



## CITY COUNCIL SPECIAL MEETING AGENDA

**Tuesday, October 18, 2022 at 6:00 PM**

*Richwood City Hall, 1800 Brazosport Blvd. N.*

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
- II. INVOCATION
- III. PLEDGES OF ALLEGIANCE
- IV. ROLL CALL OF COUNCIL MEMBERS
- V. PUBLIC COMMENTS
- 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.

- VII. CITY MANAGER'S REPORT
- VIII. COUNCIL MEMBER COMMENTS & REPORTS
- IX. MAYOR'S REPORT
- X. FUTURE AGENDA ITEMS
- XI. 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, do hereby certify that I did, on October 13, 2022 at 3:00PM post this notice of meeting on the bulletin board at 1800 N. Brazosport Blvd., Richwood, TX, in compliance with the Texas Open Meetings Law.

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Kirsten Garcia, City Secretary  
City of Richwood

# NOTICE OF PUBLIC HEARING

Notice is hereby given that a Joint Public Hearing will be held before Planning Commission and City Council of the City of Richwood for the purpose of 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.

Residents and citizens are encouraged to appear on Tuesday, October 18, 2022, at 6:00 p.m. before the City Council at Richwood City Hall (1800 N. Brazosport Boulevard) to give or receive information on this amendment.

Kirsten Garcia  
City Secretary

**Sec. 4. [Districts.]**

[a.] The city is hereby divided into nine use districts:

[1.]	R-1	Single-family residence.
[2.]	R-1A	Single-family residence—Zero lot line or patio homes.
[2.5.]	R-1B	Single-family attached residence zone (Townhomes)
[3.]	R-2	Two-family residence.
[4.]	R-3	Multifamily residence.
[5.]	R-4	Single-family rural residential.
[6.]	B-1	Business.
[7.]	C-1	Commercial.
[8.]	C-2	Commercial.
[9.]	M-1	Industrial.

[b.] Each zoning classification has specific purposes and descriptions, permitted uses, maximum percentage of lot specifications to be used for building, minimum floor area or living space square feet requirements, maximum building height requirements, minimum lot area requirements, minimum lot frontage requirements, minimum depth requirements, minimum building set-back requirements, permitted accessory uses, accessory building limitations and conditional uses.

5. *R-4, single-family rural residential zone.* The purpose and description for single-family rural residence is to provide for the development of primarily very low-density detached, single-family residences on lots not less than one acre. The permitted uses are single family dwellings, and any conditional uses allowed by this ordinance. Garage apartments are not allowed in this district.

[a.] The maximum percentage of the lot used for building will be 35 percent of the lot.

[b.] The minimum floor area, or living space in square feet will be 1,500 square feet.

[c.] The maximum building height will be 2½ stories or 35 feet.

[d.] The minimum lot size is as follows:

[1.] Front, 150 feet.

[2.] Depth, 200 feet.

[3.] Area, one acre or 43,560 square feet.

[e.] The minimum building setbacks are as follows:

[1.] Front, 50 feet.

[2.] Side, ten percent of the lot width, not to exceed 25 feet.

[3.] Rear, 25 feet for the main building and any accessory building(s); ten feet from a main building to an accessory building.

[4.] Side street, 25 feet.

[f.] The permitted accessory uses are for private garages, storage sheds, barns. Detached servants quarters without garage shall be permitted. No such accessory building or quarters shall be used or occupied as a place of abode or dwelling by anyone other than a bona fide servant or farm worker actually and regularly employed by the land owner or occupant of the main building or is

a guest or family member. The structure shall in any case not be rented, leased or sold and shall not be separately metered. No structure is permitted for any business enterprise.

[g.] The accessory building requirements in a R-4 zone are as follows:

[1.] Maximum height, 25 feet.

[2.] Minimum setbacks are as follows:

[i.] Front, 60 feet.

[ii.] Side, 25 feet.

[iii.] Back, 25 feet.

[h.] The map color code for R-4 single-family residence zone is purple.

[i.] Conditional uses: Home occupations, homes for the aged, nursery schools/day care, parks/playgrounds/playfield/stadium, schools.

( Ord. No. 324-15A , 8-10-15; Ord. No. 324-17A , 4-10-2017; Ord. No. 18-427 , §§ 2, 3, 6-11-18)

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**From:** Tam Crabtree [REDACTED]  
**Sent:** Tuesday, October 11, 2022 4:23:30 PM  
**To:** Kirsten Garcia <kgarcia@richwoodtx.gov>  
**Subject:** Meeting tonight

Hello Ms. Garcia,

I am a resident at awkward Shores in Richwood and unfortunately I will not be able to attend tonight's meeting and offer my opinion/input on the homeowners that are in violation with the placement of their barn.

I support that the barn needs to be torn down and moved to be in compliance with the established ordinances and rules of Oakwood Shores. These ordinances and bylaws were established for a reason. Failure to enforce them undermines the ability to enforce any other existing regulations.

It is my understanding that the homeowners willingly violated these ordinances and continue to proceed with building the existing structure beyond where it should've been built.

I think it's important to protect the current owners of the adjacent properties from having a structure built so close to the property line. It also protects the other homeowners here at Oakwood Shores from having those same violations of structures being built on adjacent properties.

My apologies for not being able to be in attendance tonight but I have personal commitments that prevent it. Feel free to reach out to me on my cell at 989-430-5440 if any questions.

Tam Crabtree

**From:** [irma alesna](#)  
**To:** [Callaway, Irma A](#)  
**Cc:** [Rory Escalante](#); [Melissa Strawn](#); [Matt Yarborough](#); [Carey Lankford](#); [Mike Johnson](#); [Eric Foerster](#); [Steve Boykin](#); [Kirsten Garcia](#)  
**Subject:** Oakwood shores zoning meeting Oct 18 2022  
**Date:** Tuesday, October 11, 2022 2:14:48 PM

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To City of Richwood and City Council:

I am unable to attend the meeting about the discussion and possible change to our current building line setbacks Oakwood Shores Subdivision. I would like to document my stance on this important matter for the public record for this meeting. **I do not support that this change of setback from 25ft for accessory buildings for our community of oakwood shores.**

Most of us have chosen this community due to the size of property and to have the feel of country living and not be subjected to properties being too close to one another like most residential areas would. The best of both of both worlds includes being in a country feel and with city ordinances that protect our properties and their value . Our community has a big tax presence for this city of Richwood and there a few residents in the minority that seek this change of zoning to better serve their specific situation.

Lots vary in size in the subdivision and with proper planning and following of regulations most families can find lots to suit their needs and build with more than enough space as the ordinances stand.

The current setbacks for accessory buildings in our the "R-4" zone state 25 ft from property line.

**This subdivision is the only "R-4" zone in the city of Richwood**, so this ordinance change only affects this subdivision and **not necessarily for the betterment of the city itself**. Before these changes are to be considered for further discussion: the council members should seriously consider the **validity** of making these changes along the big picture of the entire subdivision affected and potential for the devaluing of our resident's property values along with other potential hazards while keeping in mind that city ordinances should protect us from health, safety, and fire issues.

A government body should also consider liability the city could incur in making these changes without the due diligence of the proper third-party professionals for the planning and development to a fast-growing established community.

The proposed ordinance change would allow accessory buildings closer to our existing homes and pose real hazards if these accessory buildings are any closer to our homes by being allowed at less than the currently required 25ft setback. In this subdivision **most requested accessory structures are metal pole barns**. These pole barns being built *mostly* in rear of properties and not next door to an already built home in most cases. In my case the metal pole barn is next door to my property and right beside my main home that I built within the required setbacks in 2017. This issue is another way to resurface an issue with an existing violation already in place and will allow this violation to remain after the variance (that was asked for after violation) was denied. I have enclosed pictures of how I have been affected from my situation and to give all of you better picture of why the

25<sup>th</sup> minimum should stay in place. This building is at 17 ft and TOO CLOSE to my home. This building this close has affected my resale value, will cause flooding into my property and pool if we have heavy rains (as I have been through twice here). It also will store combustible equipment (fire hazard) and loud equipment that should be kept further from my property. If someone choses a barn/ accessory building on their property it should not be a liability to me. That is the issues I am facing at 17ft. setback next door to me. Allowing less than 25ft will cause this for others going forward.

**The changing of setbacks for an accessory building in one single zone of the city is not for the betterment of the city** and oakwood shores residents that have followed guidelines to live within the rural like area and has the potential to devalue one of our biggest investments if changed. **\*LASTLY A primary home and a metal pole barn structure are not at all in the to be in the same classification of building. The argument being made that if a primary structure could be there then a metal barn should be allowed is not valid to consider make these changes.**

**Allowing metal pole barn structures (accessory buildings) closer to property line and homes has potential hazards to include:**

**Fire hazards** – these barns store combustible materials and gas-powered equipment (including welding machines in some cases)

**Flooding and runoff issues**- Especially due recent elevation changes to flood maps are requiring higher build up in our community and the neighboring properties are built up to previous specs will be more prone flooding and runoff. \* We have many new homes being constructed at this time and these hazards will be more and more of an issue going forward as we grow and the now empty lots start filling up.

**Windstorm hazard**- The metal buildings being that close to homes in the event of the metal flying off in high winds even after being windstorm inspected or being windstorm engineered (Example: at McCoy's this year on 288-B)

If setbacks are allowed to less than 25 ft. minimum there will be many adjoining properties being reduced of space and all the potential hazards and devaluing of properties will be inevitable. This is not just as simple a "aesthetic matter" to consider scratching out a current setback and replacing it with another. This change of setbacks will impose real hazards and devaluing of property values for our Oakwood Shores community in the future. The city should consider how it has invested our taxpayers' money in our roads and other utilities. The city could greatly benefit to focus on enforcing the current codes, bettering our community, and protecting our property values. It is my understanding Oakwood Shores roughly represents 40% or better (with ongoing growth) of the city tax revenue and that should be worth protecting.

If this email is not sufficient for my not being able to attend this meeting, please reply to how to get on record on this matter timely to be considered on the meeting date of Oct 18, 2022. I know other residents want to voice their opinions regardless of attendance due to conflicts .

Irma Callaway  
31603 Bayou Bend Drive



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**From:** [Angie Silva](#)  
**To:** [Kirsten Garcia](#)  
**Cc:** [Eric Foerster](#)  
**Subject:** Immediate Attention  
**Date:** Tuesday, October 11, 2022 8:45:29 PM

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Address: 33518 Blue Crab Court, Richwood Texas.

I have received notification from the city that they are there is a hearing on Tuesday October 18 to consider changing our current 25 ft. setback requirements in our Oakwood sure subdivision. I would like to be on record that we do NOT support this change. The city should show justification for this change before moving forward. We also understand that there is a few people that are trying to get this setback changed to benefit themselves and are not considering the entire community. We chose to live here to have a country feel with a lot of space between neighbors and want to keep it that way . We do not want buildings anymore closer to us and have followed setback requirements. We want maintain our rural like community that we followed all guidelines and expect others to come and respect those and follow them like we had to.

Maria and Noel Silva  
