



RICHMOND

EST. **TEXAS** 1837

Where History Meets Opportunity

Zoning Board of Adjustment Special Meeting

Thursday, July 16, 2020, at 5:00 P.M.

Via Video Conference call

(pursuant to Texas Government Code, Section 551.127)

Join Zoom Meeting

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Meeting ID: 992 2421 4380

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In compliance with the recommendation of the CDC and other governmental agencies, to avoid the spread of the COVID19 Virus, the City Commission meeting will be held as a teleconference on Zoom virtual meeting platform. Comments may also be submitted via email or request made to be contacted by phone during the meeting to make comments during the public hearing to the Planning Director at jabraham@richmondtx.gov

AGENDA

- A1. Call to Order, Quorum Determined, Meeting Declared Open.
- A2. Public comments. (Public comment is limited to a maximum of 3 minutes per item. Time may not be given to another speaker. No Deliberations with the Board).

CONSENT AGENDA

- B1. Review and approve minutes from the May 21, 2019, meeting.

REGULAR AGENDA

- C1a. Public hearing to receive comments for or against a request by Scott Maddux on behalf of Fort Bend County Museum Association for variance to 1) Table 3.1.201B, *Nonresidential and Mixed-Use Setbacks*, and potentially, 2) Section 5.1.201, *Building Dimensions*, Subsection 1.1., *Maximum Horizontal Dimension*; and Subsection 1.2., *Required Offsets.*, for an approximate 1.01 acre tract of land located at 500 Houston Street; northwest corner of Houston Street and S. 5th Street intersection. The subject site is the Fort Bend County Museum campus and the requested variances are for a proposed addition to the existing Fort Bend County Museum building. The subject site can be described as Block 89 of the Town of Richmond, (Volume A, Page 62, Deed Records), in the Jane H. Long League, Abstract 55, Fort Bend County, Texas.
- C1b. Consideration and action on Agenda Item C1a., above.
- C2. Adjournment.

In compliance with Americans with Disabilities Act, City of Richmond will provide reasonable accommodations for persons attending Planning and Zoning Commission meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Secretary's Office at 281-342-5456 for accommodations.



City of Richmond

Where History Meets Opportunity

Zoning Board of Adjustment Special Meeting Minutes

600 Morton Street

City Commission Room

Richmond, Texas 77469

Tuesday, May 21, 2019 at 5:00 P.M.

ZONING BOARD OF ADJUSTMENT MINUTES

The Zoning Board of Adjustment for the City of Richmond, Texas met in a special meeting on Tuesday, May 21, 2019, at 5:00 p.m. Chairman Doggett called the meeting to order at 5:00 p.m. A quorum was present, with the following members in attendance:

Joe Benes
Stephen Doggett
Ralph Gonzalez
Michael Scherer
Harold J Mathis, Jr

Staff in attendance: Jose Abraham, Planning Director; Gary Smith, City Attorney; Mason Garcia, Associate Planner; Lori Bownds, Building Official; and Jordan Adams, GIS Technician.

Chairman Doggett declared the meeting open.

Chairman Doggett introduced agenda item A2., public comment. He asked if there were any public comments. Hearing no public comment the agenda item was closed.

Chairman Doggett introduced agenda item B1., review and approve minutes from June 27, 2018. Chairman Doggett noted a correction to the minutes on page 3 of 4. He noted that the last sentence within the first paragraph must read as *“Mr. Smith stated the recorded plat anticipated residential development because it has a 5-foot building line. He also stated unless a project has been filed and ongoing with the City, the UDC would apply.”* Mr. Gonzales moved to approve the minutes with amendment as noted and the motion was seconded by Mr. Benes. The vote for approval was unanimous.

Chairman Doggett introduced agenda item C1a., public hearing to receive comments for or against a request by Donald Bankston for variance to Section 5.2.103, *Accessory Dwelling Units*,

Subsection D., *Design Standards*, for an approximate 0.1446 acre tract of land located at 509 South 5th Street. The subject site can be described as North half of Lots 4, 5, 6, and 7 in Block 76 of the Town of Richmond, (Volume A, Page 62, Deed Records), in the Jane H. Long League, Abstract 55, Fort Bend County, Texas.

Mr. Jose Abraham, Planning Director gave a presentation to explain the requested variance. He explained that the subject site is located in OT, Olde Town district and includes a residential structure previously used as a Law office and an approximate 775 sq. ft. accessory structure in the rear yard. He added that the applicant intends to use the existing residential structure as a live-work unit and to convert the accessory structure into a dwelling unit for his son to move-in. He further explained that the accessory structure is currently used for storage and does not include all services necessary for a dwelling unit. After discussing the Unified Development Code provided variance criteria, he concluded by stating staff's recommendation of approval of the requested variance to Section 5.2.103, Accessory Dwelling Units, Subsection D., Design Standards - Subsection 5.2.103.D.3.a.; Subsection 5.2.103.D.3.b.2; and Subsection 5.2.103.D.3.b.4. of the Unified Development Code for the subject site with the following conditions:

- 1) The variance approval applies to the accessory structure existing on the subject site on the date of approval of this variance request.
- 2) The variance approval will not apply to the expansion of or addition to the accessory structure, as defined by the UDC, existing on the subject site on the date of approval of this variance request.
- 3) The variance approval will not apply to the construction of any new accessory structure or new accessory dwelling unit after the date of approval of this variance request.

With no further discussion, Chairman Doggett introduced agenda item C1b., consideration and action on agenda item C1a. Mr. Benes abstained from any discussion and voting. Mr. Scherer moved to approve the requested variance to Section 5.2.103, Accessory Dwelling Units, Subsection D., Design Standards - Subsection 5.2.103.D.3.a.; Subsection 5.2.103.D.3.b.2; and Subsection 5.2.103.D.3.b.4. of the Unified Development Code with the conditions presented by staff for the subject site. Mr. Gonzales seconded the motion. The vote was four (4) "ayes" and zero (0) "nays". The vote was, Mathis "aye", Gonzalez "aye", Scherer "aye" and Doggett "aye".

Chairman Doggett introduced agenda item C2a., public hearing to receive comments for or against a request by Terrence Martin for variances to Table 4.2.101C, *Commercial Use Parking Requirements*; Table 4.2.102A, *Required Parking Setbacks*; Table 4.2.102B, *Parking Module Dimensions*; Table 4.4.401, *Parking Lot Planting Requirements*; and Section 4.4.401 Development *Landscaping*, Subsection C., *Site Landscaping* of the Unified Development Code for an approximate 7,700 square feet of land located at 1110 Richmond Parkway (*Previously 1110 Front Street*) at the northwest corner of Richmond Parkway and Wheaton Street intersection. The subject site can be described as part of Lot 7, and part of Lot 8 in Block B of the Wheaton Addition to Richmond, Texas recorded as Plat no. 1940343005 of the Official Public Records of Fort Bend County, Texas.

Mr. Smith interjected and stated his intention to ensure that the public hearing item C1a was formally closed and everyone who intended to speak on the item had an opportunity to do so. At which point, Chairman Doggett asked if there were any public comments on agenda item C1a. Hearing no comments, Mr. Doggett proceeded to agenda item C2a.

Agenda item C2a., continued with a staff presentation to the Zoning Board of Adjustment. Mr. Abraham explained to the Board that the property is located in the Olde Town (OT) zoning district which allows for nonresidential and residential uses. He stated that the subject site includes a commercial building that is used as an office for bail bond services and has six (6) parking spaces in the front yard along Richmond parkway. He added that Fort Bend County recently acquired approximately 700 sq. ft. strip of land as part of a road widening project for Richmond Parkway; as a result of which, the subject site would lose the existing parking spaces. He also mentioned that the subject site has utility related structures along the street side yard (Wheaton Street side) which further limits and restricts compliance with the minimum parking and landscaping requirements. He stated that the applicant intends to develop the side and rear yard area of the subject site to accommodate parking for the bail bond business. After discussing the Unified Development Code provided variance criteria, Mr. Abraham concluded by stating staff's recommendation of approval of the following variances:

1. **Table 4.2.101C, Commercial Use Parking Requirements:** To allow no less than 5 parking spaces.
2. **Table 4.2.102A, Required Parking Setbacks:** To allow no less than a parking setback of 2 feet.
3. **Table 4.2.102B, Parking Module Dimensions:** To allow parking stall depth of no less than 19 feet.
4. **Table 4.4.401, Parking Lot Planting Requirements:** To waive parking lot planting requirements.
5. **Section 4.4.401 Development Landscaping, Subsection C., Site Landscaping:** To allow two large trees within interior side yard; two large trees within front yard; One large tree within rear yard and to waive tree planting requirements within street side yard. Large trees to be as defined in the UDC.

Mr. Abraham also recommended that these variances be approved with a condition that the variances shall expire if the existing primary building is demolished, removed from the subject site, or damaged to an extent that it cannot be redeveloped or reused.

The board generally discussed the details of the proposed site plan with Mr. Abraham and asked questions about the size of the proposed trees and drainage considerations. Mr. Abraham explained the site plan and stated that detailed drainage calculations are reviewed when construction plans are submitted for approval. Mr. Geraldo Saldana, the property owner provided some background on the situation and explained that his attempts to purchase the adjoining property for additional parking have been unsuccessful and has no other choice but to use the remainder of the subject site for parking and that granting of the variance is critical.

He emphasized that his customers mostly come to the location only to drop-off documents and that the parking needs are minimal. He concluded by requesting support for the variance request.

Mr. Andrew Wendel who signed up to speak on the issue introduced himself as one of the landowners of the properties that surround the subject site on the north and west side. He added to the background information provided by Mr. Saldana and indicated that even though there have been some discussions about Mr. Saldana purchasing his property, a formal offer was never made. He stated that he understands the applicants concerns and hardship related to parking and does not oppose the request. Mr. Wendel indicated that his concern is specifically that he received details regarding the request only three (3) hours prior to the meeting. He added that it is difficult for adjoining property owners to weigh in on the request without knowing the details of the request. He also indicated that developing the subject site to include more parking area could lead to drainage related issues and potentially cause flooding in the adjoining area. He also expressed his observation that location of trees close to the property line could impact his property in the future. Mr. Terrence Martin, the general contractor for the subject site asked Mr. Wendel why these concerns were not brought up when they started work on the subject site. To this, Mr. Wendel said that he wasn't aware of the proposed work on the subject site until he heard of the variance request.

Mr. Abraham, responded to the concerns raised by Mr. Wendel and explained the general steps involved in the variance process. He emphasized that all public hearing notice requirement was met and that a notice was mailed to adjoining property owners within 200 feet as required by the Texas Local Government Code. He mentioned that the public hearing notices include general information about the request and staff's contact information so that anyone may contact staff to discuss the details of the request. Mr. Abraham also emphasized that the site plan included in the packet is only used as a reference to consider the variance request and is not approved for construction until its reviewed by staff as part of a Site Development Plan application, to ensure conformance to adopted standards. He added that details such as exact location of the tree shown on the site plan could change during the review process. Mr. Wendel again stated that it would be beneficial for citizens to know the details of the request earlier in the process.

Mr. Gonzales, asked the property owner and the general contractor if permeable pavers for the parking area can be considered. Ms. Lori Bownds, Building Official responded and said that the parking area is required to be hard surface and be concrete or gravel. Mr. Abraham added that there are provisions for permeable pavers if it meets certain standards and the issue can be considered during the administrative Site Development Plan review process. Mr. Scherer asked if Fort Bend County had any obligation in terms of addressing any drainage related issues; since the road widening project is a key factor involved. Mr. Smith, clarified that the road widening project has led to a hardship in terms of the use of the property as discussed in the report. Mr. Benes asked if drainage came within the Board's purview since the issue at hand is a zoning issue. The board, staff, and the property owner generally discussed the potential drainage issue that may be caused by granting the Variance. Mr. Smith, indicated that as part of an

administrative review, drainage and run-off calculations are reviewed to ensure conformance with various adopted standards. He said that approval of the construction plans is based on details and calculations demonstrating that run-off from the subject site will not result in a negative impact on adjoining properties. The general discussion on drainage issue continued.

Mr. Scherer asked if postponing action on the agenda item is being considered to allow time for Mr. Wendel to understand the proposed project better; and that if that could result in setting a precedent for other applications as well. Mr. Abraham responded by explaining that all public hearing notice requirements were met in a timely fashion. At this point, Mr. Wendel stated that the notice did not include all details necessary to understand the project. Mr. Abraham continued explaining that the public notice is kept broad to avoid rescheduling the meeting if a detail change or is found to be inaccurate upon review. The discussion continued and Mr. Abraham emphasized that the purpose of the meeting with respect to the agenda item is limited to the requested variances and that drainage requirements are reviewed as part of a different administrative review. He further added that another adjoining property owner had contacted staff about the agenda item and was satisfied with the information provided. Mr. Benes and Chairman Doggett suggested that staff subsequently help Mr. Wendel understand the project better and Mr. Gonzales asked if Mr. Wendel can give inputs to make changes to the project during the review of construction plans. Mr. Abraham assured that staff will be happy to help Mr. Wendel understand the project and added that he can provide his inputs to the property owner who then can include them on the plans that will be reviewed by staff. Mr. Abraham mentioned that inputs from adjoining property owners are welcome, but it would not be efficient for staff to consider inputs on construction related plan reviews outside of the standards and ordinance adopted by the City. Upon conclusion of the general discussion, Mr. Mathis emphasized that a hardship is evident on the subject matter and that he was ready to vote.

Chairman Doggett introduced agenda item C2b., consideration and action on agenda item C2a. Mr. Gonzales moved to approve the requested variances for the subject site with details and conditions presented by staff. Mr. Benes seconded the motion. The vote was unanimous for the approval of variances to Table 4.2.101C, *Commercial Use Parking Requirements*; Table 4.2.102A, *Required Parking Setbacks*; Table 4.2.102B, *Parking Module Dimensions*; Table 4.4.401, *Parking Lot Planting Requirements*; and Section 4.4.401 Development *Landscaping*, Subsection C., *Site Landscaping* of the Unified Development Code with the conditions and details provided by staff for the subject site. The vote was Benes "aye", Mathis "aye", Gonzalez "aye", Scherer "aye", and Doggett "aye".

There being no further business to be brought before the Zoning Board of Adjustment, Mr. Gonzales moved to adjourn the meeting. Mr. Benes seconded and the Zoning Board of Adjustment meeting was adjourned at 5:54 p.m.

Approved:

Stephen Doggett, Zoning Board of Adjustment Chair

ZONING BOARD OF ADJUSTMENT
Staff Report

Agenda Date: July 16, 2020
Agenda Item: C1a. & C1b.

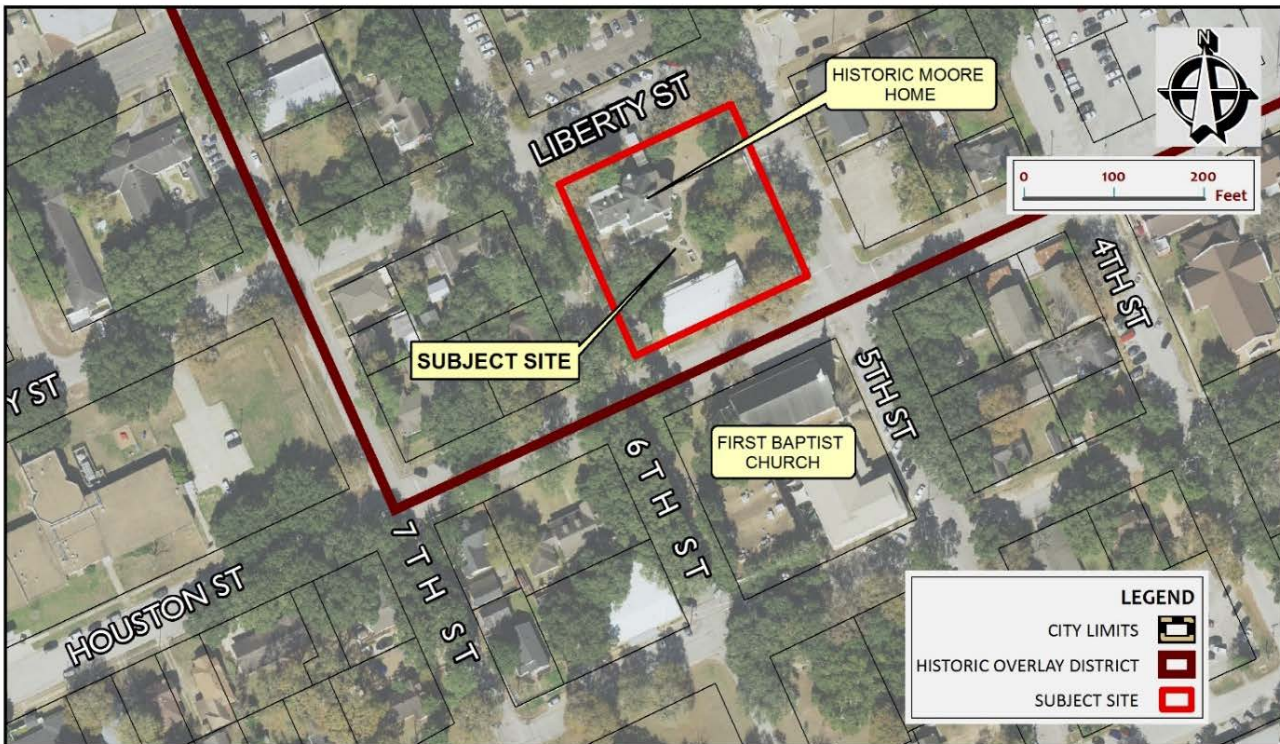
Project Description: Variances to regulations of the Unified Development Code pertaining to setback requirements and building design requirement of including projections and recesses to building walls

Zoning Designation: OT, Olde Town district

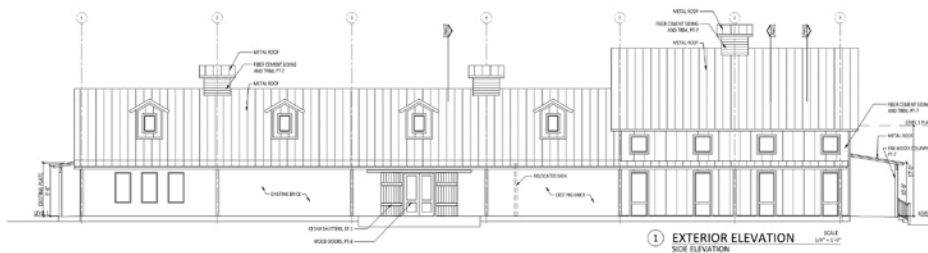
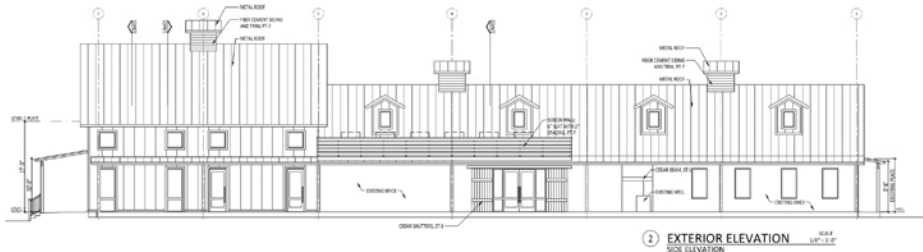
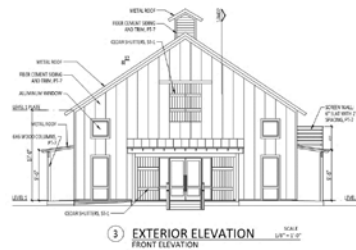
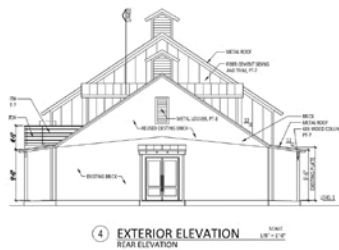
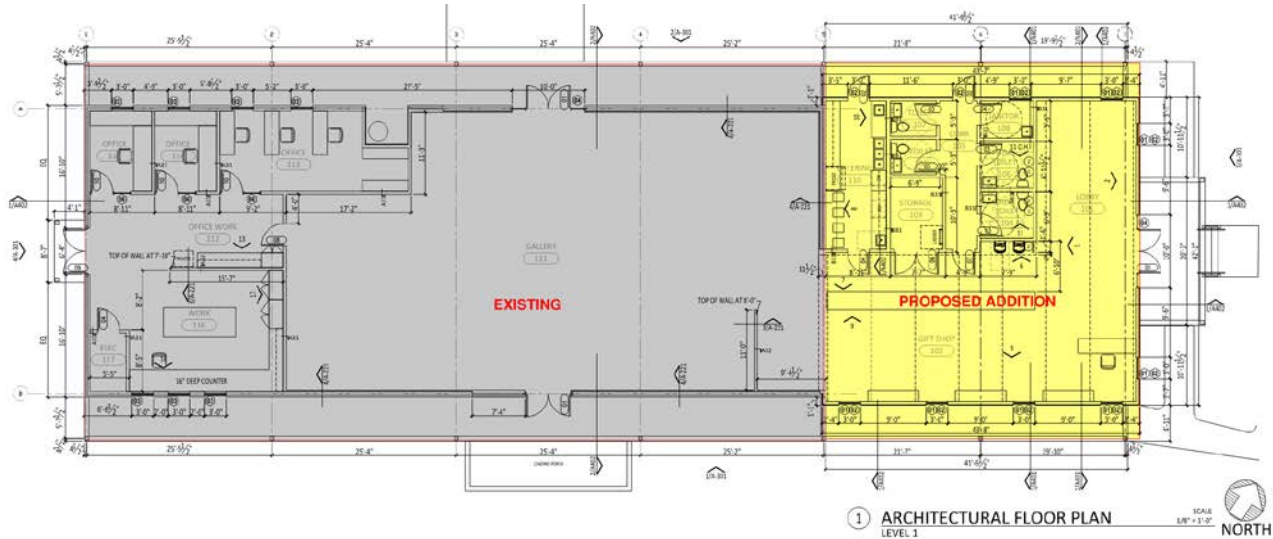
Project Planner: Jose Abraham, Planning Director

SUMMARY

This a request by Scott Maddux on behalf of Fort Bend Museum Association for variance to 1) Table 3.1.201B, *Nonresidential and Mixed-Use Setbacks*, and potentially, 2) Section 5.1.201, *Building Dimensions*, Subsection I.1., *Maximum Horizontal Dimension*; and Subsection I.2., *Required Offsets.*, for an approximate 1.01 acre tract of land located at 500 Houston Street; northwest corner of Houston Street and S. 5th Street intersection. The subject site can be described as Block 89 of the Town of Richmond, (Volume A, Page 62, Deed Records), in the Jane H. Long League, Abstract 55, Fort Bend County, Texas. (*Vicinity Map below*).



The subject site is the Fort Bend Museum Campus and includes the historic Moore Home, Long-Smith Cottage, and the Museum building. The variance request is to allow for a proposed addition to the existing Fort Bend County Museum building. The proposed addition includes a catering area, storage, restrooms, and expands the existing giftshop area (*please see floor plan below*). The applicant is also proposing to renovate the building to enhance the overall architectural design of the museum building (*Please see elevations and building renderings below*).





The existing museum building is non-conforming in terms of the current setback requirements (15 feet) along Houston Street. The existing museum building is setback by approximately 1'8" and includes a covered walkway encroaching the right-of-way which connects to the sidewalk on either side. The applicant is proposing an addition to the existing building on the east side. The wall for the proposed addition is closer to the property line and projects by 1'1" from the existing wall (*Please see plan above*).

According to *Section 6.1.1.03 Nonconforming Buildings and Structures, Subsection B. Standards*, **"Structural alterations to nonconforming buildings or structures are permitted only if it is demonstrated that the alteration will eliminate the nonconformity or reduce it in accordance with the standards of this Section."** The proposed renovation project is permitted on the basis that it reduces the non-conformity of the existing building in terms of the current architectural design standards. However, the proposed addition not meeting the setback requirement further expands the non-conformity and hence a variance is requested.

The proposed addition does not comply with the following requirements of the Unified Development Code (UDC):

- Table 3.1.201B, Nonresidential and Mixed-Use Setbacks;
The UDC requires a 15-foot front and street side setback is required within OT, Olde Town district. This setback requirement applies to all redevelopment and new construction within OT, district. The proposed addition does not meet the 15 feet setback requirement along Houston St and is closer to the property line compared to the existing building.
- Section 5.1.201, Building Form and Design;

The UDC requires that no building wall shall have an uninterrupted horizontal dimension of more than 80 feet for buildings with footprints 16,000 square feet and larger and no more than 40 percent of the façade length for buildings with footprints smaller than 16,000 square feet in area. Also, building walls with a horizontal dimension of more than 80 feet shall have clearly pronounced projections or recesses of at least four feet, and at least two feet for buildings with a horizontal dimension of less than 80 feet, measured perpendicular to the vertical plane of the wall. The required projection or recess must be at least twenty feet or twenty percent (20%) of the building façade whichever is less. If the proposed addition meets the setback requirement along Houston Street, the project will be in conformance to the aforementioned section. If the requested variance is approved, staff recommends approving a variance to these requirements because determining conformance to this section would be difficult if the setback requirement is not met (due to the proportion between existing non-conforming building and the proposed addition).

VARIANCE CRITERIA

Unified Development Code, Chapter 6, Administration, Article 6.3, Permits and Procedures, Division 6.3.400, Public Hearing and Meeting Permits and Approvals, Section 6.3.409, Variances, Subsection F., Decision Criteria

Texas Local Government Code, Section 211.008. (c), Authority of Board and Unified Development Code, Section 6.3.409, Variances.

After the public hearing, the Board may, by the affirmative vote of 75% of its members, grant a variance to the terms of the UDC if the Board finds that the requested variance meets the criteria listed below:

Variance Request:

Table 3.1.201B, Nonresidential and Mixed-Use Setbacks;

Section 5.1.201, Building Form and Design; Subsection I. Building Dimensions

1. The variance is consistent with the policy direction of the Comprehensive Master Plan.

This variance request is partially consistent with the policy direction of the Comprehensive Master Plan. Goal D. 2 states “Continuously re-evaluate the City’s incentive, policies, and regulations – while at the same time – setting quality and character standards that are compatible with the historic character and future trajectory of the community.” Please note that while the proposed addition does not conform to the future trajectory of the community in terms of having development that are setback from public right-of-way, the proposed building design is compatible with the historic character in the general area because buildings on the property do not meet the current setback requirements. Additionally, please note that a larger portion of the building is currently non-conforming in terms of the setback requirements.

2. The variance will not permit an intensity of the land use that is not permitted in the OT zoning district.

This proposed variance has no bearing on the intensity of the land use; hence will not permit an intensity of the land use that is not permitted in the OT zoning district. However, please note that the intensity and existing non-conformity of the museum building will increase as building will be closer to the street intersection than otherwise allowed.

3. The variance will not permit a use of the land, building, or structure that is not otherwise permitted in the OT zoning district.

This variance request will not permit a use of the land, building, or structure that is not already permitted in the OT zoning district. The existing land use, which is not changing is permitted within OT, Olde Town district.

4. The variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure.

The proposed variance request is not the minimum variance that will make possible a permitted use of the land. Establishing a permitted use and the expansion of the museum building can be achieved without a variance if an alternate plan and design is considered. The applicant has indicated that alternate design consideration can have aesthetic and functional implications that could negatively impact the historical character and usability of the entire campus. Specifically, use of the plaza area on the campus as an amenity would be reduced if the proposed addition is setback 15 feet from Houston Street. *(Please see attached application, plans, and explanation by applicant).*

5. Granting of the variance will be in harmony with the general purposes and intent of this UDC, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The intent of the UDC, reflected through various sections, is to ensure that existing non-conformity is not expanded, and all redevelopment and new development meets the current standards. Granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare, especially considering that the setback encroachment is not abutting any residential property or other adjoining building. Also, please note that the Houston St and 5th Street intersection is an all-way stop and the proposed building addition is located outside the Corner Visibility Triangle as defined by the Public Infrastructure Design Manual. Additionally, please note that approving the variance could set a precedence for allowing setback non-conformity to expand through the variance process on a case-by-case basis.

6. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

A literal interpretation of the setback requirement would not deprive the applicant rights enjoyed by other residents of the Olde Town (OT) zoning district. The setback requirement applies to other similar projects within OT district as well. However, please note that the implications and results of granting a similar variance on other property could be different on different projects involving an existing non-conforming building, depending on the type of setback and adjoining property.

7. Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district.

Granting the variance will confer rights that are denied to other lands in the Olde Town (OT) zoning district because the setback requirement applies to other similar projects involving existing non-conforming building within OT district as well.

8. The need for the variance does not result from action of the applicant.

The need for the variance results from the action of the applicant. According to the applicant, alternate design considerations to meet the setback requirement could negatively impact the historical character and usability of the entire campus.

9. There are extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures.

There are no extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures. However, please note that the existing museum building being expanded does not meet the current setback standards and the length of the proposed addition is approximately half of the existing building.

RECOMMENDATION

Staff recommendation is based on the following key points:

- The subject site holds historic significance to the community and the use of the site as a museum campus with tours promoting awareness of Richmond’s historic heritage is a great asset to the community. The plaza area between Moore home and the museum building is currently used for activities during tours and is a significant functional and place-making element of the campus.
- Alternate design considerations to meet the setback requirements would involve reducing the size of the addition, encroaching the lawn area, and a deviation from the Richmond’s traditional historic architectural character due to the offset between the existing building and the proposed addition.
- The proposed setback variance is along the Houston Street right-of-way and does not negatively impact any adjoining property or building by causing undesirable proximity. As mentioned previously, the Houston St. and 5th Street intersection is an all-way stop.
- The proposed addition adds value to the functioning of the museum and providing convenience to the people using it as it includes critical spaces, such as restrooms, catering area, and storage.
- Even though the proposed variance deviates from the intent of the UDC in terms of bringing new construction to compliance, staff sees merit in the request due to 1) significant improvement to the architectural design (*bringing the existing building to conformance with current design requirements*) and 2) proposed addition without the variance could result in issues such as reduced museum plaza, complications in floor space arrangement, and potentially deviation from traditional architectural character. Staff’s view of merit in this request is not based on a support for encroachment into the required setbacks but on compatibility with historic character and a comparison between benefits in terms of value addition involved in granting the variance and denial of the variance.
- Staff recommendation includes City Engineer’s input as well.

Staff recommends approval of the following variances.

- **Table 3.1.201B, Nonresidential and Mixed-Use Setbacks:** To allow street side building setback to be not more than the setback provided for the existing museum building.
- **Section 5.1.201, Building Form and Design; Subsection I. Building Dimensions:** To waive the horizontal dimension and offset requirements.

Staff recommends approval of the aforementioned variances based on the following conditions:

- 1) The variances shall expire if the museum building is demolished, removed from the subject site, or damaged to an extent that it cannot be redeveloped or reused.

- 2) Maintenance or repair of any existing and proposed portion of the building located within the public right-of-way will be the property owner’s responsibility and the City will have no obligation of maintain and repair in any circumstance.

PUBLIC HEARING

Notice for the Public Hearing was published in a newspaper of general circulation as required by State law. All property owners within 200 feet of the site were notified. At the time of writing this report, staff has not received any letters of support or protest (Copy of the Notice attached below).

NOTICE OF PUBLIC HEARING

LOCATION/DATE: The Zoning Board of Adjustment of the City of Richmond will hold a public hearing on Thursday, July 16, 2020, at 5:00 p.m. *In compliance with the recommendation of the CDC and other governmental agencies, to limit meetings to less than ten persons and avoid the spread of the COVID19 Virus, the meeting will be held as a teleconference on Zoom virtual meeting platform. Following are the details to join the Zoom Meeting:*

Join Zoom Meeting

<https://zoom.us/j/99224214380?pwd=YUJlPcUdGVURHUWJwVVRFM1oyRDJFdzQ9>

Meeting ID: 992 2421 4380
Password: 814160

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+1 929 205 6099 US (New York)
+1 253 215 8782 US (Tacoma)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
+1 346 248 7799 US (Houston)

Meeting ID: 992 2421 4380
Password: 814160

Find your local number: <https://zoom.us/j/99224214380?pwd=YUJlPcUdGVURHUWJwVVRFM1oyRDJFdzQ9>

Comments may also be submitted via email or request made to be contacted by phone during the meeting to make comments during the public hearing to the Planning Director at abraham@richmondtx.gov

PURPOSE: To receive comments for or against a request by Scott Maddux on behalf of Fort Bend County Museum Association for a variance to 1) building setback requirement along Houston Street and 2) building design requirement of including projections and recesses to building walls, as provided in the Unified Development Code for an approximate 1.01-acre tract of land. The requested variances are for a proposed addition to the existing Fort Bend County Museum building located on the subject site.

SITE LOCATION: The subject site is located at 500 Houston St; at the northwest corner of Houston Street and S. 5th Street intersection. The subject site is the Fort Bend County Museum campus and includes the historic Moore Home and Long Smith Cottage.

SITE LEGAL DESCRIPTION: The subject site can be described as Block 89 of the Town of Richmond, (Volume A, Page 62, Deed Records), in the Jane H. Long League, Abstract 55, Fort Bend County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available upon request for review. You may contact the City of Richmond Planning Department Office by email at abraham@richmondtx.gov or by phone at 281-342-0559.



SITE PICTURES



EXISTING MUSEUM BUILDING ALONG HOUSTON ST.



LOCATION OF THE PROPOSED ADDITON (View from Houston ST)



SUBJECT SITE: BUILDING WALKWAY CONNECTED TO THE SIDEWALK.



VIEW OF THE MUSEUM PLAZA AREA



HOUSTON ST & 5th STREET INTERSECTION



EXISTING SETBACK ALONG HOUSTON ST FOR THE CHURCH BUILDING ACROSS FROM SUBJECT SITE.

Fort Bend History Museum Renovation

May 26, 2020

To Whom it May Concern:

The Museum recounts the deep history of Fort Bend County and the City of Richmond. The historic site on which it is located, the Moore Home, is a pillar of Downtown Richmond and Fort Bend County. The museum building in its current condition does not support the heritage of this historic site; our project is designed to remedy that. We have designed the addition and renovation to blend with the history of the Moore Home in a way that makes it look like it was always there as a carriage house and barn. We have given the building modern touches to reflect our current times but still give a nod back to the more than 130 years that the Moore Home has stood as a gem in the City of Richmond.

Please find the attached variance request and supporting documents, drawings, and images for the Fort Bend History Museum Renovation. We are requesting a variance to the OT street side setback of 15'. We would request that you apply the DT street side setback of 0'. As you can see with the images provided, we are following the same plane as the existing building and are still within the property line. The adjacent and near properties are all nonresidential and will not be disrupted nor adversely affected by the addition. We are respecting the trees on the site and on the street. We desire to preserve as much of the existing grounds as possible and building the addition in line with the existing building will allow that. The right of way along Houston St and S 5th are wide with diagonal parking that give further relief to the neighboring lots. The existing sidewalk will be preserved, and we will make it accessible eliminating the steps along that route. We understand the ordinance was written to preserve and protect the beauty of the city, its land, and its property owners. This project will reinforce those values as we improve the façade of the existing museum building and improve the landscape along the corner of Houston and S 5th.

We believe this variance should be granted to preserve as much of the historic Moore Home grounds as possible. We appreciate the history of this site and the City of Richmond. Please let me know if you need anything else to approve our work. We look forward to providing a beautiful improvement to such a historic site in Richmond.

Sincerely,



Scott Maddux, AIA, CDT, LEED AP

Principal

studio **M6/M6** Builders

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PLANNING DEPARTMENT

600 MORTON STREET
RICHMOND, TX 77469
P: 281-342-0559
FAX: 281-232-1215

UDC VARIANCE APPLICATION

PROJECT INFORMATION

Project Address: 500 Houston Street, Richmond, TX 77469
Parcel/Tax ID# (s): Block 89 Property Platted: YES NO
Total Acreage: 1 acre Total Lots: _____ Current Zoning: OT
Legal Description: Vol A, Page 62 of the Deed Records of Fort Bend County

APPLICANT INFORMATION

Applicant Name: Scott Maddux Company Name: M6 Builders
Address: 2218 Wingedfoot Drive City: Missouri City State: TX Zip: 77459
Phone #: 832.876.7113 Email: scottm@studio-m6.com

STATUS OF APPLICANT: Owner Architect Planner Engineer Other
(If other than Owner, submit written authorization from Owner with application.)

VARIANCE DETAILS

Current use: Museum Proposed Use: Museum

- 1. The applicant is seeking relief from the following specific Section(s) of the UDC (also list the UDC requirement and the proposed alternative):

We are seeking relief from Table 3.1.20B - OT Street Side Setback of 15'.
We are seeking to apply Table 3.1.20B - DN Street Side Setback of 0'.

- 2. The applicant seeks this variance in order to:

Build the addition as designed to the Fort Bend History Museum, see attached letter.

- 3. This variance will not disrupt adjacent lot owners due to the following mitigating factors:

The building will align with the existing structure and all site and street trees will be preserved. The right of way along Houston St and S 5th are wide with diagonal parking and provide relief to the neighboring lots. The existing side walk will be preserved and we will make it accessible eliminating the steps along that route.

- 4. Hardship caused by the extraordinary conditions because of size, shape, or topography of the property that are not applicable to other lands or structures in the same district:

Our desire is to preserve all of the trees on the property and as much of the grounds as possible. Shifting this addition will require us to take a large portion of the existing grounds that are used for education and tours. It will result in an awkward space along Houston St that will divide the grounds and that will not be useful to the historic site.

SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
One completed application	<input checked="" type="checkbox"/>
\$400.00 application fee	<input checked="" type="checkbox"/>
One copy of the recorded plat of the property (<i>Survey if plat is not available</i>)	<input checked="" type="checkbox"/>
One copy of the recorded covenants and restrictions for the property (if applicable)	<input checked="" type="checkbox"/>
One legible copy of a site plan/ plot plan (scaled/dimensioned drawing showing location of all proposed changes and explaining the need for a variance)	<input checked="" type="checkbox"/>
Letter of authorization (if applicable)	<input checked="" type="checkbox"/>
<p>PLEASE NOTE: As per Section 6.3.409 of the UDC It is the obligation of an applicant, who bears the burden of proof, to present facts about the circumstances which would justify a variance in convincing fashion so that the Zoning Board of Adjustment may be satisfied that the request meets each of the following criteria:</p> <ol style="list-style-type: none"> 1. The variance is consistent with the policy directions of the Comprehensive Master Plan. 2. The variance will not permit an intensity of use of land that is not permitted in the applicable district; 3. The variance will not permit a use of land, building, or structure that is not otherwise permitted in the applicable district; 	<input checked="" type="checkbox"/>
<ol style="list-style-type: none"> 4. The variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure; 5. Granting of the variance will be in harmony with the general purposes and intent of this UDC, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; 6. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located; 	<input checked="" type="checkbox"/>
<ol style="list-style-type: none"> 7. Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district; 8. The need for a variance does not result from the actions of the applicant; and 9. There are extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures in the same district. 	<input checked="" type="checkbox"/>

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items, reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete or inaccurate.



05.21.20

Applicant Signature

Date



PLANNING DEPARTMENT

600 MORTON STREET
RICHMOND, TX 77469
P: 281-342-0559
FAX: 281-232-1215

LETTER OF AUTHORIZATION

(Have property owner complete and sign, if applicant differs from property owner)

Claire Rogers, Executive Director, Fort Bend History Assoc.

Owner Name

PO Box 406 (physical address: 410 Jackson Street)

Owner Address

Richmond, TX 77406

Owner City, State Zip

5/21/2020

Date

Planning Department
600 Morton Street
Richmond, TX 77469

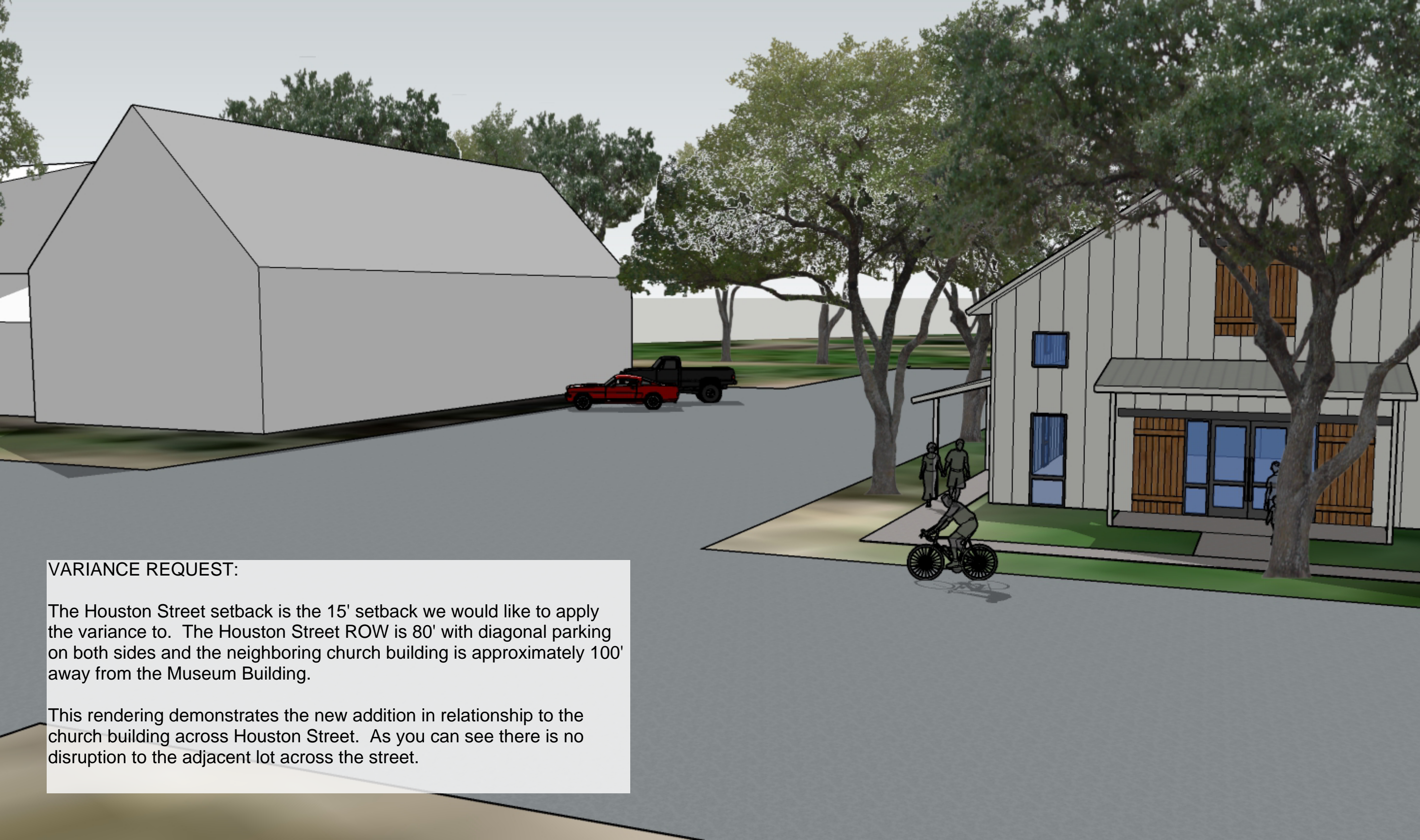
I, Claire Rogers, Executive Director, FBHA, certify that I am the owner of the project property located at 500 Houston St. and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Scott Maddux with the company M6 Builders (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Richmond related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 281-342-1256 if you have any questions.

Sincerely,

Owner Name Claire Rogers

Owner Signature 



VARIANCE REQUEST:

The Houston Street setback is the 15' setback we would like to apply the variance to. The Houston Street ROW is 80' with diagonal parking on both sides and the neighboring church building is approximately 100' away from the Museum Building.

This rendering demonstrates the new addition in relationship to the church building across Houston Street. As you can see there is no disruption to the adjacent lot across the street.



VARIANCE REQUEST:

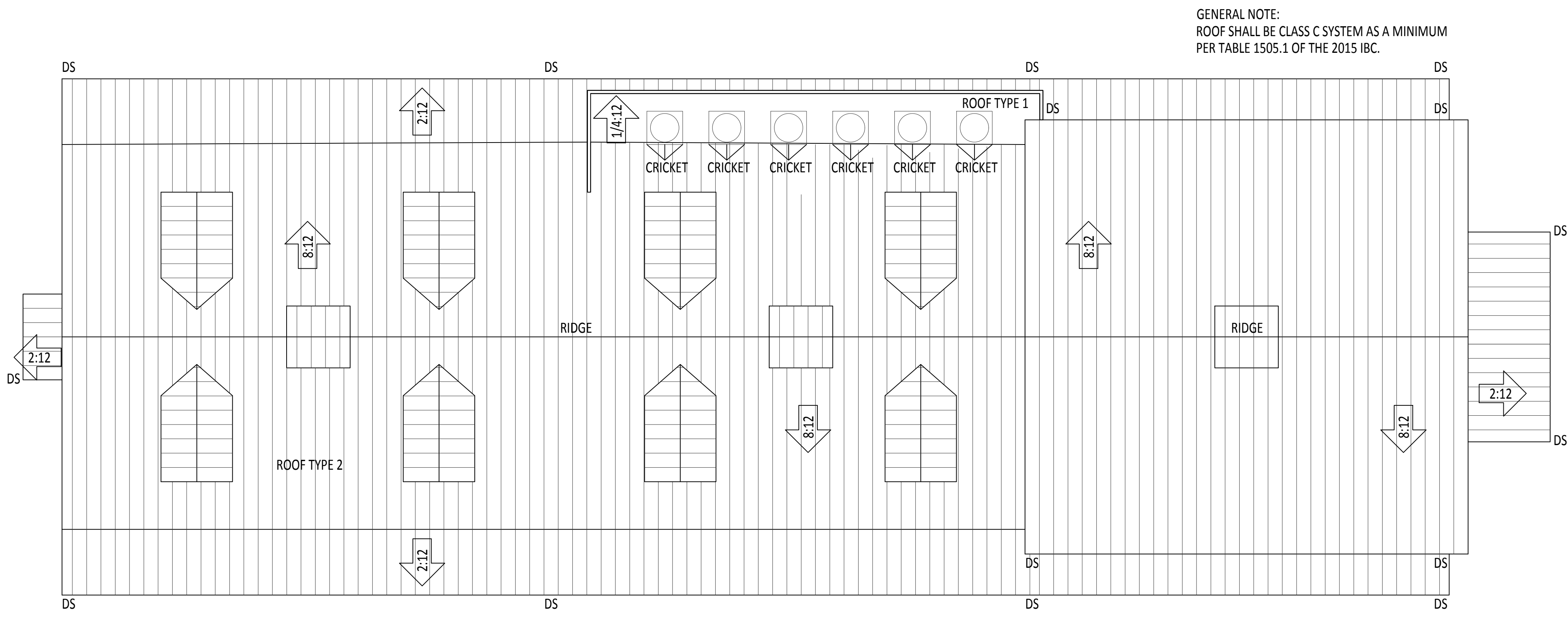
The 15' setback would require us to move the building inward taking valuable grounds to the interior of the historic site that are currently used for education and tours.

This rendering shows the addition in line with the existing building preserving as much of the grounds as possible.





Fort Bend
MUSEUM



GENERAL NOTE:
 ROOF SHALL BE CLASS C SYSTEM AS A MINIMUM
 PER TABLE 1505.1 OF THE 2015 IBC.

3 ROOF PLAN
 SCALE
 1/8" = 1'-0"

SITE PLAN GENERAL NOTES:

- ALL PROPERTY LINE AND SETBACK DIMENSIONS SHOWN ARE DIAGRAMMATIC ONLY. REFER TO SURVEY FOR EXACT DIMENSIONS AND LOCATION OF PROPERTY LINES AND SETBACKS.
- DIMENSIONS VERIFY ALL DIMENSIONS IN FIELD, VERIFY ARCHITECT OF ANY DISCREPANCIES.
- EXISTING TREES AND LANDSCAPING TO REMAIN.
- THERE IS NO INCREASE IN IMPERVIOUS COVER ON THE SITE.

SITE PLAN LEGEND:

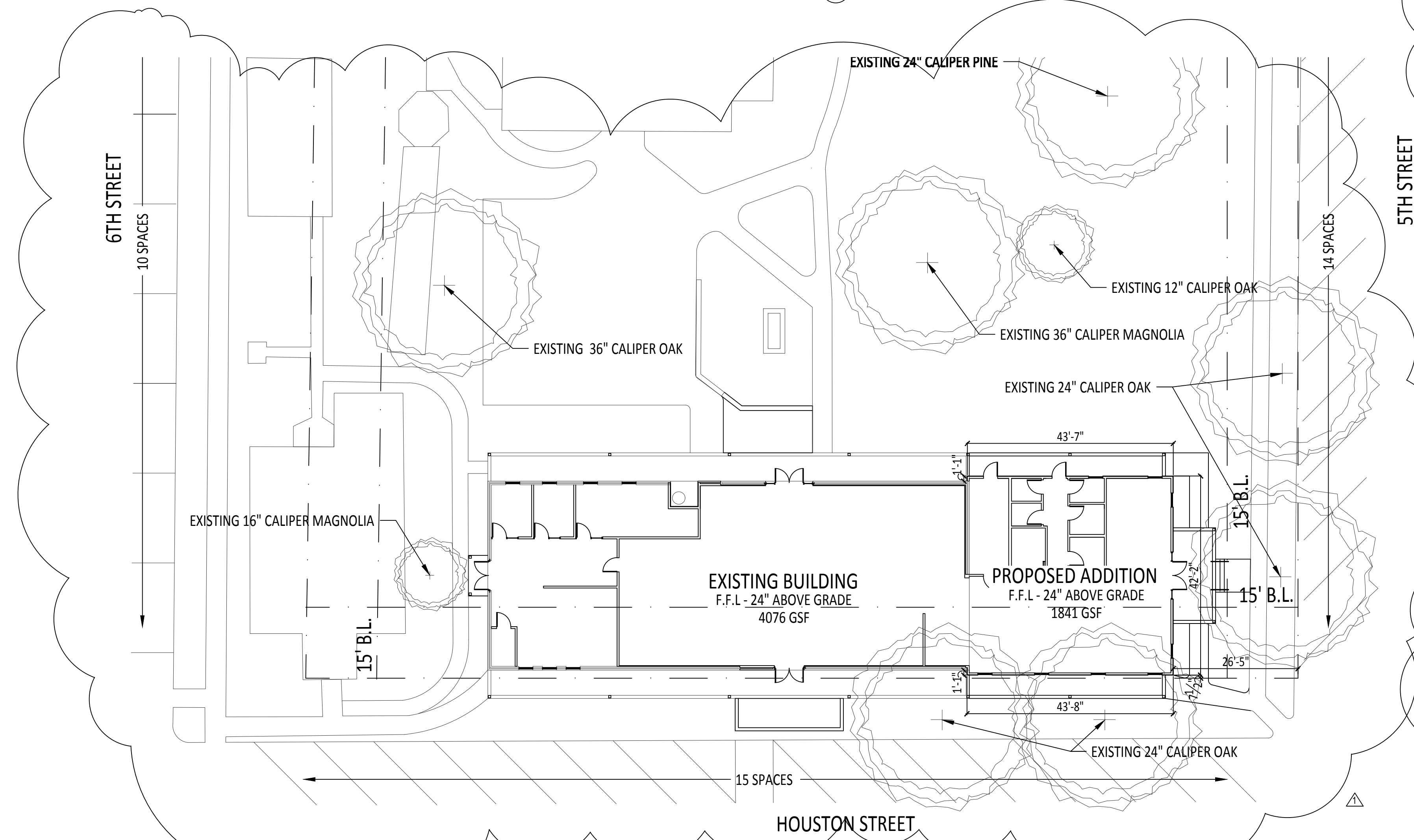
- TREE - ALL TREES ARE EXISTING TO REMAIN
- CRUSHED ASPHALT
- CONCRETE FLATWORK
- PROPERTY LINE/SETBACK LINE
- DS ROOF DOWNSPOUT

PARKING REQUIREMENTS:

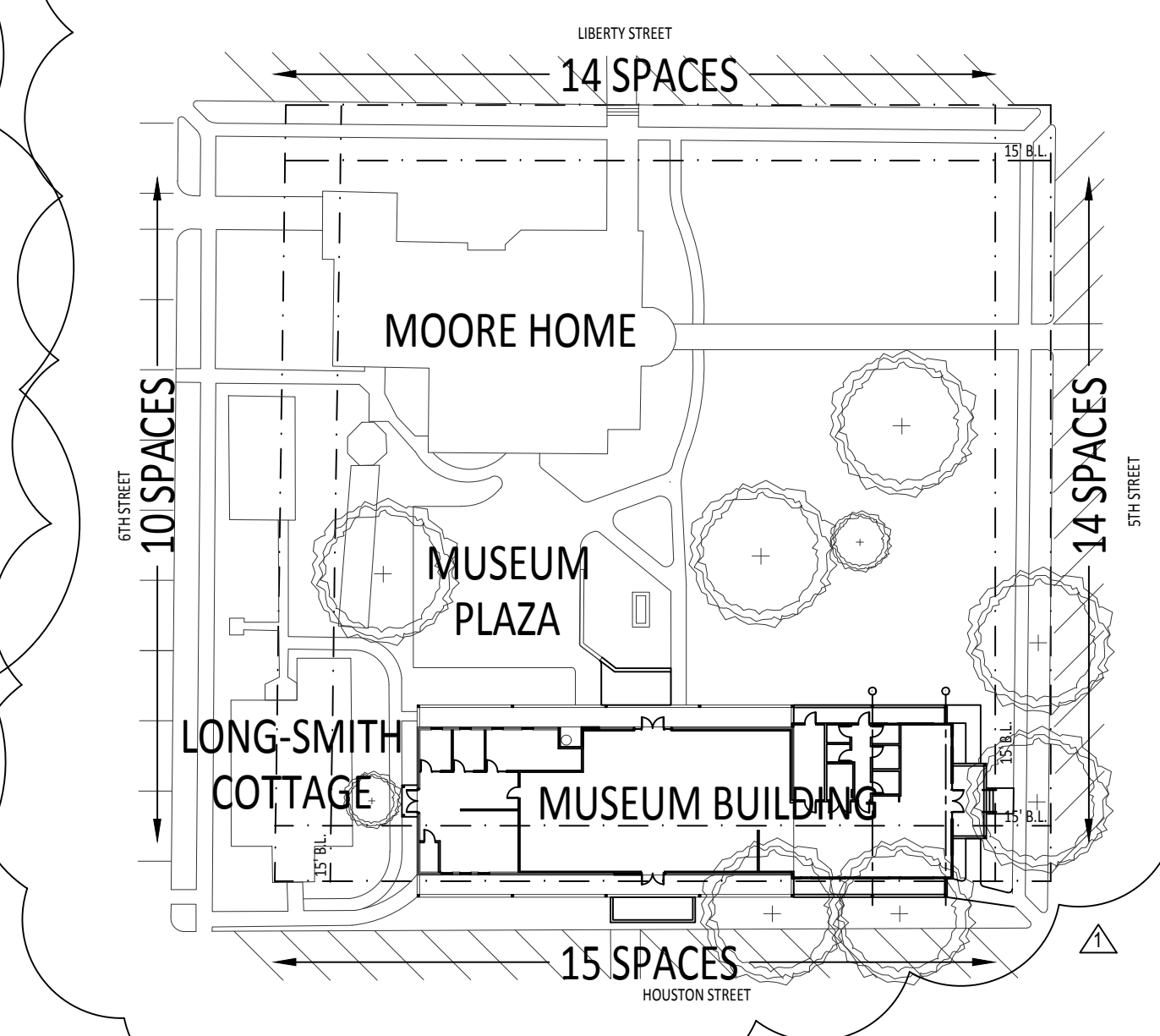
UDC - DIVISION 4.2.100, SECTION 4.2.101 REQUIRED PARKING SPACES

TABLE 4.2.101C - CUSTOM ASSEMBLY - 1 SPACE PER 400SF PFA

MUSEUM BUILDING	=	5,029SF PFA	=	13 SPACES
MUSEUM PLAZA GROUNDS	=	6,120SF PFA	=	15 SPACES
MOORE HOME	=	5,950SF PFA	=	15 SPACES
LONG-SMITH COTTAGE	=	1,020SF PFA	=	3 SPACES
TOTAL SPACES REQUIRED				46 SPACES
EXISTING SPACES PROVIDED				53 SPACES



2 ARCHITECTURAL SITE PLAN
 SCALE
 1/16" = 1'-0"



1 PARKING PLAN
 SCALE
 N.T.S.
 NORTH

studio M6

2218 Wingedfoot Drive
 Missouri City, Texas 77459
 p: 832.876.7113
 studio-m6.com

Atlas Engineering
 Texas Firm - 21166
 3106 Oak Leaf Court
 Missouri City, Texas 77459
 p: 832.917.4013

Fort Bend Museum
 500 Houston St. Richmond, TX 77469



PROFESSIONAL SEALS

City of Richmond Comments 05.19.20

ARCHITECTURAL SITE AND ROOF PLAN

DRAWN BY SM CHECKED BY SM
 JOB NO: 618013
 DATE: 03.30.20 ISSUE: Issue for Construction
 DRAWING NUMBER: A-101

A-101