on the the fact that hes approved two variances requested. He added that he doesn't believe in continuing to grant variances, we should change the ordinance to reduce the setbacks. He stated he would like to see it match the primary structure and his eyes have been opened to possible discrepancies with the primary structure setbacks also. He added that the HOA is there to keep stricter restrictions on the properties and he thinks City Council should be as least restrictive as possible to maintain peace and safety among neighbors and the public.

Carey Lankford thanked everyone for coming and those that couldn't but still sent in their opinions – he added that City Council members are elected officials to represent the community.

Rory Escalante spoke on the idea of the neighborhood being an R-4 rural residential district and he chose Richwood and Oakwood Shores due to the space and not having his house right next to the neighbor.

No further discussion held.

VII. CITY MANAGER'S REPORT

No report.

VIII. COUNCIL MEMBER COMMENTS & REPORTS

No report.

IX. MAYOR'S REPORT

No report.

Mayor Pro Tem Escalante wished Mayor well in his absence.

X. FUTURE AGENDA ITEMS

Zoning amendments

XI. ADJOURNMENT

Being there no further business, the meeting was adjourned at 7:10 p.m.

**These minutes were read and approved on this 14th day of November 2022.**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary