

City of Richwood — TEXAS —

BOARD OF ADJUSTMENTS AGENDA

Monday, August 08, 2022 at 6:00 PM

Richwood City Hall, 1800 Brazosport Blvd. N.

BE IT KNOWN THAT a City of Richwood Board of Adjustments will meet Monday, August 8, 2022, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77521 with the following agenda:

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGES OF ALLEGIANCE
- IV. ROLL CALL OF COUNCIL MEMBERS
- V. PUBLIC COMMENTS
- VI. CONSENT AGENDA
 - A. Approval of minutes from called meeting held July 11, 2022.
- VII. DISCUSSION AND ACTION ITEMS
 - A. Public hearing and action regarding variance request to allow construction of a carport to be placed within the setbacks, located at 109 Austins Ct.
- VIII. ADJOURNMENT

The City Council may go into Executive Session on any item listed on the Agenda in accordance with Section 551.071 of the Government Code (attorney-client privilege).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 265-2082 or FAX (979) 265-7345 for further information.

I, Kirsten Garcia, to hereby certify that I did, on _____ at _____ post this notice of meeting on the bulletin board at 1800 N. Brazosport Blvd., Richwood TX, in compliance with the Texas Open Meetings Law.

Kirsten Garcia, City Secretary
City of Richwood

MINUTES

RICHWOOD BOARD OF ADJUSTMENTS

Monday, July 11, 2022 at 6:00 PM

BE IT KNOWN THAT a City of Richwood Board of Adjustments will meet Monday, July 11, 2022, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77521 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

Mayor Boykin led the p

IV. ROLL CALL OF COUNCIL MEMBERS

- Steve Boykin, Mayor: Present
- Mike Johnson, Position 1: Present
- Melissa Strawn, Position 2: Absent
- Matthew Yarborough, Position 3: Present
- Rory Escalante, Position 4: 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; Philip Knop, City Attorney.

V. PUBLIC COMMENTS

There was no public comment.

VI. CONSENT AGENDA

A. Approval of minutes from called meeting on May 09, 2022.

Motion to approve.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

Voting Yea: Mike Johnson, Matthew Yarborough, Rory Escalante, Carey Lankford

VII. DISCUSSION AND ACTION ITEMS

A. Public hearing and action regarding variance request to allow an accessory structure within the side setback in a R-4 Rural Residential District, located at 31511 Bayou Bend.

Taylor and Chris Clinton presented on behalf of the variance request.

Discussion held on why the barn was constructed before the home.

Discussion held on issues with permitting with the primary structure.

Discussion held with neighbors regarding compromise.

Motion to approve variance, motion made by Matthew Yarborough.

Discussion held on precedence set by approving this.

Discussion held on construction and approval processes.

Motion to approve variance request to allow an accessory structure within the side setback in a R-4 Rural Residential District, located at 31511 Bayou Bend.

Motion made by Matthew Yarborough, Seconded by Carey Lankford.

Voting Yea: Matthew Yarborough, Carey Lankford

Voting Nay: Steve Boykin, Mike Johnson, Rory Escalante

Motion failed.

Motion to grant 18 months for compliance at 31511 Bayou Bend and their accessory structure.

Motion made by Matthew Yarborough, Seconded by Mike Johnson.

Voting Yea: Mike Johnson, Matthew Yarborough, Rory Escalante, Carey Lankford.

Motion carries.

- B. Public hearing and action regarding variance request to allow livestock, specifically one (1) goat, to be kept on a .3444-acre lot in an R-1 residential zone, located at 233 San Saba.

Tammy Myers presented on behalf of variance.

Discussion held on neighbor responses

Discussion held on surrounding areas approving specific 4h projects.

Motion to approve the variance request to allow livestock, specifically one (1) goat, to be kept on a .3444-acre lot in an R-1 residential zone, located at 233 San Saba.

Motion made by Mike Johnson, Seconded by Rory Escalante.

Voting Yea: Mike Johnson, Rory Escalante, Carey Lankford

Voting Nay: Matthew Yarborough

Motion carries.

VIII. ADJOURNMENT

Being there no further business, the meeting was adjourned at 6:56 p.m.

These minutes were read and approved on this 08th day of August 2022.

Mayor

ATTEST:

City Secretary

PUBLIC HEARING NOTICE



The City of Richwood will hold a public hearing on August 8, 2022 at 6:00 p.m. to consider a request for zoning variance to allow construction of a carport to be placed on the property line, located at 109 Austins Ct. The current side setback for this property is seven and half feet.

INSTRUCTIONS FOR APPLICATION FOR ZONING CHANGE/VARIANCE

Anyone wishing to apply for a variance or specific (conditional) use permit or any other type of zoning change must follow the procedures outlined below.

A variance is a zoning adjustment which permits minor changes of zone district requirements where individual properties are burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. A variance to the uses permitted on the property is specifically prohibited.

A specific (conditional) use is limited to those specific uses of land or structures or both which are permitted within any "use district" subject to the provisions of Ordinance No. 324 of the City of Richwood.

PROCEDURES:

1. Application for Zoning Change/Variance Request must be completed and submitted, along with all applicable fees and a drawing to start the process.
2. The City will set a public hearing and provide notice to the requestor of date and time.
3. The City will also provide proper notification of neighbors within 200 feet by certified mail, publish a public notice in the newspaper, and post a notice on the City's web site which will contain the drawing as well as the date and time of the public hearing.
4. The City will hold the public hearing on the date and time stated in the notices.
5. The final decision will be made by the City Council/Board of Adjustments in open meeting.

FEES:

Where the application includes one to ten lots in a subdivision, a plat of which is on file in the office of the County Clerk of Brazoria County, Texas, the fee shall be \$200. Each additional lot will be \$20 per lot.

Where the application includes any parcel of land not covered by the above fee provisions, a fee of \$300.00 for the first acre or fraction thereof and a fee of \$60.00 for each additional acre or fraction thereof.

For each owner of each lot or parcel of land included in any application and for each owner of each lot or parcel of land owned within 200 feet thereof, a fee or charge of \$5.00 for each owner required to be notified pursuant to law.

NOTE: YOU MUST ATTACH ALL APPLICABLE INFORMATION AND DRAWINGS, INCLUDING BUT NOT LIMITED TO: CURRENT PLATS, PLOT PLANS, BUILDING PLANS, OR ANY PERMIT APPLICATIONS ALONG WITH YOUR APPLICATION.

Failure to do so will result in an automatic denial of the application.



1800 Brazosport Blvd
Richwood, TX 77531
(979)265-2082 (979)265-7345 (fax)

APPLICATION FOR VARIANCE REQUEST

PLEASE NOTE: The following questions must be answered completely. If additional space is needed, attach extra pages to the application. Contact the City of Richwood at (979) 265-2082 for clarification of terms or for specific zone district requirements.

DATA ON APPLICANT AND OWNER:

Name: Alvaro & Amber Rios Date: July 24, 2022
Address: 109 Austins Ct. Richwood, Tx. 77531
Home Phone: (979)709-0323 Business Phone: (

SUBJECT PROPERTY:

Address of property in question: 109 Austins Ct. Richwood, Tx.
Legal Description of property: Brazos Crossing Sec 1 Blk 2 lot 32
The subject property is currently zoned Residential

PURPOSE OF THE VARIANCE (be specific):

To put up a small metal carport over existing driveway extension. The purpose is to help protect our truck from the sun. The truck is unable to fit in our garage and vehicle has had to be repainted due to sun damage.

BEFORE COMPLETING THE FOLLOWING, READ THE NOTICE TO THE ZONING VARIANCE APPLICANTS - PAGE 1

Which exceptional conditions apply to your property that do not generally apply to other properties in your zoning district: Being that the canopy for our vehicle is too close to the adjoining easement, we are asking that a special variance be adopted to allow this to happen. Also, being that our lot is pie-shaped, the designated area for this vehicle parking is such that this is the best place for this additional structure to be.

How do the above conditions prevent reasonable use of your land under the term of the Zoning Ordinance? As the aerial photo shows, we have a pie-shaped lot which limits where structures can be placed without a variance being granted. Where the carport would be placed, is by the garage, since it will be used to cover + protect our vehicle. Also, due to the shape of our lot, we have a shorter driveway than most of our neighbors, which limits our parking.

How will the variance improve your use of the property? The carport would provide more shade + protect our vehicle. It could also allow us to enjoy a reasonable financial return on the property. It will not change the spirit of the neighborhood, nor infringe on a neighboring property owner's rights, use, or enjoyment of his own land.

Are there other properties in your area that have a similar type of improvement?

No.

Will the granting of a variance in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? Yes.

Application for Zoning Request

OTHER LAND USE CONSIDERATIONS:

Is the request the least modification possible of the Zoning Ordinance which are in question?
No ___ Yes If yes, explain why the alternative solutions are not feasible:

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge and belief. The work within the request must be carried out within one year of the public hearing or the variance becomes null and void..

I also hereby give permission for the members of the City of Richwood Board of Adjustments and City Staff to access the property in question for the purpose of gathering information to make an informed decision on this variance request.

Amber S. Rios
Name of Applicant

Amber S. Rios
Signature of Applicant

July 25, 2022
Date

IMPORTANT:

A drawing, including all dimensions and structures, must be attached along with the applicable fee, to be considered. Failure to include both will result in automatic denial of application.

Section VII, Item A.



City of Richwood
1800 N Brazosport Blvd
Richwood, TX 77531
(979) 265-2082
www.richwoodtx.gov

XBP Confirmation Number: 125106298

▶ Transaction detail for payment to City of Richwood.		Date: 07/25/2022 - 12:12:16 PM MT	
Transaction Number: 178094779PT VisaXXXX-XXXX-XXXX-4686 Status: Successful			
Account #	Item	Quantity	Item Amount
variance add. amount	Miscellaneous	1	\$10.00

TOTAL: \$10.00

Billing Information
AMBER RIOS
, 77531

Transaction taken by: Admin pjacobsen

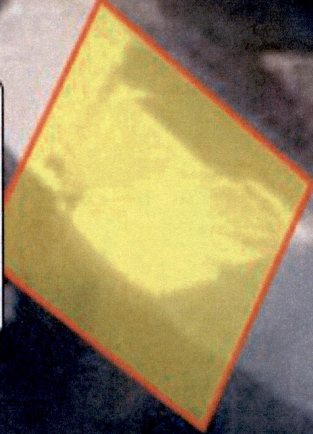
City of Richwood
1800 Brazosport Blvd N
Richwood TX 77531
(979) 265-2082

Receipt No: 77988
Receipt Date: 07/25/2022
Time of Receipt: 07/25/2022 01:11 PM

Variance Request	<u>220.00</u>
	\$220.00
Cash	<u>220.00</u>
	\$220.00



Area
Area: 109.9 Square Feet
Perimeter: 42.2 Feet



A-66