



City of Richmond

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Zoning Board of Adjustment Regular Meeting Minutes

600 Morton Street
City Commission Room
Richmond, Texas 77469

Thursday, March 3, 2022, at 5:00 P.M.

The Zoning Board of Adjustment for the City of Richmond, Texas met in a regular meeting on Thursday, March 3, 2022, at 5:00 p.m. Chairman Doggett called the meeting to order at 5:10 p.m. A quorum was present, with the following members in attendance:

Stephen Doggett
Benjamin J. Mund
Michael Scherer
Lillian Gray
Ralph Gonzalez
Nicolas Guerrero, JR. (Alternate)

Staff in attendance: Jose Abraham, Planning Director; Christian Togmus, Planner I; Gary Smith, City Attorney.

Chairman Doggett declared the meeting open.

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

Chairman Doggett introduced agenda item A3., Swearing in all Zoning Board of Adjustment Members. All members were sworn in by Christine Cappel, Public Works Administrative Manager.

Chairman Doggett introduced agenda item A4., Elect Zoning Board of Adjustment Chair and Vice Chair. Mr. Scherer moved to elect Stephen Doggett as Chair. Mr. Gonzalez seconded the motion. Mr. Gonzalez moved to elect _ (11:14) as Vice-Chair. Mr. Mund seconded the motion. The vote for the motion was four (4) "ayes" and one (1) "abstain". The vote was Mund "aye", Scherer "aye", Gray "aye", Gonzalez "aye".

Chairman Doggett introduced agenda item B1., Review and approve minutes from the May 6, 2021, meeting. Mr. Scherer moved to approve the minutes. Mr. Gonzalez seconded the motion. The vote for the motion was unanimous.

Michael Scherer

Chairman Doggett introduced agenda item C1a., Public hearing to receive comments for or against a request by Michael Gutierrez, representing Richmond-Rosenberg Helping Hands Inc., for a variance to the following section of the Unified Development Code:

- Table 4.7.302 Nonresidential, Public/Institutional, and Mixed-Use Sign and Use Types. Monument Signs: *to allow proposed monument sign to exceed maximum size allowance.*
- Section 4.7.202.N Electronic Message Centers. 1. Design Requirement: *to allow electronic message center sign area to exceed the maximum allowance.*
- Section 4.7.202.E Standards. 2. Spacing: *to allow electronic message center sign to be located closer than 25 feet from an existing building.*

The subject site is located at 902 Collins Rd; on the northeastern side of George Avenue and Collins Road intersection. The subject site is an approximate 0.56-acre tract being a portion of Block 12 of Bordens Addition Section 1, as recorded in instrument no. 2006073525 of the Fort Bend County Deed Records. Chairman Doggett opened public comment, Tyler Huff the sign representative spoke on the request for the sign variance. Mr. Huff explained that the sign will resolve the issue of getting news and events out, to those driving with having a larger sign. Commissioner Gray asks Mr. Huff why such a large sign is needed and offers her concern about the LED being a distraction to drivers. Mr. Huff states this sign will help Helping Hands achieve their goal of getting their message out to drivers, and that the sign will have sensors that will auto-regulate. Ms. Gray has a concern about the future of the sign, if Helping Hands was to move from this location, and Mr. Huff explains the sign will be permanent to the location. Chairperson Doggett speaks his concerns about the sign being a distraction to parents and children during pick up. He also states, when shrinking sizes, it would become more of a distraction for those trying to read it. Dan Bishop, member of Helping Hands Board has no comment, but states he is there in support of the sign. Greg Barnes, also a Board Member for Helping Hands explains the Helping Hands business. Mr. Barnes also requests the City Manager to allow a \$0 variance fee due to the business being a non-profit. Mr. Doggett asks Mr. Smith whether the Board has authority to approve the fee request, which Mr. Smith responds this is a request that would have to be taken to City Commission. Larry Wilkinson, speaks on the sign variance request and states the larger sign will be beneficial to the City, in getting Helping Hands message out. Hearing no further public comment, the agenda item was closed.

Chairman Doggett introduced agenda item C1b., Consideration and action on Agenda Item C1a. above, Mr. Abraham presented the details of the proposed variance. He explained the Suburban Commercial zoning district purpose is to provide for suburban and commercial uses are compatible in uses and appropriate scale. Mr. Abraham explains the maximum allowance for monument signs within the SC district, and the maximum size and spacing of the electronic message center. Additionally, the existing sign was permitted before the UDC which is legal non-conforming and will not adhere to the 25' from any building due to the drainage ditch and setback of the building. Mr. Abraham explains details of the sign and provides a graphic of the maximum allowed sign compared to the sign being proposed. Mr. Abraham concluded his presentation by stating staff recommends the following with a condition that the variance expires if the subject site is redeveloped with changes to the location of the existing building and overall site layout:

1. Approval of a variance to Table 4.7.302 Nonresidential, Public/Institutional, and Mixed-Use Sign and Use Types for Monument Signs; to allow the following allowances:
 - a. Maximum sign area – 48 sf
 - b. Maximum height – 7ft
 - c. Maximum width – 7ft
2. Approval of a variance to Section 4.7.202.B Electronic Message Centers. 1. Design Requirement: to allow electronic message center sign area to be 25% of 48 sq ft maximum sign area.
3. Approval of a variance to Section 4.7.202.E Standards. 2. Spacing: to waive this requirement.

Mr. Scherer spoke his concerns about setting a precedence if the variance is approved considering businesses have monument signs nearby. Mrs. Gray asks about the cars parked in front of the sign, which a representative of Helping Hands states the handicap parking spots are going to be relocated within the parking lot, to allow for visibility of the sign. Mr. Gray speaks his concerns on the height of the sign, and the relocation of the handicap spots further from the building for those who need to use those spots. Mr. Abraham explains that compared to other SC properties, staff is recommending an additional allowance than what is currently allowed by the UDC. Mr. Abraham asks if there is a smaller electronic message center with 2 or more lines of text. Mr. Huff explains, going to a smaller electronic message center would only allow for 1 line of text. Mr. Mund explains that the non-conforming sign in respect to the area, the variance request is not unreasonable and follows Goal D., of the UDC.

Mr. Mund moved to approve Table 4.7.302 Nonresidential, Public/Institutional, and Mixed-Use Sign and Use Types for Monument Signs; Section 4.7.202.B Electronic Message Centers. 1. Design Requirement; Section 4.7.202.E Standards., of the UDC for the subject site with the conditions presented by staff for the subject site. Mr. Gonzalez seconded the motion. The vote was five (4) "ayes" and one (1) "nays". The vote was, Doggett "aye", Mund "aye", Gonzalez "aye", Scherer "aye", and Gray "nay".

Chairman Doggett introduced item C2., Excuse from attendance at regular Zoning Board of Adjustment meeting. Mr. Abraham explained that from all agenda's going forward, this item will be included. No excuses from attendance were considered.

Chairman Doggett introduced item C3., Consider agenda item requests by Board members for next regular meeting. Mr. Abraham asked the Board whether they would like to include reciting of the Pledge of Allegiance to the U.S. Flag and the Texas Flag. The Board would like to adopt this for future meetings.

There being no further business to be brought before the Zoning Board of Adjustment, Mr. Gonzales moved to adjourn the meeting. Ms. DeLeon seconded, and the Zoning Board of Adjustment meeting was adjourned at 7:00 p.m.

Approved:

Stephen Doggett ZBA Chair

Stephen Doggett, Zoning Board of Adjustment Chair