



RICHMOND

EST. **TEXAS** 1837

Where History Meets Opportunity

Zoning Board of Adjustment Regular Meeting

Annex Meeting Room | 600 Morton Street, Richmond, Texas 77469

Thursday, November 14, 2024, at 5:00 P.M.

<i>Position 1:</i>	<i>Stephen Doggett</i>
<i>Position 2:</i>	<i>Benjamin J. Mund</i>
<i>Position 3:</i>	<i>Michael Scherer</i>
<i>Position 4:</i>	<i>Lillian Gray</i>
<i>Position 5:</i>	<i>Ralph Gonzalez</i>
<i>Alternate:</i>	<i>Nicolas Guerrero, Jr.</i>

This meeting may be viewed by using the following Zoom meeting link:

Join Zoom Meeting

<https://us06web.zoom.us/j/89221854267?pwd=7s0hQQCCBqT26WDyj701aCeovikSkV.1>

Meeting ID: **892 2185 4267**

Passcode: **007890**

One tap mobile

+13462487799,,89221854267#,,,,*007890# US (Houston)

+16699006833,,89221854267#,,,,*007890# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 669 444 9171 US

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 931 3860 US
+1 689 278 1000 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)

Meeting ID: 892 2185 4267
Passcode: 007890

Find your local number: <https://us06web.zoom.us/j/89221854267>

A QUORUM OF THE CITY COMMISSION MAY BE PRESENT AT THIS MEETING.

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 July 18, 2024, meeting.

REGULAR AGENDA

- C1a. Public hearing to receive comments for or against request B Kyle Molitor with Kimley-Horn for a variance to Section 5.2.101 Fences and Walls, of the Unified Development Code, to allow for the height of side, rear, and enclosed fencing (utility yard and sports court) to be eight feet or greater.

The subject site is located at 1120 FM 359: along the east side of FM 359, across from Richmond Tire and Automotive. The subject site is an approximate 21.922-acres of land, located in the William Morton Survey, Abstract-62, City of Richmond, Fort Bend County, Texas, as recorded in File No. 20230246 of the Fort Bend County Records.

- C1b. Consideration and action on Agenda Item C1a., above.
- C2. Discussion on proposed Year End Meeting.

- C3. Explanation of absence from attendance at regular Zoning Board of Adjustment Meeting.
- C4. Consider agenda item requests by Board members for next regular meeting.
- C5. Adjournment.

In compliance with Americans with Disabilities Act, City of Richmond will provide reasonable accommodations for persons attending Zoning Board of Adjustment 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 Action Meeting Minutes

600 Morton Street
City Commission Room
Richmond, Texas 77469

Thursday, July 18, 2023, at 5:00 P.M.

The Zoning Board of Adjustment for the City of Richmond, Texas met in a regular meeting on Thursday, July 18, 2024, at 5:00 p.m. Chairman Doggett called the meeting to order at 5:06 p.m. A quorum was present, with the following members in attendance:

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

Staff in attendance: Mason Garcia, Planning Director; Helen Landaverde-Ripple, Planner II; Matthew Roberts, Planner I; and 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 B1., Review and approve minutes from the June 8, 2023, meeting. Mr. Scherer moved to approve the minutes. Ms. Gray seconded the motion. The vote for the motion was unanimous.

Chairman Doggett introduced agenda item C1a., Public hearing to receive comments for or against a request by Bijan Azim with Intex United, Inc. on behalf of International Leadership of Texas, for a variance the following sections of the Unified Development Code (UDC):

- Table 4.7.302 Nonresidential, Public/ Institutional, and Mixed-Use Sign and Use Types. Monument Signs: *to allow proposed monument sign to exceed maximum sign area, sign height, sign width and setback location.*
- Section 4.7.202.B.1b. Electronic Message Centers, Design Requirement: *to allow electronic message center sign area to exceed the maximum allowance of 33% of the sign area (see Code below).*

The subject site was annexed on August 15, 2022 (Ordinance No. 2022-27) and rezoned from General Residential (GR) to Suburban Commercial (SC) on September 19, 2022 (Ordinance No. 2022-33) to allow for a charter school, International Leadership of Texas, Inc. (K-8), with detention and sports field. Chairman Doggett opened public comment, hearing no public comments the agenda item was closed.

Chairman Doggett introduced agenda item C1b., Consideration and action on Agenda Item C1a. above, Ms. Landaverde-Ripple presented the details of the proposed variance. She explained the maximum allowance for monument signs within the SC district, and the maximum size of the electronic message center. Ms. Landaverde-Ripple explained details of the sign and provided a graphic of the maximum allowed sign compared to the sign being proposed. She concluded the presentation with staff's recommendation of a conditional approval with the following condition, 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 – 49 sf
 - b. Maximum height – 6ft
 - c. Maximum width – 12ft
2. Conform to the Unified Development Code Table 4.7.302 Nonresidential, Public/Institutional, and Mixed-Use Sign and Use Types for Monument Signs: to comply with the 10-foot minimum setback between the front property line and the parking setback lines.
3. Conform to Section 4.7.202.B Electronic Message Centers. 1. Design Requirement: for the electronic message center sign area to be 33% of maximum sign area.

Charles Klein with International Leadership of Texas provided information about the public school including curriculum, overall organization size and information regarding the proposed signage.

Ms. Gray moved to amend number one a (1.a) to:

- 1.a. The maximum sign area shall be 48 sf. instead of 49 sf as proposed by staff.

Mr. Mund seconded the motion. The vote for the motion was unanimous for all conditions including amended conditions number one (1a.).

Chairman Doggett introduced item C2., Review and Discuss Rules of Commissions/Boards - Procedural Training, Mr. Smith presented information on rules and procedures for board meetings, including a discussion of quorum requirements voting procedures and public comment rules. There was further explanation of the board's authority and responsibilities.

Chairman Doggett introduced item C3., Excuse from attendance at regular Zoning Board of Adjustment meeting. No excuses from attendance were considered.

Chairman Doggett introduced item C4., Consider agenda item requests by Board members for next regular meeting. Board Member Gray requested to meet in December to close out the year and elect officers. Mr. Guerrero seconded the motion. Mr. Scherer discussed the inclusion of electing a Chair and Vice Chair as the first items on a meeting should there be a gap in meetings of more than 12 months from the last meeting.. Ms. Gray explained the purpose of the year-end meeting, other than closing out the Board's yearly business, is to elect a chair and vice chair. Mr. Mund called for a vote on the motion. The vote for the motion was unanimous.

There being no further business to be brought before the Zoning Board of Adjustment, Chairman Doggett moved to adjourn the meeting. Mr. Mund seconded, and the Zoning Board of Adjustment meeting was adjourned at 6:51 p.m.

Approved:

Stephen Doggett, Zoning Board of Adjustment Chair



ZONING BOARD OF ADJUSTMENT
Staff Report

Agenda Date: November 14, 2024
Agenda Item: C1a. & C1b.

Project Description: Variances to regulations of the Unified Development Code (UDC) pertaining to the height of fences on the subject site along the side and rear property lines and enclosed fencing (utility yard and sport court).

Zoning Designation: SC, Suburban Commercial and West Fort Bend Management District

Project Planner: Helen Landaverde-Ripple, Planner II

SUMMARY

This is a variance request by Kyle Molitor with Kimley-Horn on behalf of International Leadership of Texas, Inc. to allow for fencing to remain at 1120 FM 359, eight-foot (8) tall chain-link fence, along the north, south, and east sides of the property (see Figure 1, Fence Layout Plans, and pictures enclosed). Additionally, the applicant enclosed the utility yard, sport courts, softball field, and rear detention with an eight-foot (8) tall chain-link. The subject site is an approximate 21.922-acres of land, located in the William Morton Survey, Abstract-62, City of Richmond, Fort Bend County, Texas, as recorded in File No. 20230246 of the Fort Bend County Records (see Vicinity Map below).

The requested variance is to Section 5.2.101 Fences and Walls. The maximum height allowed for fencing on the side and rear is six (6) feet for Nonresidential and Mixed-Use Districts. Section 5.2.101 (D.1) of the UDC has the following exception:

Exceptions.

1. Fences and walls erected upon public or private school property or public parks and playgrounds can be constructed to a height of eight feet or greater upon approval of a variance by the Zoning Board of Adjustment to preserve public welfare.

Background

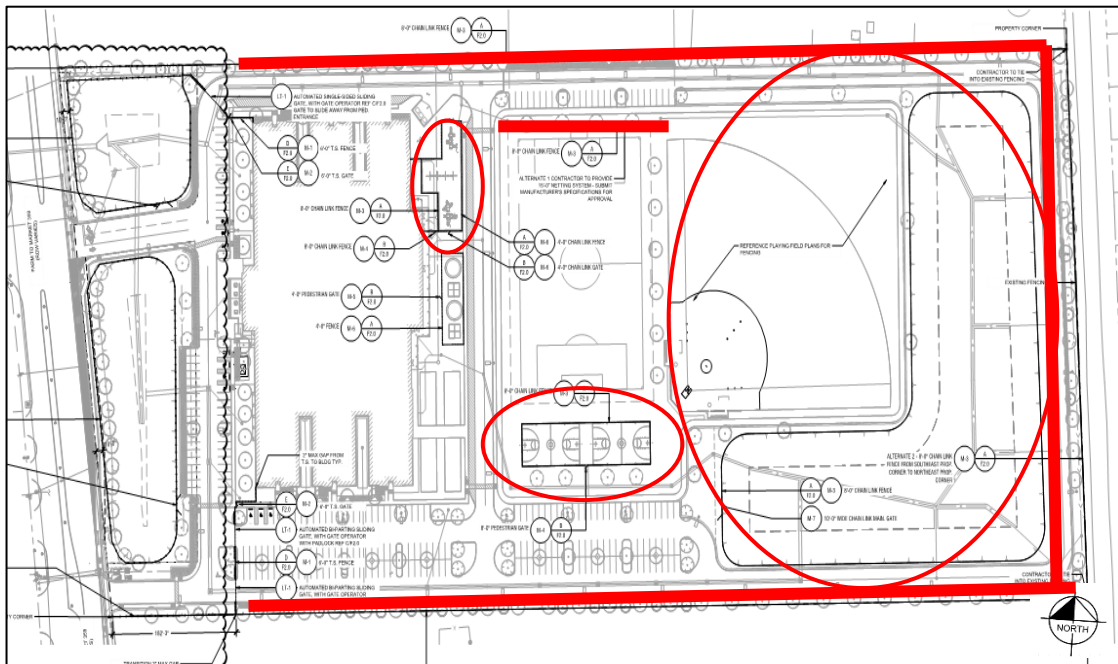
The subject site was annexed on August 15, 2022 (Ordinance No. 2022-27) and rezoned from General Residential (GR) to Suburban Commercial (SC) on September 19, 2022 (Ordinance No.

2022-33) to allow for a charter school, International Leadership of Texas, Inc. (K-8), with detention and sports field.

Vicinity Map



Figure 1. Site Plan (proposed fencing in red)

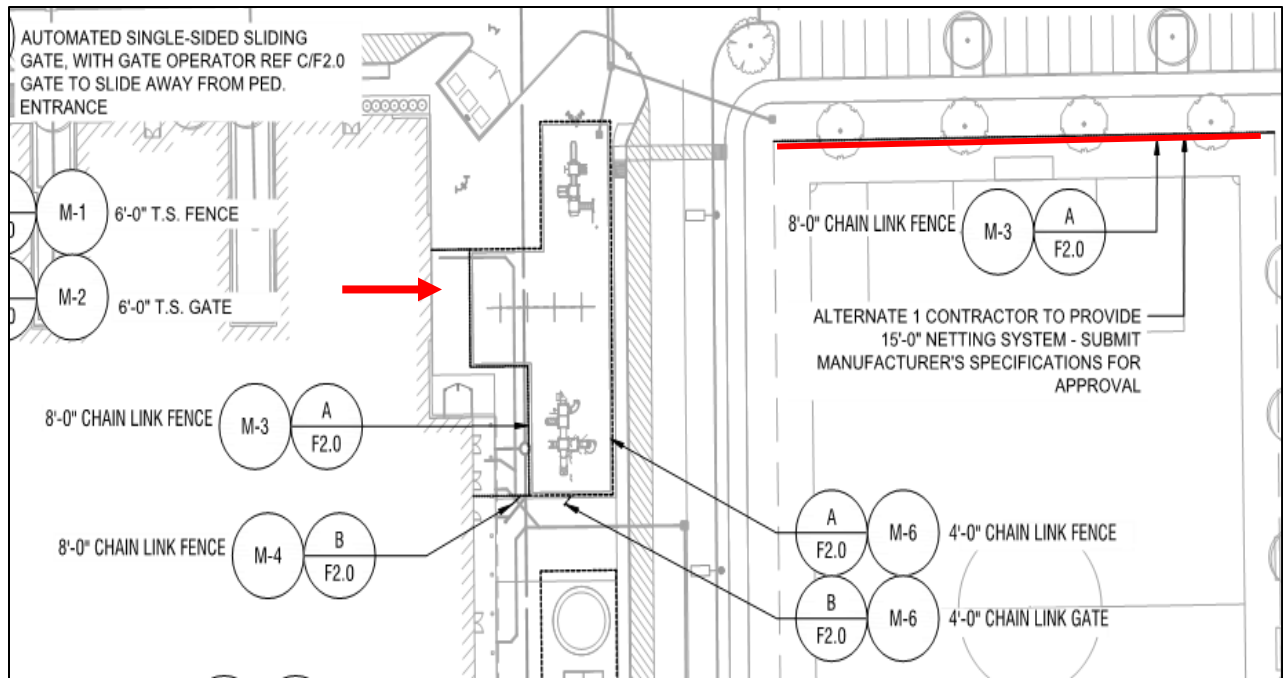


Proposed fencing

International Leadership of Texas, Inc. has installed various fences around the property (north, south, and east), sport courts, and rear detention. See the following fence installations:

1. Along the north property line - 8-foot-tall chain-link fence (see Figure 4).
2. Along the east property line - 8-foot-tall chain-link fence (see Figure 4).
3. Along the south property line - 8-foot-tall chain-link fence (see Figure 4).
4. Utility Facility/Soccer field (north side of the property): 8-foot-tall chain-link fence (see Figure 2).

Figure 2. 8-foot-tall chain-link fence Utility Facility/Soccer field (north side of the property)



5. Basketball court: 8-foot-tall chain-link fence and pedestrian gate (see Figure 3).

Figure 3. Basketball court: 8-foot-tall chain-link fence and pedestrian gate.

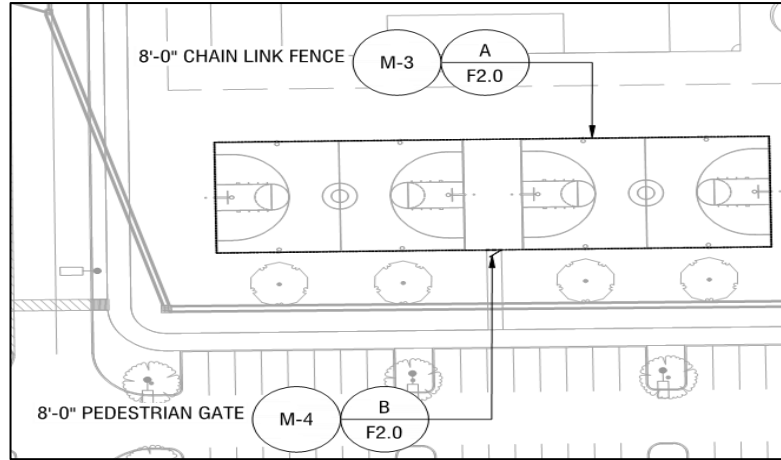


Figure 4. Proposed 8-foot-tall chain-link fence design.

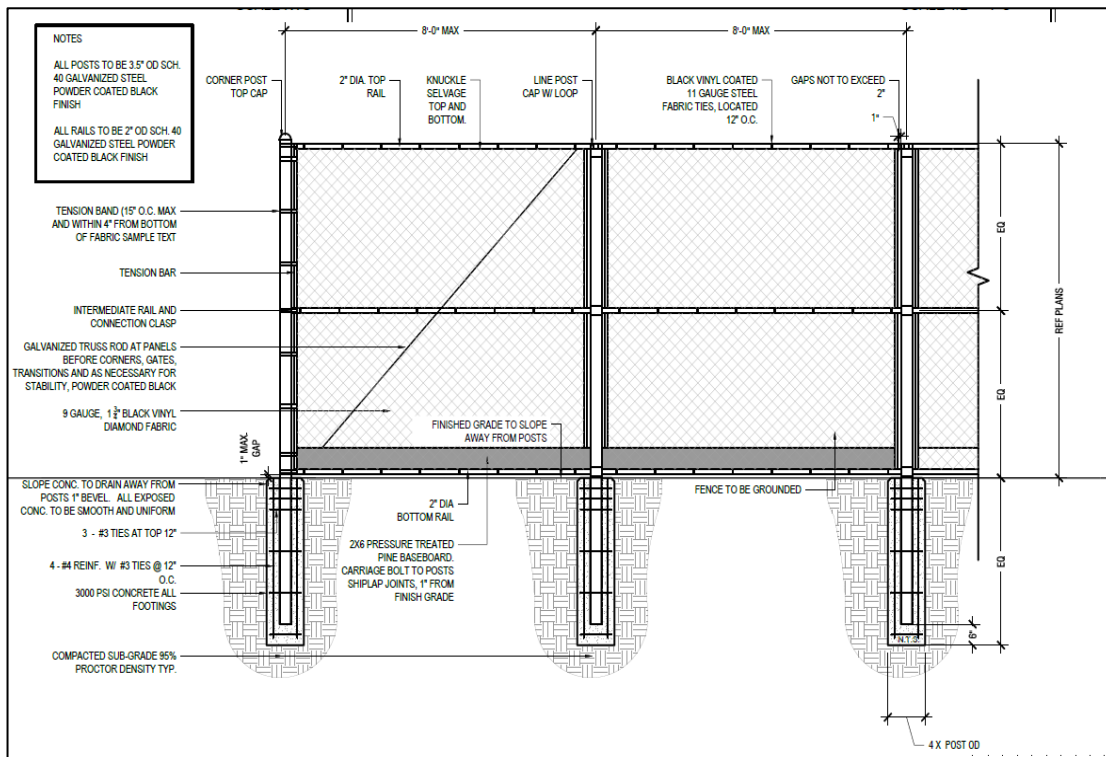
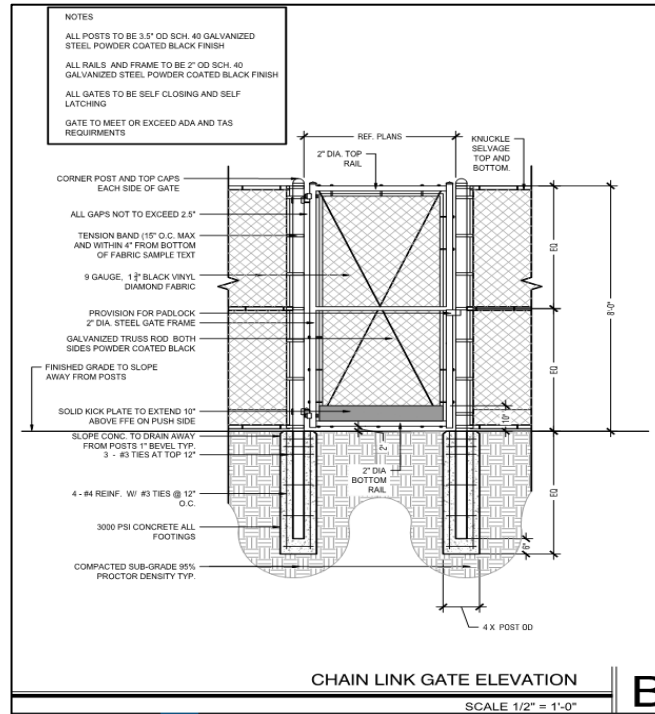


Figure 5. Basketball court: Proposed gate chain-link design.



- Softball Field - 8-foot-tall chain-link fence, gate, and side field (8' and 10' tall). Dugout: 10-foot-tall chain-link fence (see Figure 6, 7, 8, and 9).
- Softball Field: Side Field Fence Design: 8-foot-tall and 10-foot-tall chain-link fence.

Figure 6. Softball field site.

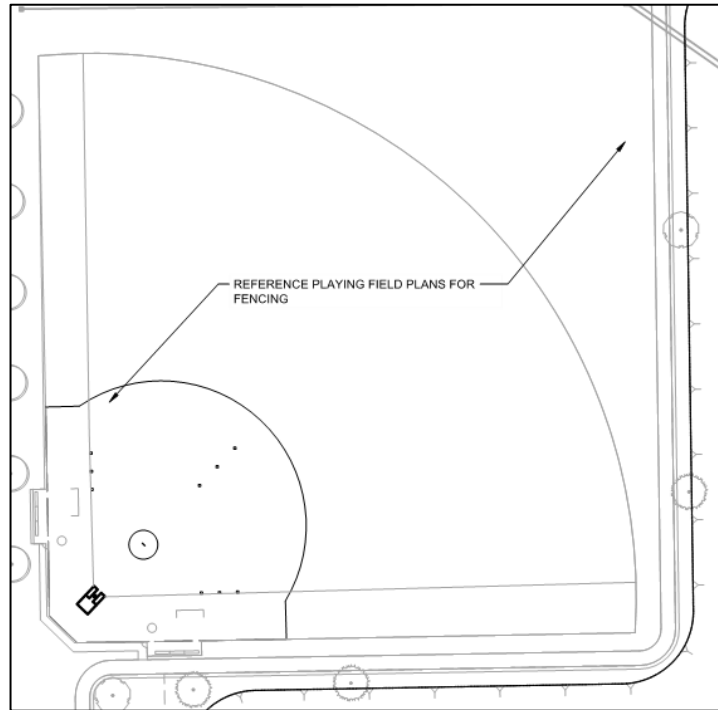


Figure 7. Softball Field - Proposed Fence Design – dugout (10-foot-tall chain-link fence).

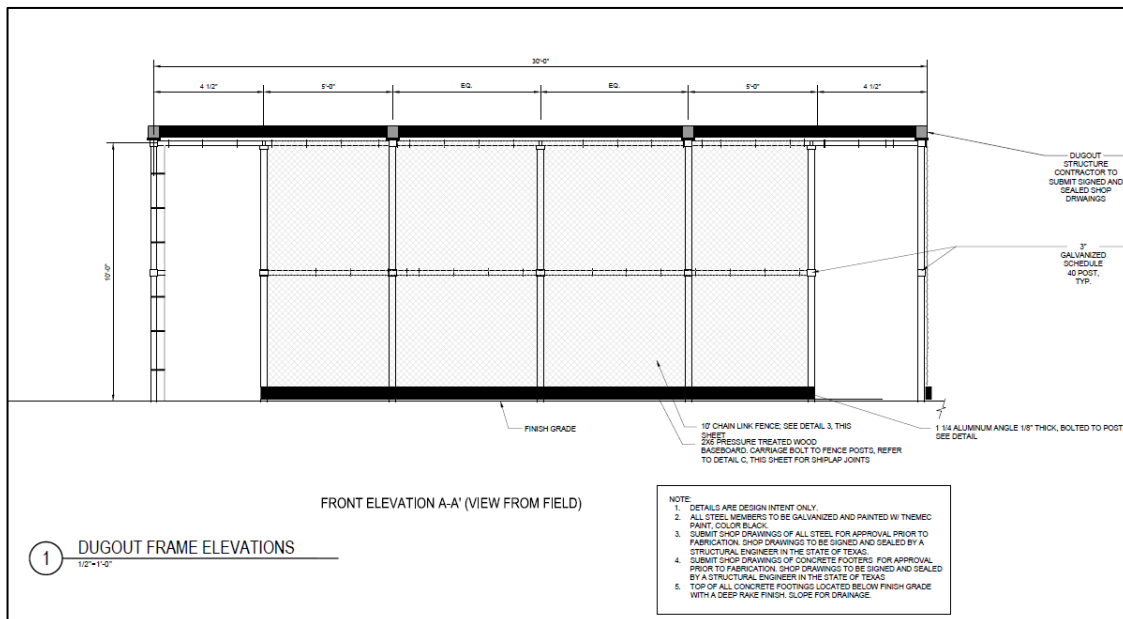


Figure 8. Softball Field -Side Field Fence Design: 8-foot-tall and 10-foot-tall chain-link fence.

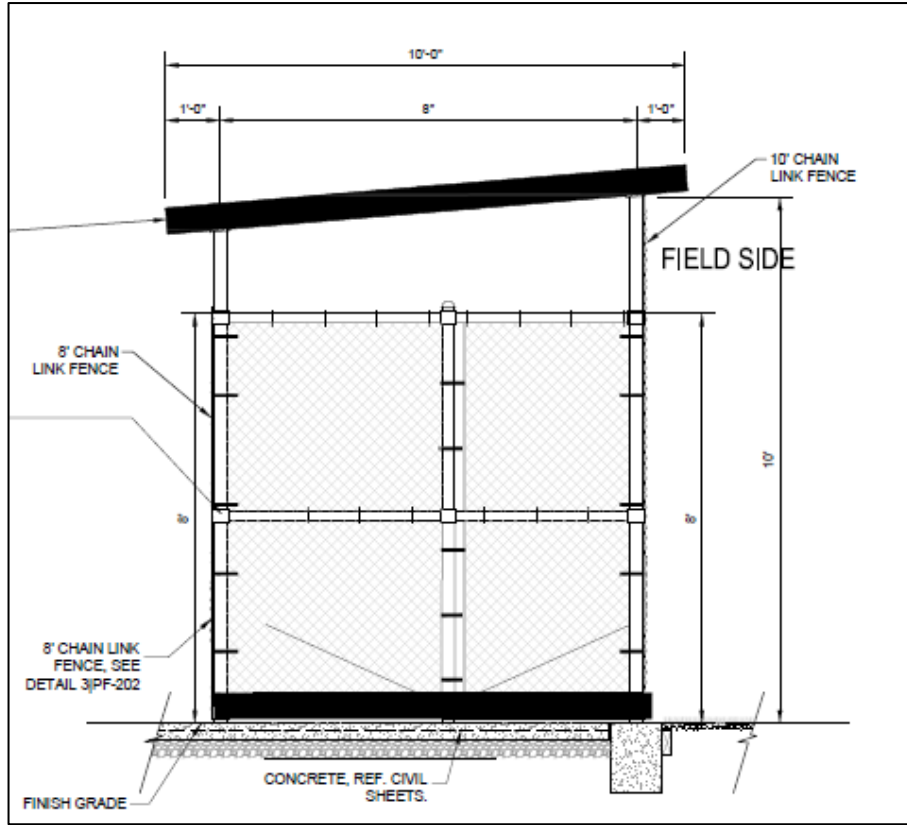
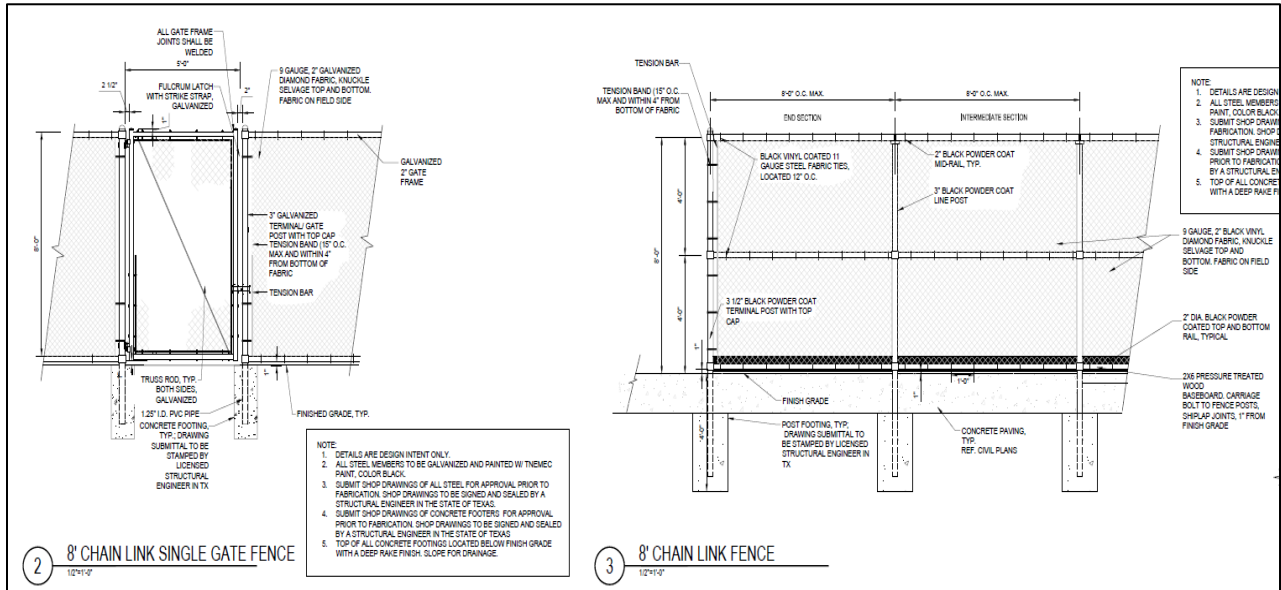


Figure 9. Softball Field: 8-foot-tall chain-link fence and gate.



8. Detention: 8-foot-tall chain-link fence and gate (see Figure 10, 11, and 12).

Figure 10. Detention site.

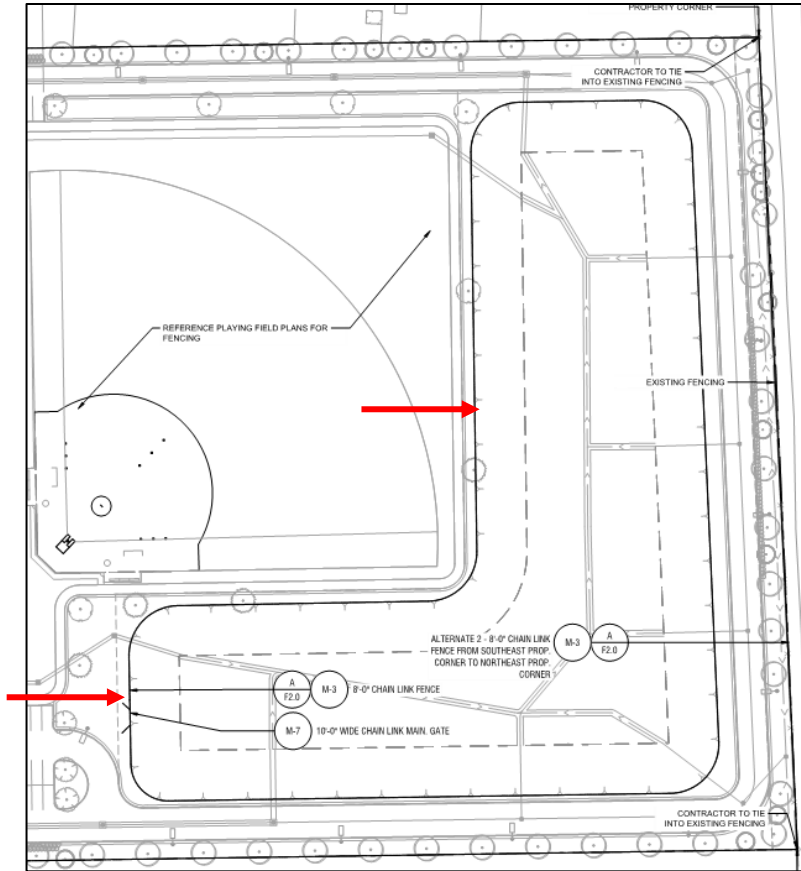


Figure 11. Detention: Proposed chain-link gate design.

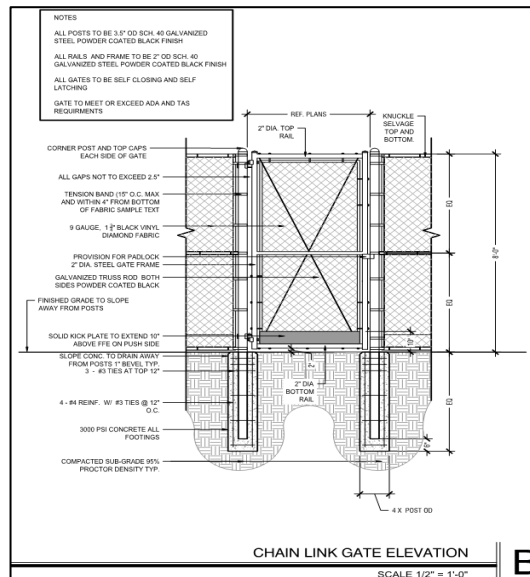
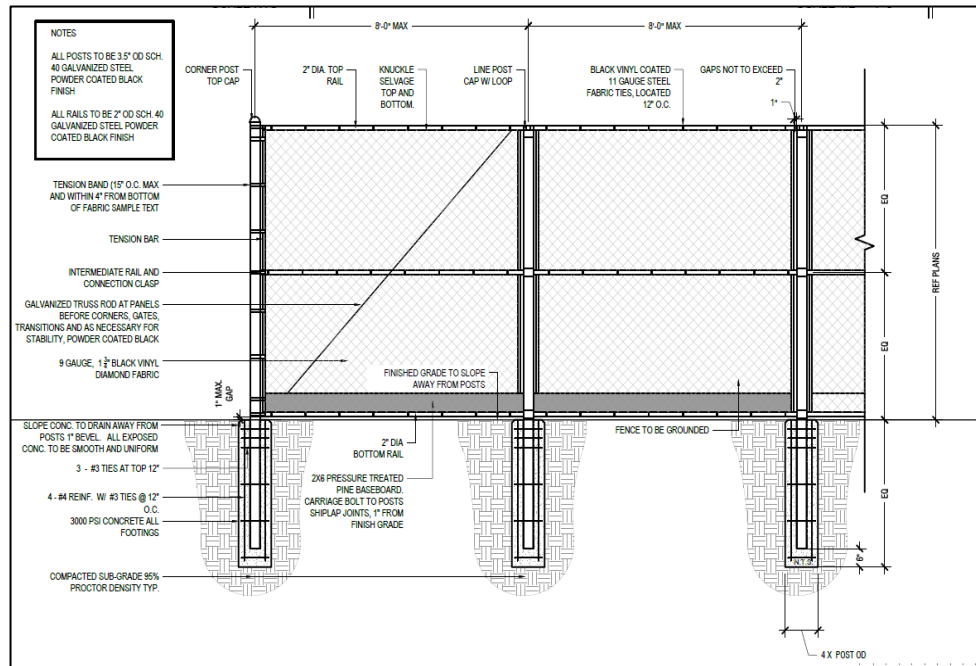


Figure 12. Detention: Proposed fence design.



Fences and Walls

Pursuant to the UDC Section 5.2.101C. Nonresidential and Mixed-Use Districts, side and rear yard fences shall not exceed six feet in height; however, fences and walls erected upon public or private school property or public parks and playgrounds can be constructed to a height of eight feet or greater upon approval of a variance by the Zoning Board of Adjustment to preserve public welfare (Sec.5.2.101D).

The applicant is requesting a variance to the height of the perimeter fence and internal fencing for the safety and security of the students on the campus (see variance application). The Texas Administrative Code, Title 19, Section 61.1031¹ – School Safety Requirements requires for non-scaling fences to be a minimum of six feet (6) in height. For scalable fence such as a chain link the minimum height must be eight (8) feet. This height and added design features help deter unauthorized access and provide a clear boundary for the school².

¹Texas Administrative Code.

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=T&app=9&p_dir=P&p_rloc=209278&p_tloc=&p_ploc=29738&pg=5&p_tac=&ti=19&pt=2&ch=61&rl=1031](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=T&app=9&p_dir=P&p_rloc=209278&p_tloc=&p_ploc=29738&pg=5&p_tac=&ti=19&pt=2&ch=61&rl=1031) . Accessed 06 November 2024.

²Butler Contracting. School Fence Safety Standards in Texas. November 3, 2023,

<https://butler.contractors/blog/fences/school-fence-safety-standards-in-texas/>. Accessed 06 November 2024.

Section 61.1031(a)(2)(B):

(B) if enclosed by a fence or wall, utilizes a fence or wall at least 6 feet high with design features that prevent it from being easily scalable, such as stone, wrought iron, chain link with slats or wind screen, or chain link topped with an anti-scaling device, or utilizes a fence or wall at least 8 feet high;

The proposed height (8 feet) for the fences exceeds the maximum six-foot (6) allowance by 33.3%; however, the proposal follows the Texas Administrative Code, Title 19, Section 61.1031.

Suburban Commercial District and Suburban Corridor

The purpose of the SC, Suburban Commercial district is to provide for the development of neighborhood convenience uses with suburban character, where the building and site design standards ensure appropriately scaled commercial uses that are compatible and cohesive with abutting and nearby residential uses. The existing fencing for the commercial and residential uses along FM 359 is compatible and cohesive with abutting uses. The proposed fencing material and height will be in harmony with the general purposes and intent of the UDC.

VARIANCE CRITERIA

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

This variance requests is consistent with the policy direction of the Comprehensive Master Plan. Goal D. Elevate the appearance, quality, and compatibility of development. The proposed fencing material and height will be in harmony with the general purposes and intent of the UDC.

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

The fence variance requests has no bearing on the intensity of the land use; therefore, will not permit an intensity of land that is not permitted in the SC zoning district.

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

This variance requests will not permit a use of the land, building, or structure that is not otherwise permitted in the SC district. The variance requests is to the height of perimeter and internal fencing for a school; schools private or public are permitted in the SC district.

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

The variance requests are the minimum variance that will make possible the proposed fencing to secure the school, utility and sports facilities or courts and detention. The general objective is to protect the health and safety of the people and to protect the school's property while contributing to an improved built environment within the City.

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 granting of the variance will be in harmony with the general purposes and intent of the UDC. The purpose of fencing is to protect the health and safety of the people and to protect anything on one's property while contributing to an improved built environment within the City. The proposed fence heights and design are compatible and in uniform with the surrounding properties and character of the neighborhood.

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 fence height requirements would deprive the property owner's rights to protect the health and safety of the people in the school as required by the Texas Administrative Code, which requires a minimum height of six (6) feet for non-scalable fences and a minimum of eight (8) feet for scalable fences such as chain-link.

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 a special privilege that is denied to other lands or structures in the same district; however, the subject site is an exception because it is a school. The UDC recognizes that there are exceptions to public or private school properties or public parks and playgrounds to better secure the property and to protect the health and safety of the people. The proposed fencing will not disrupt the character of the area along FM 359, nor would it significantly impact the character of the surrounding neighborhood.

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

The need for the variance does not result from the action of the applicant/property owner. The applicant is requesting a variance to allow for scalable fencing with a minimum height of eight (8) feet to protect the health and safety of the people in the school as required by the Texas Administrative Code, Title 19, Section 61.1031.

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, the use on the property, school, could be viewed as having an exceptional condition seeing that there is another layer of regulations from the State that must be met to protect the health and safety of the people in the school.

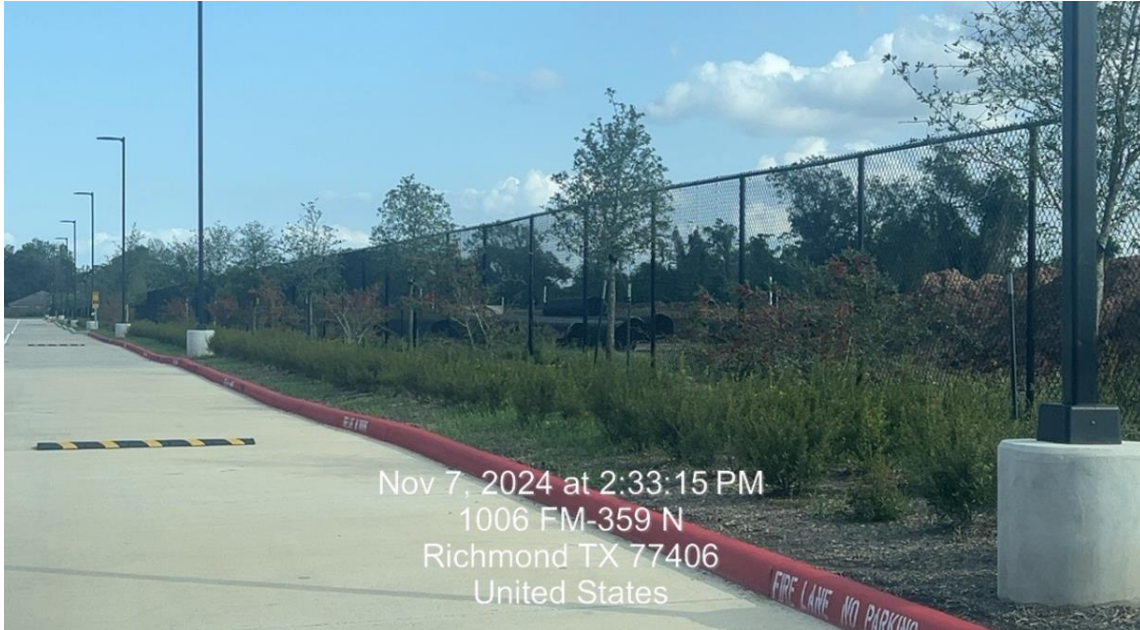
RECOMMENDATION

Staff recommends approval to the requested variance as follow:

1. Along the north property line - 8-foot-tall chain-link fence.
2. Along the east property line - 8-foot-tall chain-link fence.
3. Along the south property line - 8-foot-tall chain-link fence.
4. Utility Facility / Soccer Field (north side of the property): 8-foot-tall chain-link fence.
5. Basketball court: 8-foot-tall chain-link fence and pedestrian gate.
6. Softball Field - 8-foot-tall chain-link fence, gate, and side field (8' and 10' tall). Dugout: 10-foot - tall chain-link fence.
7. Softball Field: Side Field Fence Design: 8-foot-tall and 10-foot-tall chain-link fence.
8. Detention: 8-foot-tall chain-link fence and gate.

PICTURES

Side and rear fencing



Basketball Court Fencing



Detention Fencing



Softball Side and Dugout Fencing



Softball Side Fencing



PUBLIC HEARING

Notice for the Public Hearing was published in a newspaper of general circulation as required by State law on November 3, 2024. 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 below*).

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SUNDAY, NOVEMBER 3, 2024

CLASSIFIEDS

FORT BEND HERALD

930 Legal Notices

930 Legal Notices

930 Legal Notices

930 Legal Notices

NOTICE OF PUBLIC HEARING


LOCATION/DATE: The Zoning Board of Adjustment of the City of Richmond will hold a public hearing on Thursday, November 14, 2024, at 5:00 p.m. at the City Commission Meeting Room, 600 Morton Street, Richmond, Texas.

PURPOSE: To receive comments for or against a request by Kyle Molitor with Kimley-Horn for a variance to Section 5.2.101 Fences and Walls, of the Unified Development Code, to allow for the height of side, rear, and enclosed fencing (utility yard and sports court) to be eight feet or greater.

SITE LOCATION: The subject site is located at 1120 FM 359 Road; along the east side of FM 359, across from Richmond Tire & Automotive, and north of Yoga on the Brazos.

SITE LEGAL DESCRIPTION: The subject site is an approximate 21.922-acre tract, IL Richmond subdivision, being in the William Morton Survey, Abstract 62, 20230246 F.B.C.P.R., 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 planning@richmondtx.gov or by phone at 281-342-0559.



NOTICE OF PHYSICIAN DEPARTURE

Dear Patients,

Effective November 2, 2024, **Dr. Kelli Burroughs** will be departing from Sweetwater OBGYN.

I have accepted an administrative/leadership role with UT Physicians and will continue to see patients part-time at the following UT location:

UT Physicians Multispecialty – Bellaire Station
6500 West Loop S, Suite 200-D
Bellaire, Tx 77401
Ph: 713-486-9300

If you wish to obtain a copy of your medical records, or need to request medical records transfer please contact Sweetwater, or Email: info@sweetwaterobgyn.com

Sincerely,
Dr. Kelli V. Burroughs, F.A.C.O.G

930 Legal Notices

930 Legal Notices

930 Legal Notices

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FORT BEND ISD. In accordance with Texas Education Code 44.031, Texas Government Code 2254, and Texas Government Code 2269, is soliciting prospective bids for CSP 25-010AL BP046 HVAC MEP West Zone 1. Submissions will be due in BONFIRE Electronic Procurement Portal on December 3, 2024, @ 2:00 P.M. Package "A" Base Bid and all documents except Alternates & SBE documents DUE NO LATER THAN 2:00 P.M. CST 12/3/2024. Package "B" Alternates DUE NO LATER THAN 3:00 P.M. CST 12/3/2024. Package "C" SBE DUE NO LATER THAN 3:00 P.M. 12/3/2024. Bids will be opened and read aloud at 3:00 P.M. CST. Via BONFIRE Electronic Procurement Portal. Package "A" is still due at 2:00 P.M. CST. After the deadline, Bonfire will not accept any submissions. Each Proposal shall be submitted using Fort Bend Independent School District BONFIRE Electronic Procurement Portal.

Interested persons are hereby invited to attend any meetings of the Board of Directors at such locations.

Dr. Eric Vandewalle
Secretary, Board of Directors

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN
Case No. ST-2024-CV-00270
ACTION FOR DEBT, FORECLOSURE OF LIEN AND BREACH OF CONTRACT
VIRGIN GRAND VILLAS – ST. JOHN CONDOMINIUM OWNERS' ASSOCIATION, Plaintiff vs. CHARLES A. KNIGHT and "JOHN DOE", being all unknown heirs, successors and assigns of DAVID D. KNIGHT and all persons claiming a right, title, lien, estate or interest in Unit No. 3211, Week No.43, an Annual Unit Week in the Virgin Grand Villas – St. John Condominium located in a portion of real property described as Remainder Parcel No. 478, Estate

INVITATION TO BIDDERS
Sealed Electronic Bids addressed to Fort Bend County Municipal Utility District No. 214, will be electronically received, until 2:00 p.m. Local Time, Thursday, December 5, 2024, and then publicly opened and read at the office of SWA Group Landscape Architects, 712 Main St., 6th Floor, Houston, Texas 77002 for construction of Cross Creek West Section 8 Landscape. Scope of Work of the Contract includes the following: concrete trails, sprinkler irrigation, grading, planting, grassing, and landscape maintenance. In addition to the opening of sealed Bids via Zoom, you may view the public opening of sealed Bids via Zoom. To join via Zoom call Telephone Number 888-475-4499, Meeting ID: 959 6298 4321 and use Passcode: 698482 or <https://swagroup.zoom.us/j/95962984321?pwd=PSl0b3RlPSs0aUo0aWZlZWVhbnZkdjZkdzZlR0aDZkdz09> Bids received after the closing time will not be considered.

INVITATION TO BIDDERS
Sealed Bids will be received in the Office of Jaime Kovar, County Purchasing Agent, Fort Bend County, Travis Annex, 301 Jackson, Suite 201, Richmond, TX 77469 for the following until **TUESDAY, NOVEMBER 19, 2024 at 2:00 P.M. (CST)**. All bids will then be publicly opened and read in the Office of the Purchasing Agent, Travis Annex, 301 Jackson, Suite 201, Richmond, TX 77469. Bids received after the specified time will be returned unopened. All addendums will be posted on Purchasing Agent's website located at www.fortbendcountytx.gov. **1. 825-016 - CHIMNEY ROCK ROAD CONSTRUCTION FROM AMERICAN CANAL TO MCHARD ROAD SEGMENT TWO FOR FORT BEND COUNTY MOBILITY BOND PROJECT NO. 20202** A Pre-bid conference will be conducted on **Tuesday, November 5, 2024 at 9:00 AM (CST)**. The Pre-bid conference will be held at the Fort Bend County Purchasing Department.

----- End of Report -----

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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: 1120 FM 359 Richmond, TX
Parcel/Tax ID# (s): R564854 Property Platted: YES NO
Total Acreage: 21.922 Total Lots: 1 Current Zoning: SC
Legal Description: IL Richmond

APPLICANT INFORMATION

Applicant Name: Kyle Molitor Company Name: Kimley-Horn
Address: 11700 Katy Freeway, Suite 800 City: Houston State: TX Zip: 77079
Phone #: 2819206571 Email: kyle.molitor@kimley-horn.com

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

VARIANCE DETAILS

Current use: School Proposed Use: School

1. The applicant is seeking relief from the following specific Section(s) of the UDC (also list the UDC requirement and the proposed alternative):
5.2.101D.1 - Fencing height limitations for side and rear lots and internal fencing. Height limitations are to 6' chain link fence. Proposed fencing is for 8' chain link fence along the perimeter to comply with TEA regulations regarding securing school campus.
2. The applicant seeks this variance in order to:
Comply with TEA standards per the allowable exception request in UDC 5.2.101D.1 through request to the ZBOA. A perimeter fence of 8' is required for chain link is required to comply with TEA standards.
3. This variance will not disrupt adjacent lot owners due to the following mitigating factors:
The southern lot is being developed as a commercial lot, the eastern property edge has the Pecan Grove levee and the northern lot is currently undeveloped. This perimeter fencing and internal fencing is for safety and security of the students on the campus.
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:
TEA standards are an item that ILTexas has to comply with as a public school in the state of Texas. These perimeter fences help secure the area of the site where the students are out in the open and would protect students from getting into the detention pond at the rear of the site.



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)

International Leadership of Texas, Inc. (Edward G. Conger, CEO-Superintendent)

Owner Name

2021 Lakeside Blvd.

Owner Address

Richardson, TX 75082

Owner City, State Zip

9.18.24

Date

Planning Department
600 Morton Street
Richmond, TX 77469

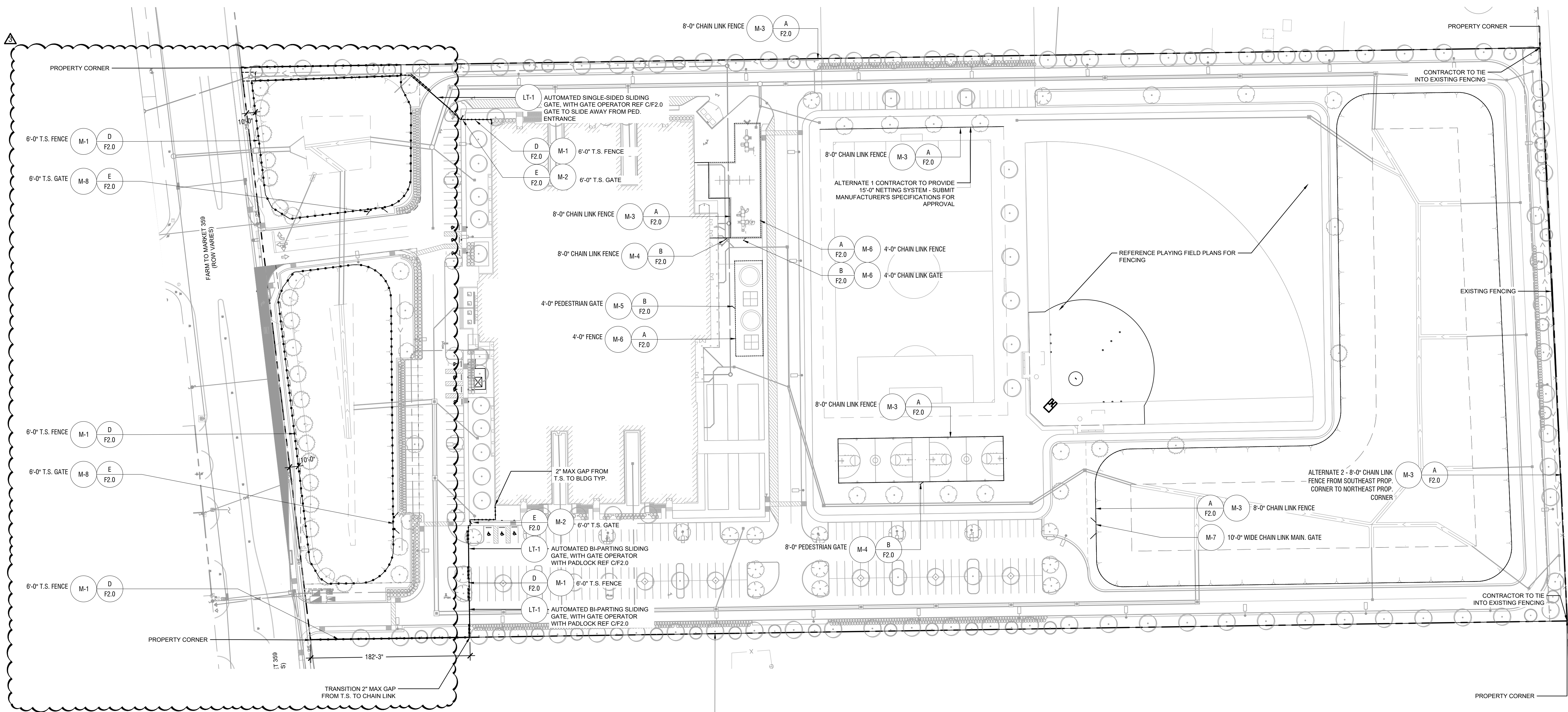
I, Edward G. Conger, certify that I am the owner of the project property located at 1120 FM 359 and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Kyle Molitor with the company Kimley-Horn (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 972-479-9078; construction@iltexas.org if you have any questions.

Sincerely,

Owner Name Edward G. Conger, CEO-Superintendent,
International Leadership of Texas, Inc.

Owner Signature 



MATERIAL LEGEND:

LIGHTING / ELECTRICAL

- LT-1** AUTOMATIC GATE OPERATOR

MODEL : LIFTMASTER CSL24UL HIGH TRAFFIC COMMERCIAL SLIDE GATE OPERATOR W/ BATTERY BACKUP OR APPROVED EQUAL
 CONTRACTOR TO INCLUDE KNOW BOX AS APPROVED BY FIRE MARSHAL. MUST BE UL 325 LABELED AND LISTED INSTALLATION PER MANUFACTURER'S SPECIFICATIONS. INCLUDE ALL SAFETY MEASURE TO CONFORM TO UL325 AND ASTM F2200

NOTES:

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**

METAL

- M-1** TUBULAR STEEL FENCE

MODEL : AMERISTAR MONTAGE MAJESTIC PLUS 3 RAIL FENCE OR APPROVED EQUAL

SIZE: 8'-0" HT

COLOR: BLACK

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-2** TUBULAR STEEL PEDESTRIAN GATE

MODEL : AMERISTAR MONTAGE MAJESTIC PLUS 3 RAIL FENCE OR APPROVED EQUAL

SIZE: 6'-0" HT 3'-0" W

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-3** CHAIN LINK FENCE

MODEL : AMERISTAR PERMA COAT CHAIN LINK FENCE OR APPROVED EQUAL

SIZE: 8'-0" HT

COLOR: BLACK

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**

METAL CONT.

- M-4** CHAIN LINK PEDESTRIAN GATE

MODEL : AMERISTAR PERMA COAT CHAIN LINK FENCE OR APPROVED EQUAL

SIZE: 8'-0" HT 3'-0" W

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-5** CHAIN LINK PEDESTRIAN GATE

MODEL : AMERISTAR PERMA COAT CHAIN LINK FENCE OR APPROVED EQUAL

SIZE: 4'-0" HT 3'-0" W

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-6** CHAIN LINK FENCE

MODEL : AMERISTAR PERMA COAT CHAIN LINK FENCE OR APPROVED EQUAL

SIZE: 4'-0" HT

COLOR: BLACK

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-7** CHAIN LINK MAINTENANCE GATE

MODEL : AMERISTAR PERMA COAT CHAIN LINK FENCE OR APPROVED EQUAL

SIZE: 8'-0" HT 10'-0" CLEAR OPENING - BI-PARTING PANELS

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**
- M-8** TUBULAR STEEL DOUBLE-SWING MAINTENANCE GATE

MODEL : AMERISTAR MONTAGE MAJESTIC PLUS 3 RAIL FENCE OR APPROVED EQUAL

SIZE: 6'-0" HT 10'-0" W - SWINGING PANELS

NOTES: INSTALL PER MANUFACTURERS RECOMMENDATIONS

APPROVAL: **SHOP DRAWINGS, ONSITE LAYOUT PRIOR TO CONSTRUCTION**

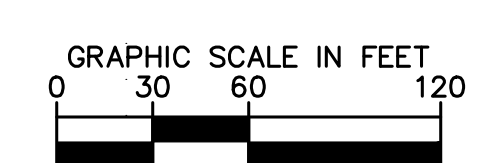
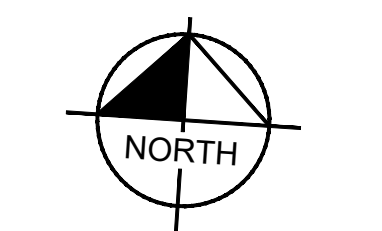
NOTES:

CONTRACTOR TO OBTAIN OWNER APPROVAL OF LAYOUT PRIOR TO BEGINNING CONSTRUCTION

CONTRACTOR TO VERIFY SITE CONDITIONS AND IS RESPONSIBLE FOR ALL DIMENSIONS AND LOCATION IN RELATION TO PROPERTY LINES

CONTRACTOR IS RESPONSIBLE FOR GRADING AT BOTTOM OF FENCE PANELS TRANSITION TO ADJACENT GRADES SHALL BE GENTLE

ALL VEHICULAR GATES TO BE INSTALLED WITH KNOX BOX AS APPROVED BY FIRE MARSHALL



CITY OF RICHMOND - UNIFIED DEVELOPMENT CODE	REQUIRED	PROVIDED
SEC. 5.2.101 FENCES AND WALLS		
NON-RESIDENTIAL AND MIXED USE FENCING		
HEIGHT REQUIREMENTS:		
1. THE MAXIMUM HEIGHT OF A FENCE OR WALL WITHIN A REQUIRED FRONT YARD SHALL BE 42 INCHES, WITH THE EXCEPTION OF STEEL TUBULAR AND WROUGHT IRON FENCES, IN WHICH CASE, THE MAXIMUM HEIGHT OF THE FENCE SHALL BE SIX FEET.	YES	YES
2. A FENCE OR WALL LOCATED IN A SIDE OR REAR YARD SHOULD GENERALLY BE 72 INCHES	YES	SEEKING VARIANCE
EXCEPTIONS		
1. FENCES AND WALLS ERECTED UPON PUBLIC OR PRIVATE SCHOOL PROPERTY OR PUBLIC PARKS AND PLAYGROUNDS CAN BE CONSTRUCTED TO A HEIGHT OF EIGHT FEET OR GREATER UPON APPROVAL OF A VARIANCE BY THE ZONING BOARD OF ADJUSTMENT TO PRESERVE PUBLIC WELFARE.		
2. MODIFICATIONS TO REQUIREMENTS ASSOCIATED WITH "REASONABLE ACCOMMODATION" AS PROVIDED BY THE FAIR HOUSING AMENDMENTS ACT OF 1988 AND THE AMERICANS WITH DISABILITIES ACT OF 1990 MAY BE APPROVED BY THE CITY MANAGER.		

Revisions:

10/03/2023	PLAYING FIELD MATERIAL REVISION	△
10/04/2023	FENCING REVISIONS	△
09/18/2024	FENCING MODIFICATIONS	△

Project No: 08859207
Date: 09/18/2024
Checked By: ECL
Drawn By: ECL
Sheet Name:

FENCE LAYOUT PLAN

Revisions:

10/03/2023	PLAYING FIELD MATERIAL REVISION	△
10/04/2023	FENCING REVISIONS	△
09/18/2024	FENCING MODIFICATIONS	△

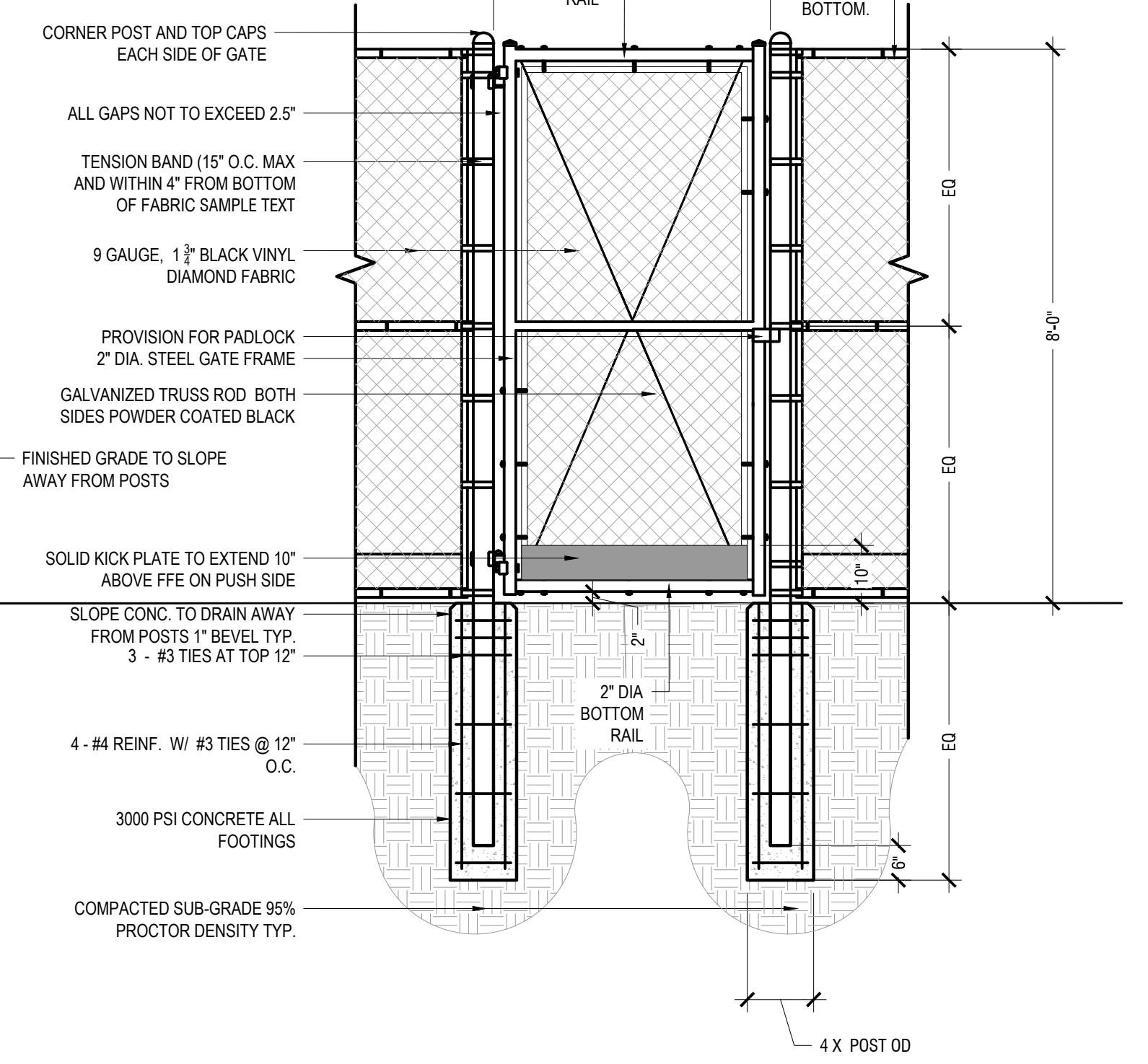
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Date: 09/18/2024
Checked By: ECL
Drawn By: ECL
Sheet Name:

FENCE DETAILS

Sheet No:

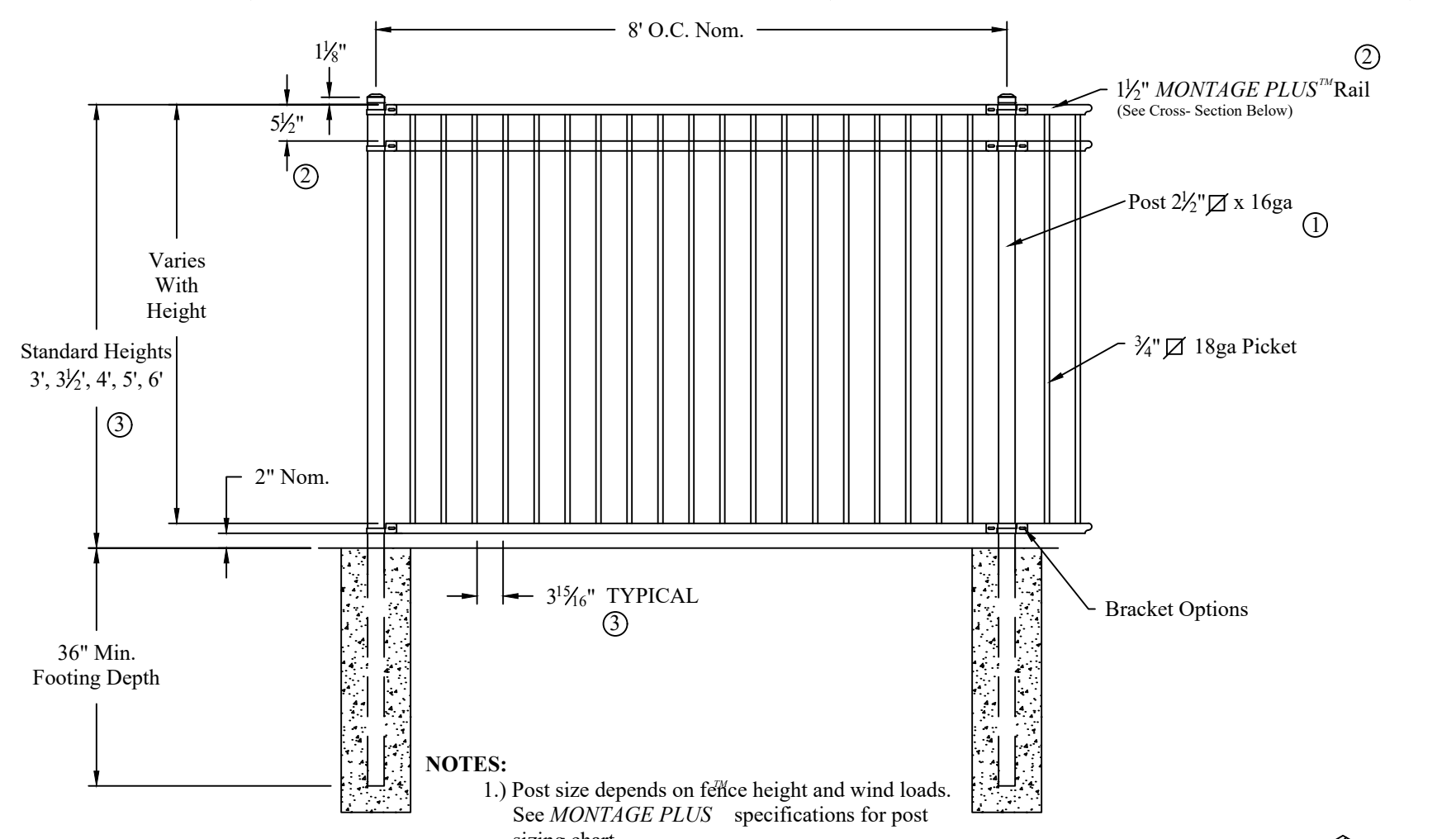
F2.0

NOTES
ALL POSTS TO BE 3.5" OD SCH. 40 GALVANIZED STEEL POWDER COATED BLACK FINISH
ALL RAILS AND FRAME TO BE 2" OD SCH. 40 GALVANIZED STEEL POWDER COATED BLACK FINISH
ALL GATES TO BE SELF CLOSING AND SELF LATCHING
GATE TO MEET OR EXCEED ADA AND TAS REQUIREMENTS

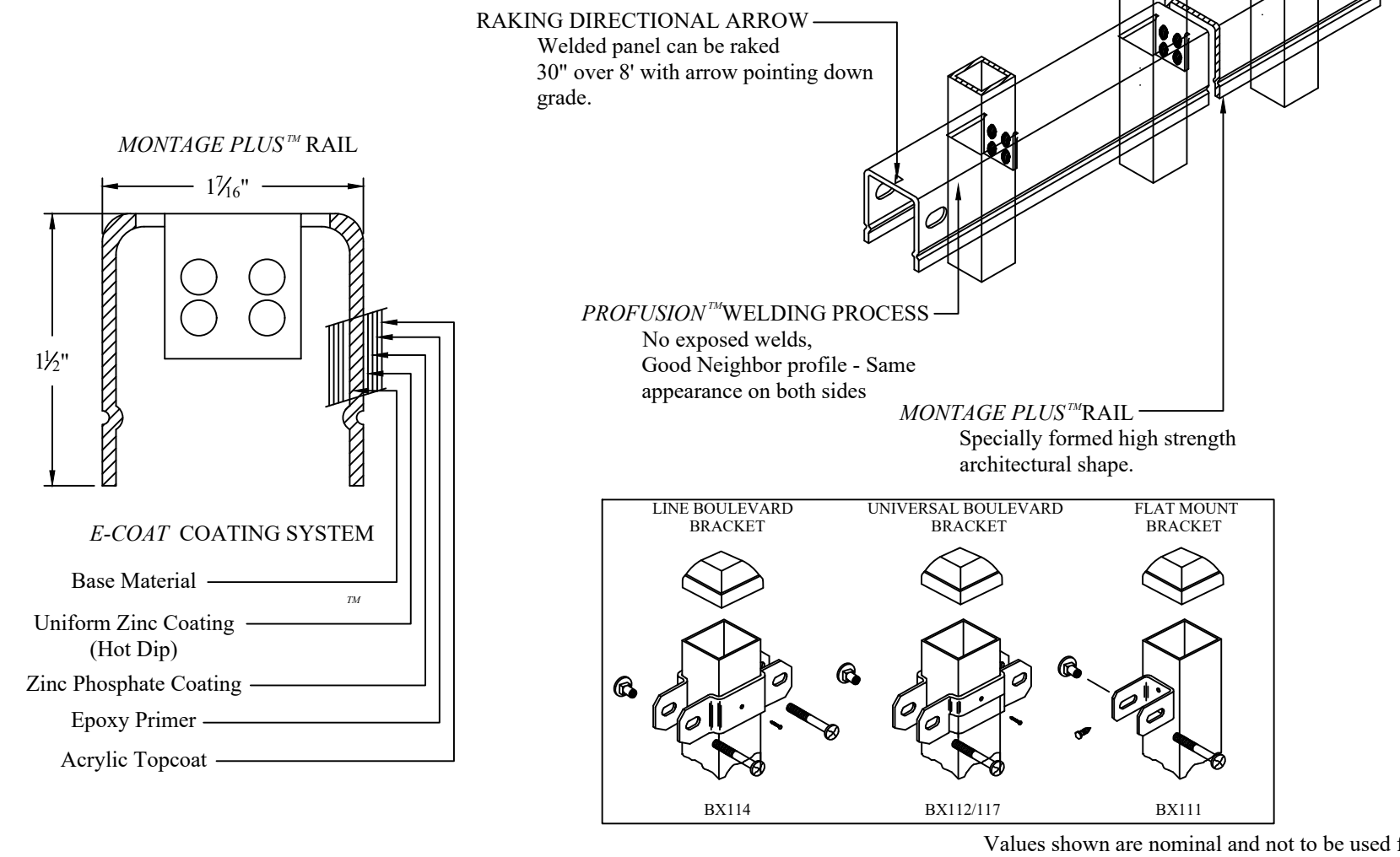


CHAIN LINK GATE ELEVATION
SCALE 1/2" = 1'-0"

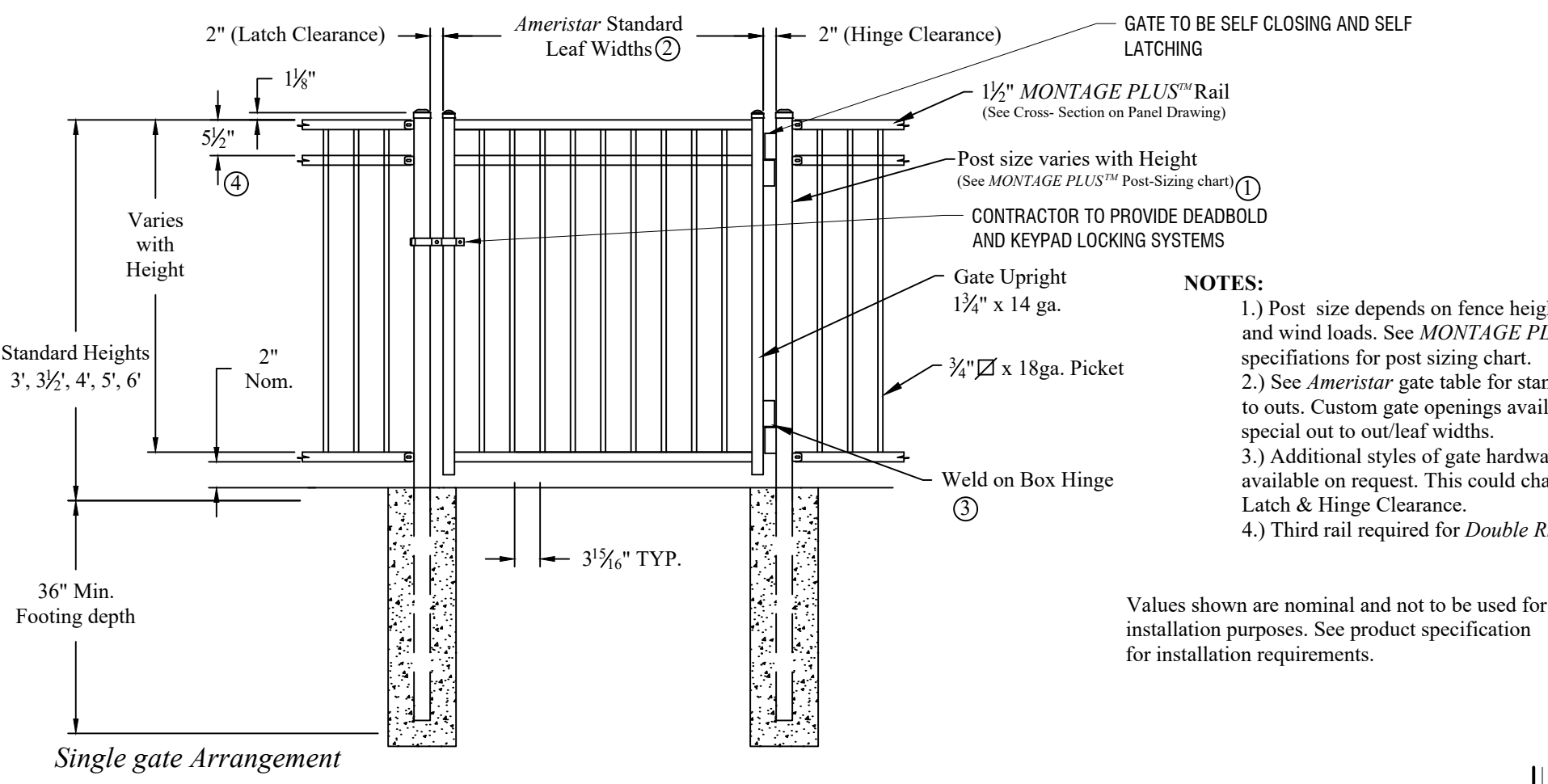
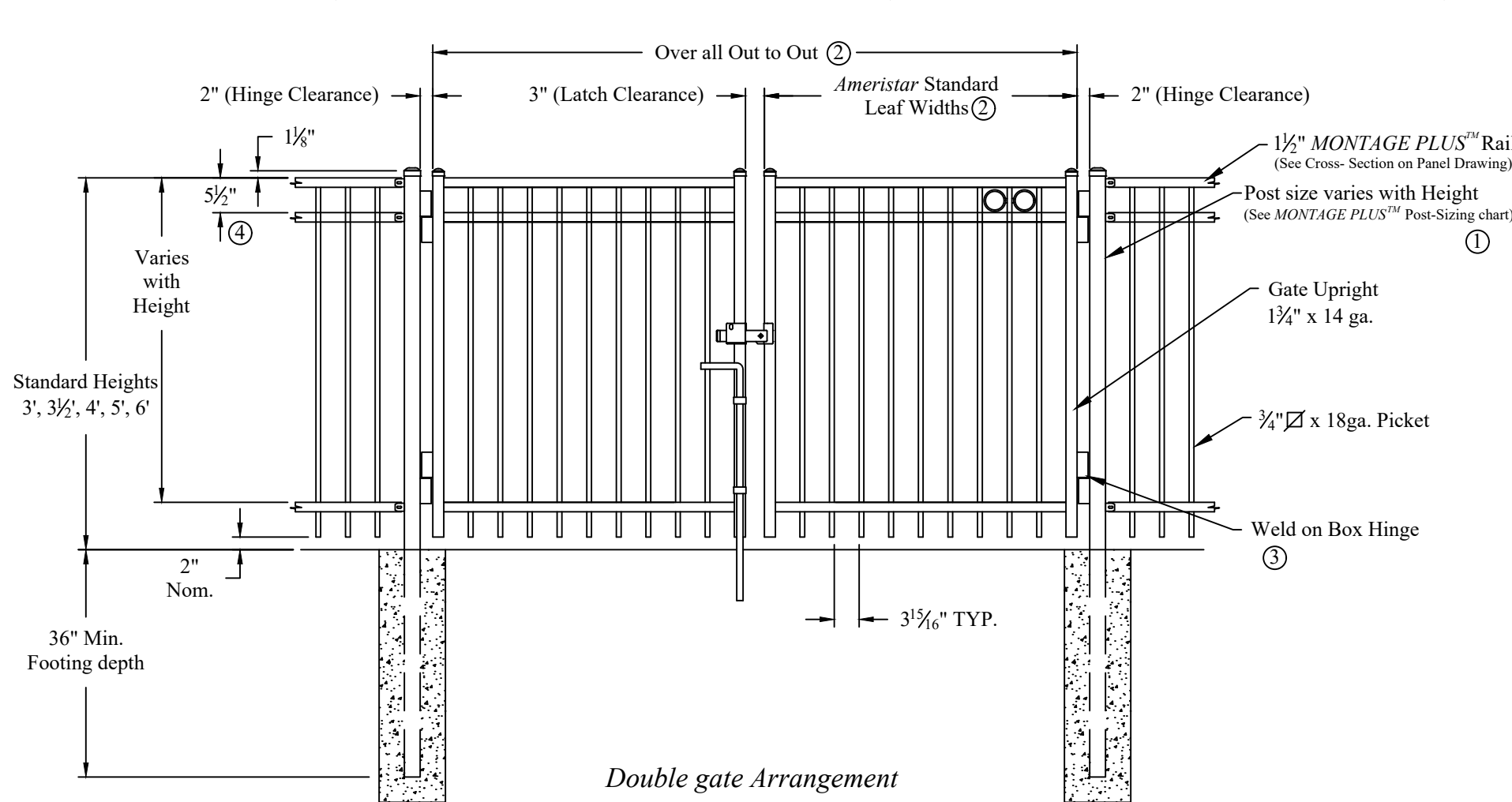
CHAIN LINK FENCE ELEVATION
SCALE 1/2" = 1'-0"



NOTES:
1) Post size depends on fence height and wind loads. See MONTAGE PLUS specifications for post sizing chart.
2) Third rail required for Double Rings.
3) Available in 3" air space and/or Flush Bottom on most heights.

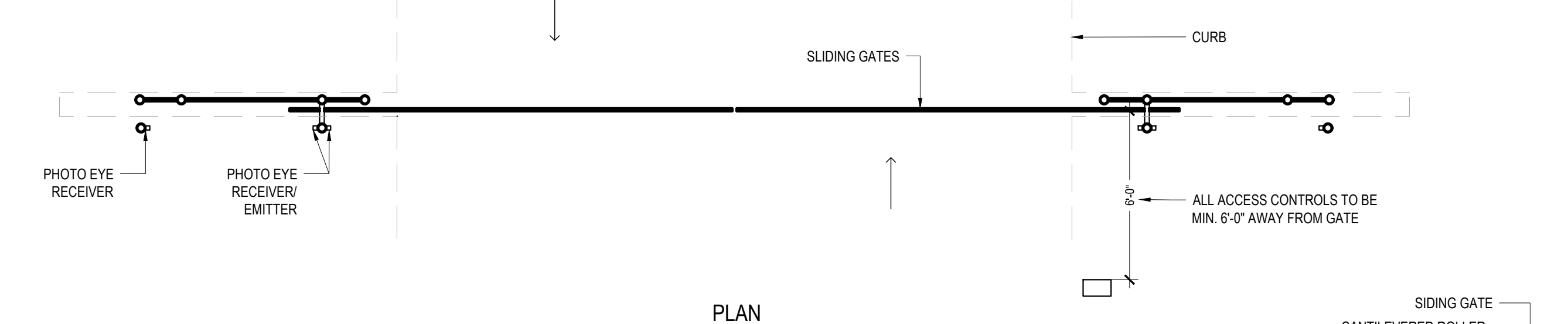


AMERISTAR MONTAGE MAJESTIC PLUS 3 RAIL FENCE
SCALE NTS

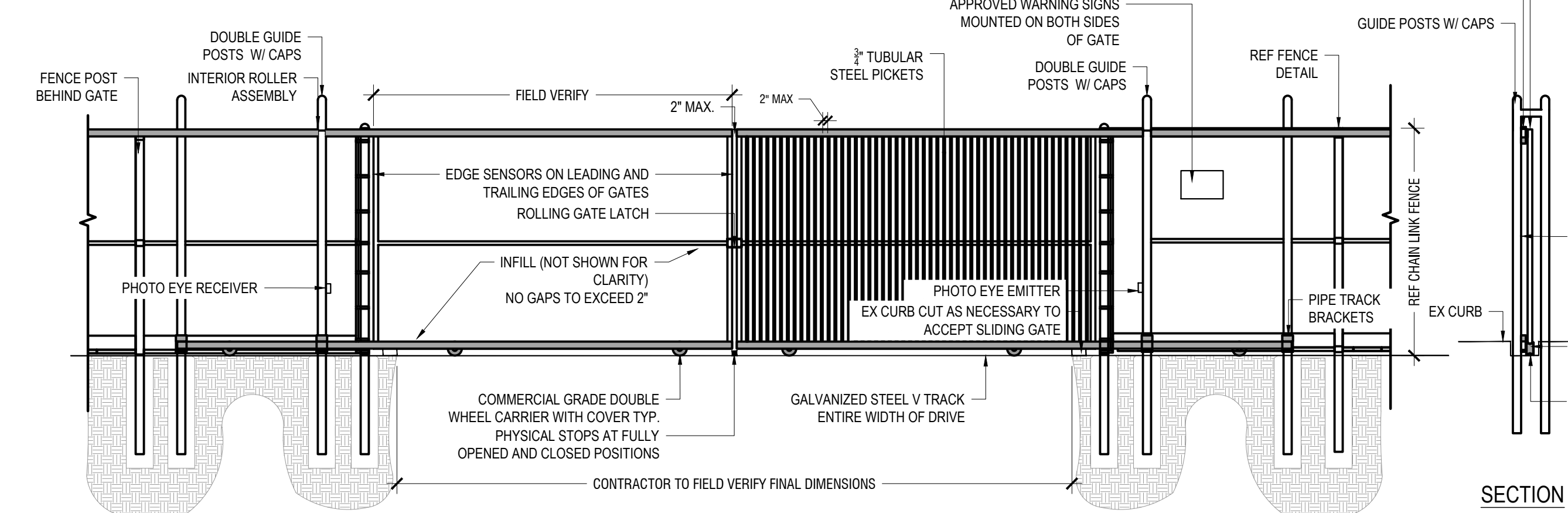


AMERISTAR MONTAGE MAJESTIC PLUS GATE
SCALE NTS

NOTES
CONTRACTOR TO REFERENCE PLANS FOR SINGLE SIDED GATE OR DOUBLE SIDED GATE OPERATION
AUTOMATED GATE SYSTEM TO COMPLY WITH ASTM F2200 AND UL 325 SAFETY STANDARDS. GATE OPERATORS MUST BE UL LABELED AND LISTED
ALL ENTRAPMENT ZONES MUST BE PROTECTED BY 2 INDEPENDENT FORMS OF SAFETY DEVICES AND TESTED FOR OBSTRUCTION
THE DESIGN IS INTENT ONLY. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR SLIDING GATE SYSTEM WITH SIGNED AND SEALED STRUCTURAL ENGINEERING FOR ALL GATE POSTS.
SLIDING GATE POSTS TO BE 4" OD. ALL RAILS TO BE 2" OD. ALL MEMBERS TO BE SCH. 40 GALVANIZED STEEL POWDER COATED BLACK FINISH
NO OPENING TO EXCEED 2.25" IN BOTH THE GATE AND THE PORTION OF THE FENCE THAT IS COVERED BY THE GATE IN THE OPEN POSITION



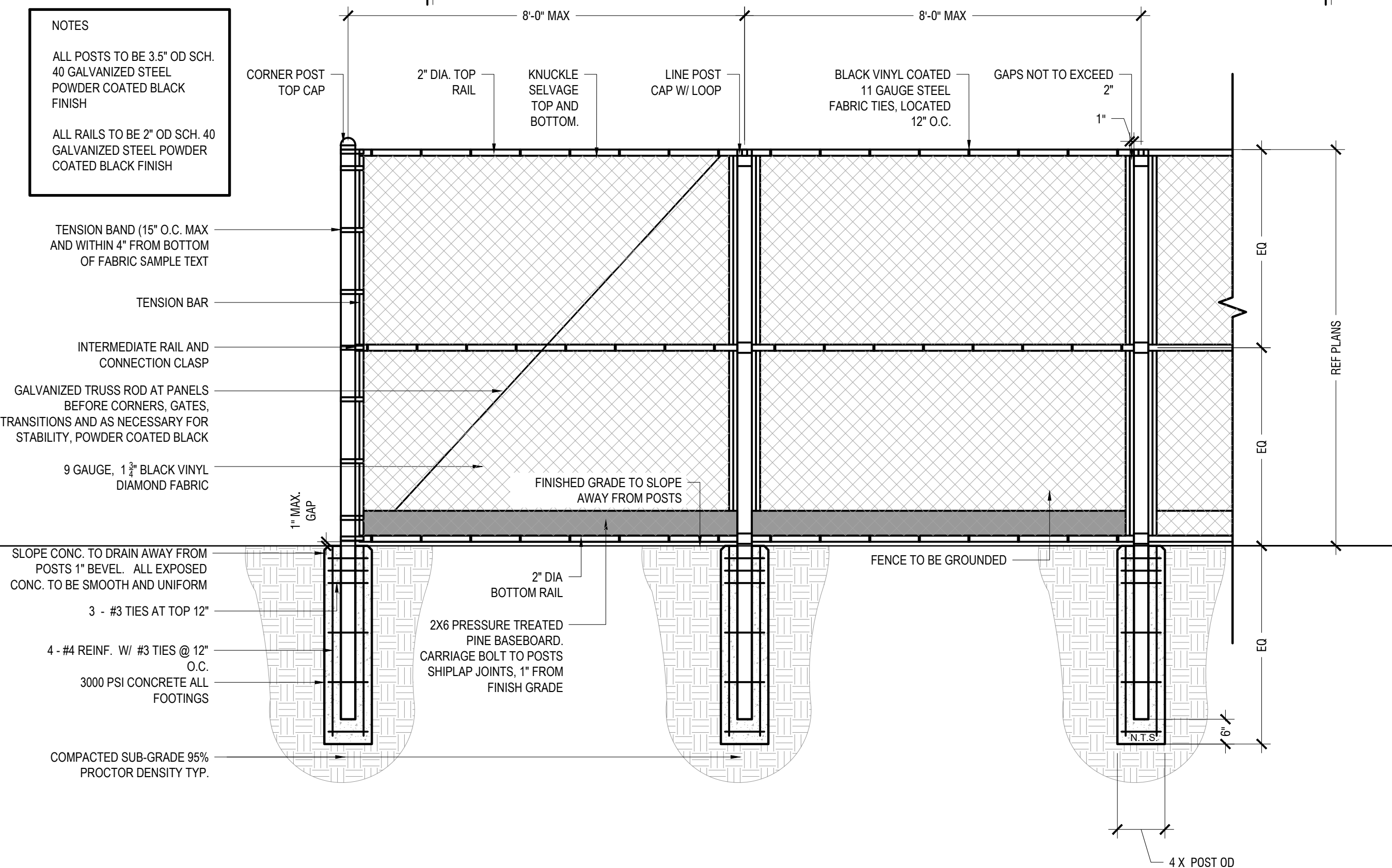
PLAN



SECTION

AUTOMATED SLIDING GATE DETAIL
SCALE 1/4" = 1'-0"

NOTES
ALL POSTS TO BE 3.5" OD SCH. 40 GALVANIZED STEEL POWDER COATED BLACK FINISH
ALL RAILS TO BE 2" OD SCH. 40 GALVANIZED STEEL POWDER COATED BLACK FINISH
TENSION BAND (15" O.C. MAX AND WITHIN 4" FROM BOTTOM OF FABRIC SAMPLE TEXT)
TENSION BAR
INTERMEDIATE RAIL AND CONNECTION CLASP
GALVANIZED TRUSS ROD AT PANELS BEFORE CORNERS, GATES, TRANSITIONS AND AS NECESSARY FOR STABILITY. POWDER COATED BLACK
9 GAUGE, 1 1/2" BLACK VINYL DIAMOND FABRIC
FINISHED GRADE TO SLOPE AWAY FROM POSTS
SLOPE CONC. TO DRAIN AWAY FROM POSTS 1" BEVEL. ALL EXPOSED CONC. TO BE SMOOTH AND UNIFORM
3 - #3 TIES AT TOP 12"
4 - #4 REINF. W/ #3 TIES @ 12" O.C.
3000 PSI CONCRETE ALL FOOTINGS
COMPACTED SUB-GRADE 95% PROCTOR DENSITY TYP.



CHAIN LINK FENCE ELEVATION
SCALE 1/2" = 1'-0"

FENCING GENERAL NOTES

QUALITY ASSURANCE

- A. The Contractor is responsible for quality control, including workmanship and materials furnished by his subcontractor and suppliers.
B. Codes and Standards: Comply with all provisions of the following codes, specifications and standards except where more stringent requirements are shown or specified:
1. ACI 301 - "Specifications for Structural Concrete for Buildings."
2. ACI 304 - "Recommended Practice for Measuring, Mixing, Transporting and Placing Concrete."
3. ACI 305 - "Recommended Practice for Hot Weather Concreting."
4. ACI 306 - "Recommended Practice for Cold Weather Concreting."
5. ACI 318 - "Building Code Requirements for Reinforced Concrete."
C. Document Procedure: In case of conflict among documents, including landscape architectural and structural drawings and specifications, notify the Landscape Architect prior to submitting proposal.
D. Materials and installed work may require testing and retesting, as directed by the Landscape Architect, at any time during progress of work.
E. Inspection or testing by the Owner does not relieve the Contractor of his responsibility to perform the Work in accordance with the Contract Documents.

GENERAL CONSTRUCTION

- A. Contractor to obtain all permits required prior to starting construction. The permit is to be issued in the Owner's name.
B. Contractor shall be responsible for locating and protecting all existing utilities and other facilities.
C. Condition of the road and/or right-of-way, upon completion of job, shall be as good or better than condition prior to starting work.
D. Contractor shall install all work in accordance with appropriate jurisdiction. Contact Landscape Architect with any clarifications or questions during the bid period.
E. Contractor shall coordinate with U.C.C. (713) 223-4567 for utility locations a minimum of 48 hours prior to commencing work.
F. Layout and stake all hardscape elements for approval by Landscape Architect.
G. Owner to provide control staking one time for contractor.
H. Contractor is responsible for repairing all existing grades damaged during construction.
I. Dimensions are to R.O.W., back of curb, adjacent lot line, edge of pavement, center line of walk, or center line of drilled pier.
J. Contractor shall exercise due care in maintaining the integrity and position of all lot/property pins/stakes as well as utility company staking present within the limits of work as designated by these contract documents.
K. Contractor shall supply structural shop drawings for all columns, walls, masonry fences and other structures which require footings and or piers.
L. Work to be performed from hours of 7:00 AM to 7:00 PM Monday through Saturday only.
M. Contractor shall field verify all existing trees and protect trees from construction damage.
N. Contractor shall not disturb existing drainage patterns within the scope of work that effects adjacent lots.
O. Contractor shall include in bid cost to repair any damages done to existing irrigation system, walks, curbs, etc.
P. Contractor shall clean up trash and debris on the project site as needed to keep it clean and presentable commencing the day the contractor mobilizes and ending when the project is completed.
Q. Contractor shall clean all debris from site daily and dispose of fencing material properly.
R. Contractor to visit the project site prior to placing the bid to determine what his dirtwork needs will be and to include that in his base bid.
S. Contractor shall not bill for stored materials or items that have not been installed.
T. Contractor is responsible to check lot pins compared to the plat if discrepancy arises in the field contact Landscape Architect.
U. Contractor is obligated to build to the correct pin as shown on plat.
V. Fence layout shown and dimensions are approximate. Field verify and flag fence location for review by

Landscape Architect before installation. Notify Landscape Architect if lot pins can not be located.
W. If changes in grade are significant and masonry fence needs to include step transition this transition is to happen at the lot line.

CONCRETE FORMWORK

- A. Design of Forms
1. The structural adequacy of the forms, ties, shoring and bracing shall conform to the requirements of the ACI Standard 347.
2. Forms shall conform to shapes, lines, and dimensions of the members as called for on the Plans, and shall be sufficiently tight to prevent leakage of mortar.
3. Design formwork assemblies to take into account the pouring rate, temperature, vibrating and retarding admixtures so all portions of the assembly withstand the concrete pressures without deformation beyond the design to tolerances.
B. Form Materials
1. The contractor may use coated plywood, hardboard, wood or steel options.
2. Form Release Agent: Coat form surfaces with two coats of a chemical-type nonstaining form release agent.
C. Accuracy
1. Completed concrete surfaces exposed to view shall meet the following requirements:
a. Visually plumb, level, straight and smooth except for irregularities that may be removed in the finishing process.
b. Sufficiently accurate to accommodate the details of abutting work.

CONCRETE PLACEMENT

- A. Preplacement Inspection: Before placing concrete, inspect and complete formwork installation, reinforcing steel and items to be embedded or cast-in.
B. Coordinate the installation of joint materials and moisture barriers with placement of forms and reinforcing steel.
C. Comply with ACI 304, Recommended Practice for Measuring, Mixing, Transporting and Placing Concrete, and as herein specified.

CONCRETE CURING AND PROTECTION

- A. Protect freshly placed concrete from premature drying and excessive cold or hot temperatures. Maintain concrete with minimal moisture loss at a relatively constant temperature for the period necessary for hydration of the cement and hardening of concrete.
B. Curing shall commence as soon as freewater has disappeared from the surface after placing and finishing. The curing period shall be 7 days for all concrete except high early strength concrete which shall be cured for 3 days minimum, unless test cylinders, made and kept adjacent to the structure and cured by the same methods, are tested with the average compressive strength equal to 70% of the specified 28-day strength.

GENERAL FENCE NOTES:

- A. Top of pier to be smooth and finished with form boards.
B. Fence layout shown and dimensions are approximate. field verify and flag fence location for approval by landscape architect before installation.
C. Slope concrete to drain away from posts. Any exposed concrete at finished grade shall be smooth and uniform. any concrete spills need to be cleaned off. Any unsatisfactory finishes will be removed at the expense of the contractor.

TUBULAR STEEL / STEEL CONSTRUCTION NOTES

- A. The contractor assures that all components, specified or required to satisfactorily complete the installation are compatible with each other, with adjoining substrates, materials and work by other trades, and with the conditions of installation and expected use.
B. All tubular steel posts, pickets, rails as well as steel mounting plates or weld plates throughout project are to be pre-galvanized steel.

- C. Contractor shall paint any areas which have been cut or welded with a cold galvanizing compound prior to painting, use "zrc cold galvanizing compound" or approved equal.
D. All steel members shall be cleaned as per manufacturer's instructions and primed using ip-592 universal primer by intercoastal paint co.
E. All metal members are to be painted with a two-part polyurethane paint system (includes polyurethane catalyst).
F. Take field measurements prior to preparation of shop drawings and fabrication, where possible, to ensure proper fitting of the work.
G. Pre-assemble items in the shop to the greatest extent possible, so as to minimize field splicing and assembly of units at the project site.
H. Submit shop drawings for the fabrication and installation of all custom fabricated ornamental metal work.
I. Submit samples, 6" (0.15 m) square, metal finish required.
J. Sample shall be submitted prior to fabrication of items.
K. Store all ornamental metal items under cover and off the ground.
L. Architectural metals shall be of the best commercial quality and their various forms shall be straight and true.
M. Material shall be selected for surface flatness, smoothness and freedom from surface blemishes when exposed to view in the finished unit.
N. After completion of specified finishes on work, coat concealed surfaces which will be in contact with concrete or footings with a heavy coat of bituminous paint to prevent corrosion and galvanic action.
O. Items shall be shop fabricated so far as practicable. Joints shall be flush to conceal reinforcement, or welded where thickness of section permits.
P. Contact surfaces of connected members shall be ground true.
Q. Perform all cutting, drilling, and fitting required for the installation of the ornamental metal items.
R. Form tight joints with exposed connections accurately fitted with uniform reveals and spaces for sealants and joint fillers.
S. Do not cut finishes which cannot be completely restored in the field.



PIVOT NORTH, PLLC
1101 W. GROVE STREET
BOISE, ID 83702
www.pivnorthdesign.com



Kimley Horn logo

Project: HIL TEXAS NEW RICHMOND K-8

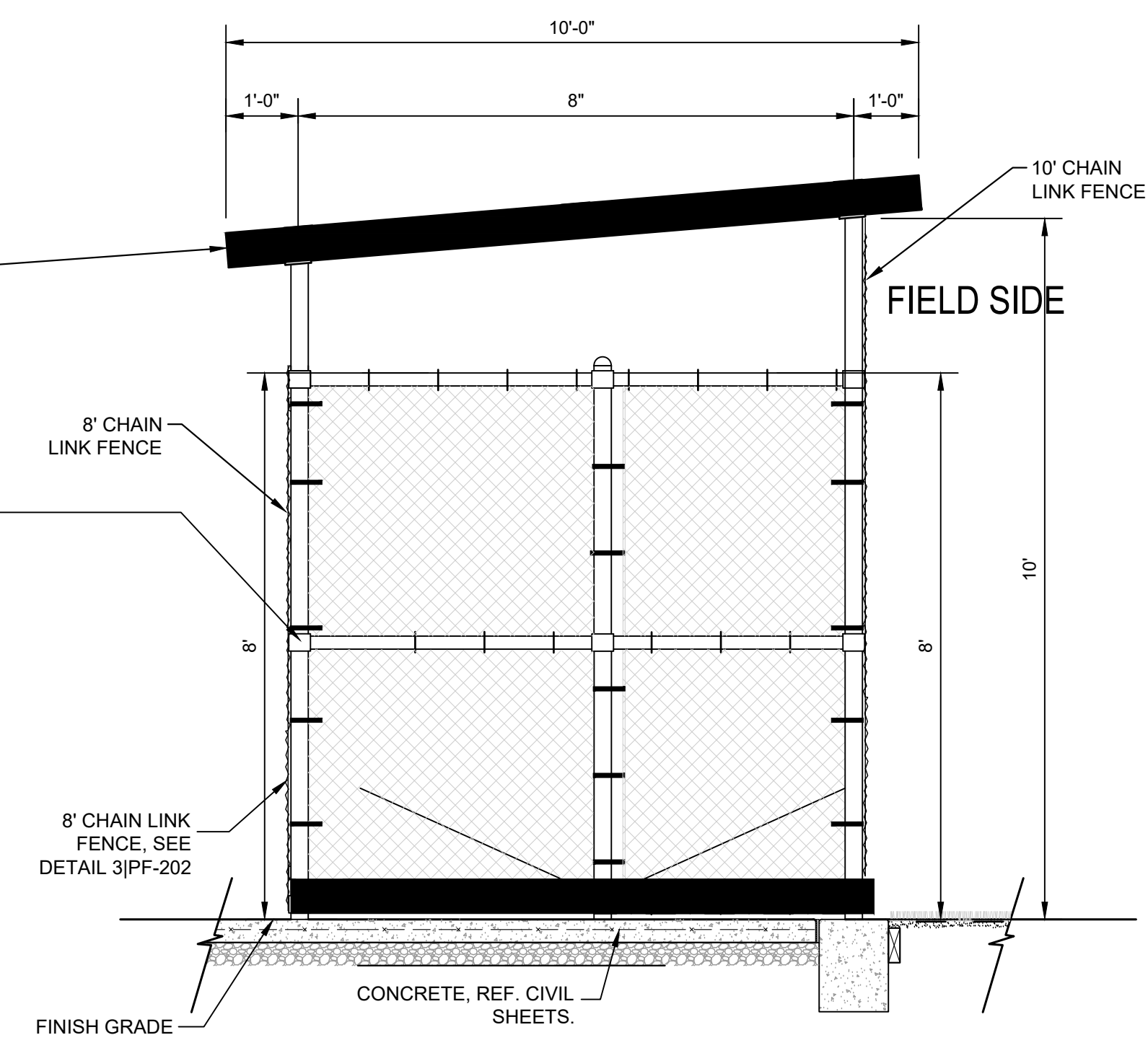
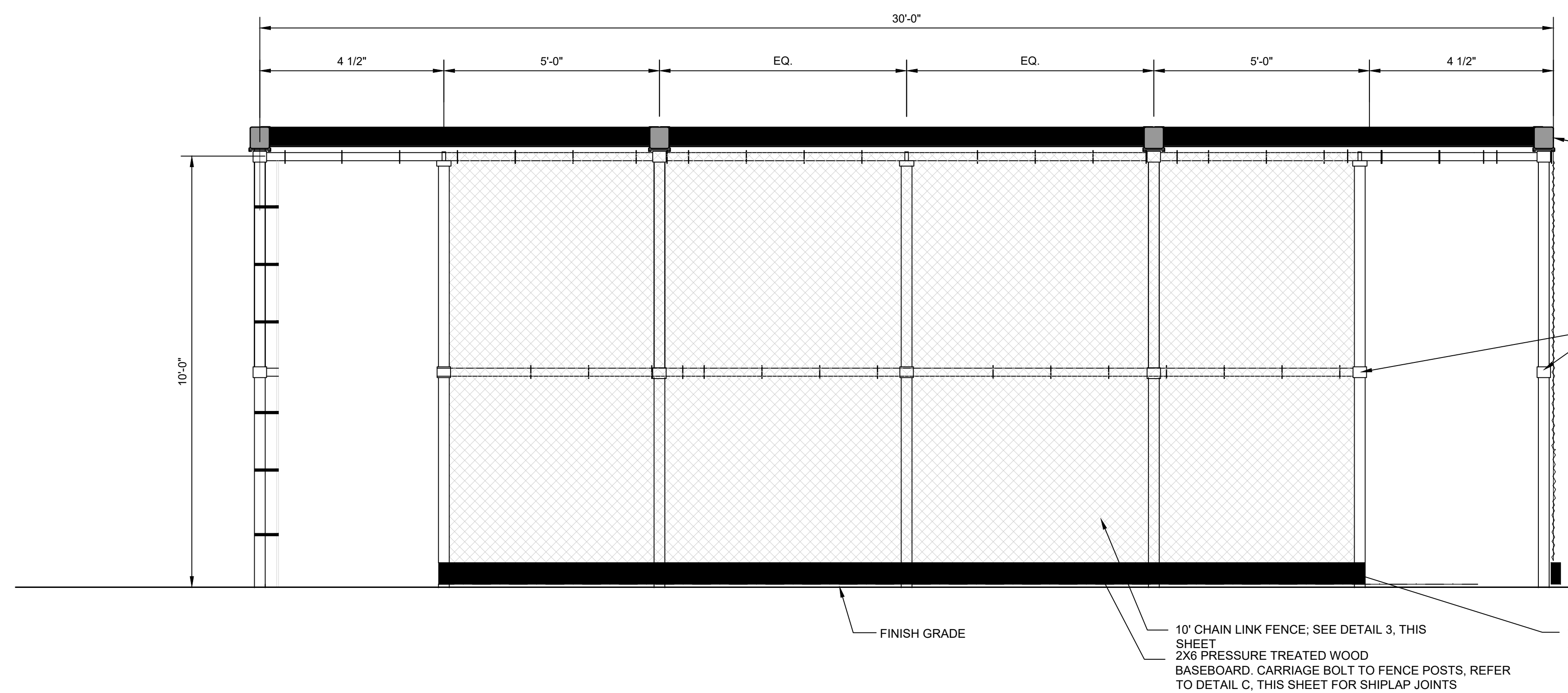
1008 FARM TO MARKET ROAD 369 RICHMOND, TEXAS 77406

Table with 3 columns: Date, Description, and Symbol. Revisions include: 10/03/2023 PLAYING FIELD MATERIAL REVISION, 10/04/2023 FENCING REVISIONS, 09/18/2024 FENCING MODIFICATIONS.

Project No: 08892007
Date: 09/18/2024
Checked By: ECL
Drawn By: ECL
Sheet Name:

FENCE SPECIFICATIONS

Sheet No: F3.0

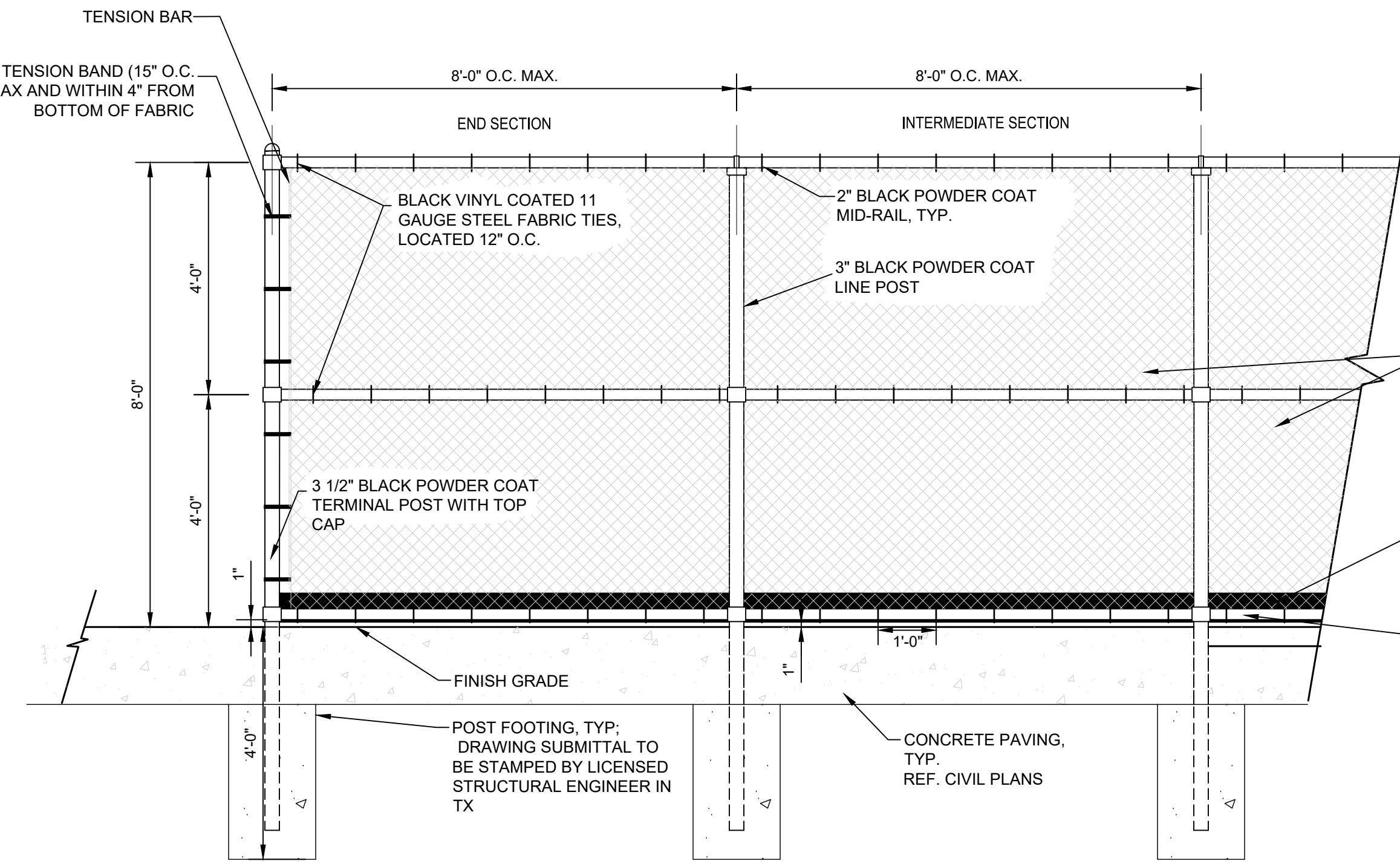
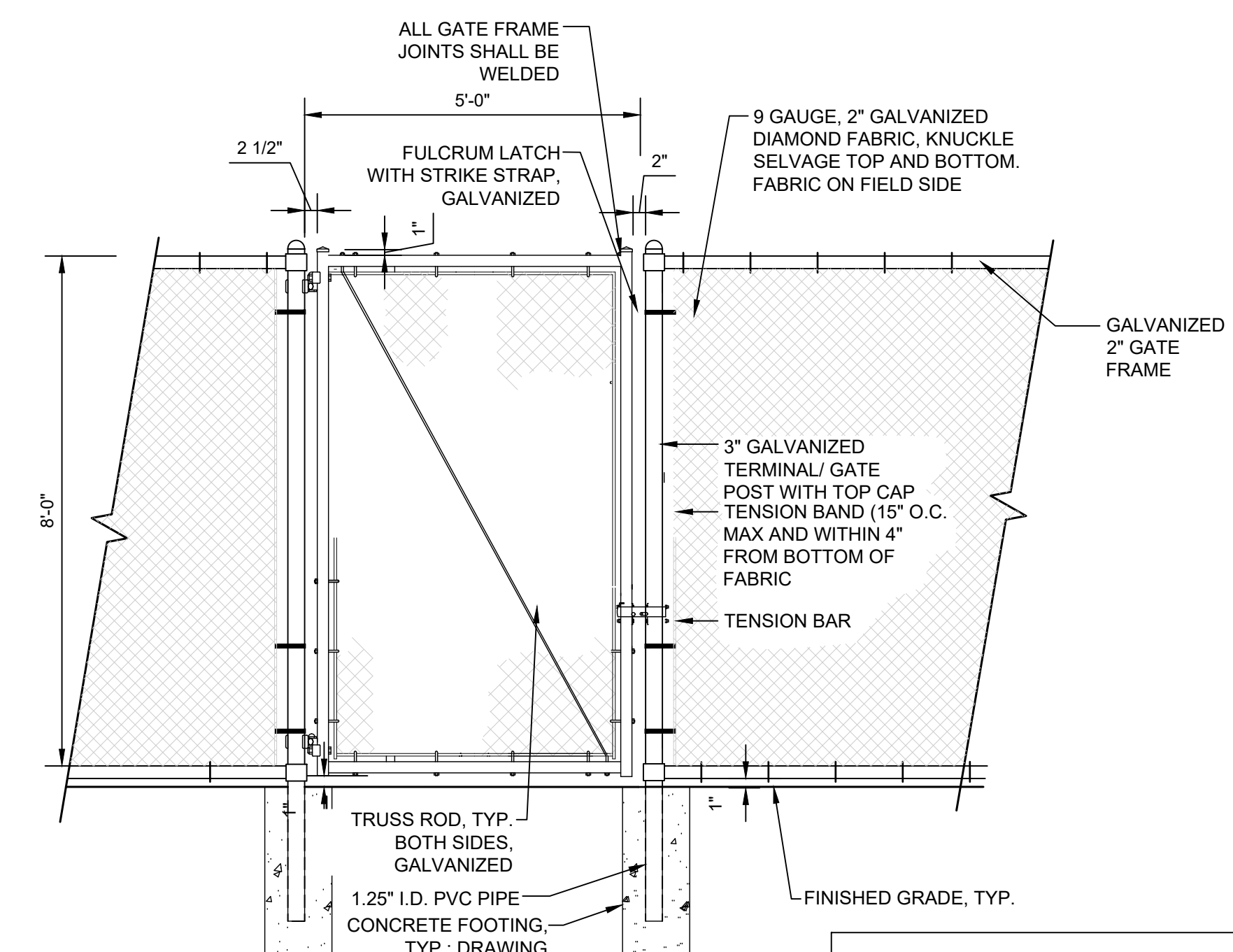


FRONT ELEVATION A-A' (VIEW FROM FIELD)

SIDE ELEVATION B-B'

1 DUGOUT FRAME ELEVATIONS
1/2"=1'-0"

NOTE:
1. DETAILS ARE DESIGN INTENT ONLY.
2. ALL STEEL MEMBERS TO BE GALVANIZED AND PAINTED W/ TNEMEC PAINT, COLOR BLACK.
3. SUBMIT SHOP DRAWINGS OF ALL STEEL FOR APPROVAL PRIOR TO FABRICATION. SHOP DRAWINGS TO BE SIGNED AND SEALED BY A STRUCTURAL ENGINEER IN THE STATE OF TEXAS.
4. SUBMIT SHOP DRAWINGS OF CONCRETE FOOTERS FOR APPROVAL PRIOR TO FABRICATION. SHOP DRAWINGS TO BE SIGNED AND SEALED BY A STRUCTURAL ENGINEER IN THE STATE OF TEXAS.
5. TOP OF ALL CONCRETE FOOTINGS LOCATED BELOW FINISH GRADE WITH A DEEP RAKE FINISH. SLOPE FOR DRAINAGE.

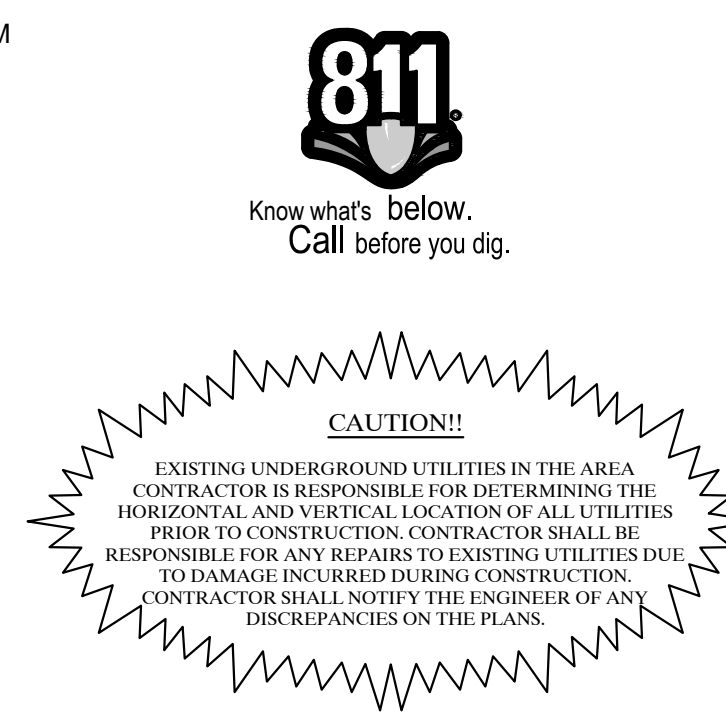


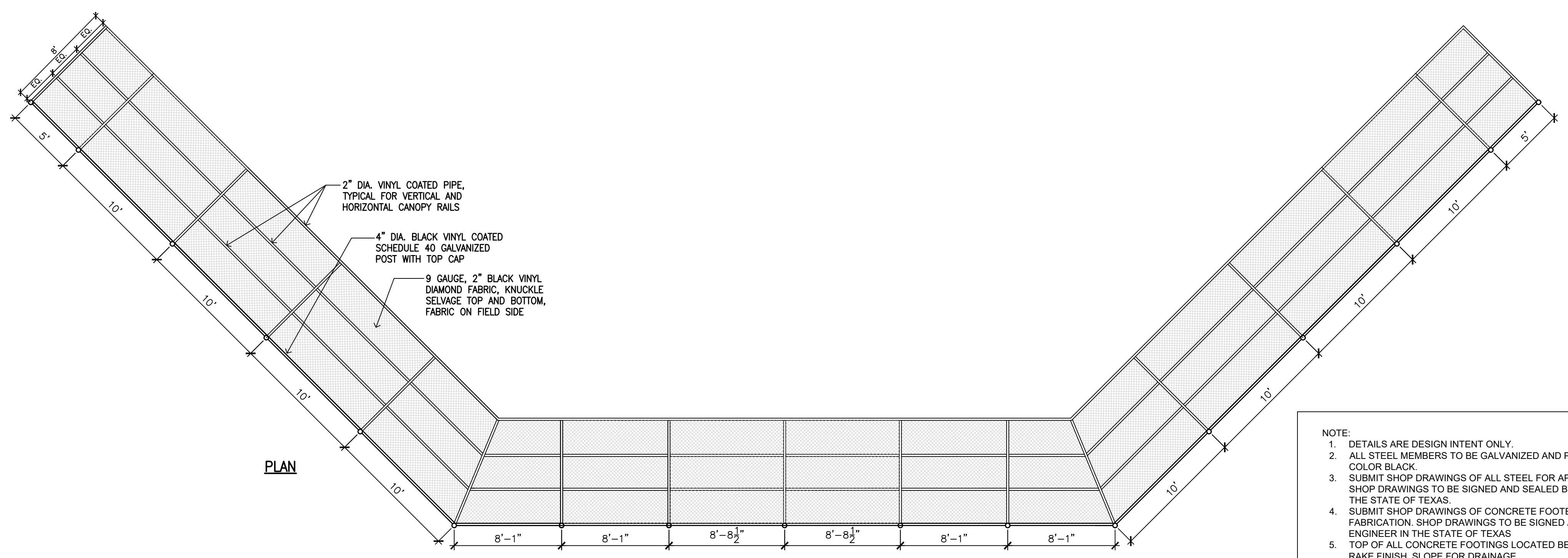
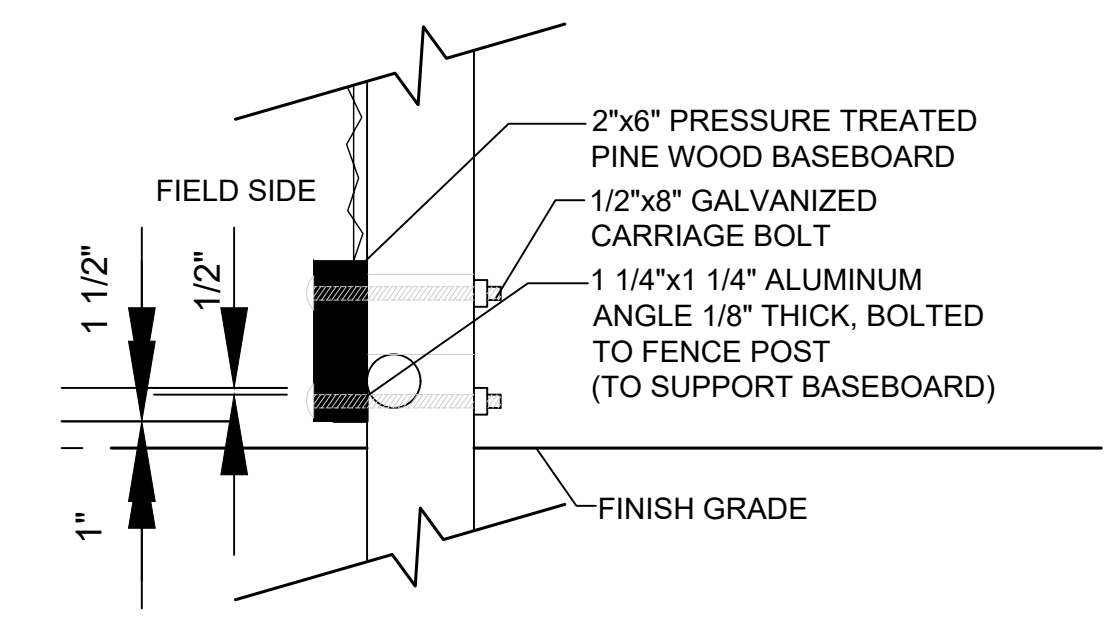
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4. SUBMIT SHOP DRAWINGS OF CONCRETE FOOTERS FOR APPROVAL PRIOR TO FABRICATION. SHOP DRAWINGS TO BE SIGNED AND SEALED BY A STRUCTURAL ENGINEER IN THE STATE OF TEXAS.
5. TOP OF ALL CONCRETE FOOTINGS LOCATED BELOW FINISH GRADE WITH A DEEP RAKE FINISH. SLOPE FOR DRAINAGE.

2 8' CHAIN LINK SINGLE GATE FENCE
1/2"=1'-0"

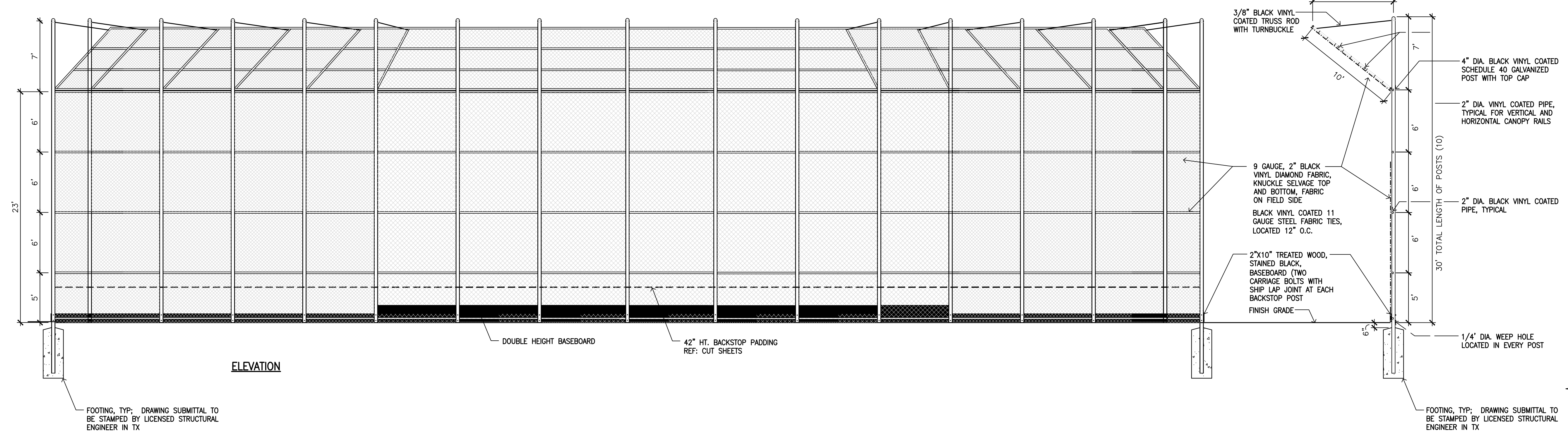
3 8' CHAIN LINK FENCE
1/2"=1'-0"

NOTE:
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NOTE:
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 2. ALL STEEL MEMBERS TO BE GALVANIZED AND PAINTED W/ TNEPEC PAINT, COLOR BLACK.
 3. SUBMIT SHOP DRAWINGS OF ALL STEEL FOR APPROVAL PRIOR TO FABRICATION. SHOP DRAWINGS TO BE SIGNED AND SEALED BY A STRUCTURAL ENGINEER IN THE STATE OF TEXAS.
 4. SUBMIT SHOP DRAWINGS OF CONCRETE FOOTERS FOR APPROVAL PRIOR TO FABRICATION. SHOP DRAWINGS TO BE SIGNED AND SEALED BY A STRUCTURAL ENGINEER IN THE STATE OF TEXAS.
 5. TOP OF ALL CONCRETE FOOTINGS LOCATED BELOW FINISH GRADE WITH A DEEP RAKE FINISH. SLOPE FOR DRAINAGE.



811
 Know what's below.
 Call before you dig.

CAUTION!
 EXISTING UNDERGROUND UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO EXISTING UTILITIES DUE TO DAMAGE INCURRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.

19 Tex. Admin. Code § 61.1031

Section 61.1031 - School Safety Requirements

(a) Definitions. The following words and terms, when used in this section, shall have the following meanings.

(1) Actively monitored--supervised by an adult who can visibly review visitors prior to entrance, who can take immediate action to close and/or lock the door, and whose duties allow for sufficient attention to monitoring.

(2) Exterior secured area--an area fully enclosed by a fence and/or wall that:

(A) is utilized when keeping doors closed, locked, and latched is not operationally practicable;

(B) if enclosed by a fence or wall, utilizes a fence or wall at least 6 feet high with design features that prevent it from being easily scalable, such as stone, wrought iron, chain link with slats or wind screen, or chain link topped with an anti-scaling device, or utilizes a fence or wall at least 8 feet high;

(C) is well maintained; and

(D) if gated, features locked gates with emergency egress hardware and has features to prevent opening from the exterior without a key or combination mechanism.

(3) Instructional facility--this term has the meaning assigned in Texas Education Code (TEC), §46.001, and includes any real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching curriculum under TEC, §28.002. For purposes of this section, an instructional facility does not include real property, improvements to real property, or necessary fixtures of an improvement to real property that are part of a federal, state, or private correctional facility or facility of an institution of higher education, medical provider, or other provider of professional or social services over which a school system has no control.

(4) Modular, portable building--

(A) an industrialized building as defined by Texas Occupations Code (TOC), §1202.002 and §1202.003;

(B) any relocatable educational facility as defined by TOC, §1202.004, regardless of the location of construction of the facility; or

(C) any other manufactured or site-built building that is capable of being relocated and is used as a school facility.

(5) Primary entrance--

(A) the main entrance to an instructional facility that is closest to or directly connected to the reception area; or

(B) any exterior door the school system intends to allow visitors to use to enter the facility during school hours either through policy or practice.

(6) School system--a public independent school district or public open-enrollment charter school.

(7) Secure vestibule--a secured space with two or more sets of doors and an office sign-in area where all but the exterior doors shall:

(A) remain closed, latched, and locked;

(B) comply with subsection (c)(3)(B) of this section; and

(C) only unlock once the visitor has been visually verified.

(b) The provisions of this section apply to all school instructional facilities owned, operated, or leased by a school system, regardless of the date of construction or date of lease. The provisions of this section ensure that all school system instructional facilities have access points that are:

(1) secured by design;

(2) maintained to operate as intended; and

(3) appropriately monitored.

(c) A school system shall implement the following safety and security standards compliance requirements to all school instructional facilities owned, operated, or leased by the school system.

(1) All instructional facilities, including modular, portable buildings, must include the addition of graphically represented alpha-numerical characters on both the interior and exterior of each exterior door location. The characters may be installed on the door, or on at least one door at locations where more than one door leads from the exterior to the same room inside the facility, or on the wall immediately adjacent to or above the door location. Characters shall comply with the International Fire Code, §505, which requires numbers to be a minimum of four inches in height. The primary entrance of an instructional facility shall always be the first in the entire sequence and is the only door location that does not require numbering. The numbering sequence shall be clockwise and may be sequenced for the entire campus or for each facility individually. The door-numbering process must comply with any and all accessibility requirements related to signage.

(2) Unless a secure vestibule is present, a primary entrance shall:

(A) meet all standards for exterior doors;

(B) include a means to allow an individual located within the building to visually identify an individual seeking to enter the primary entrance when the entrance is closed and locked, including, but not limited to, windows, camera systems, and/or intercoms;

(C) feature a physical barrier that prevents unassisted access to the facility by a visitor; and

(D) feature a location for a visitor check-in and check-out process.

(3) All exterior doors shall:

(A) be set to a closed, latched, and locked status, except that:

(i) a door may be unlocked if it is actively monitored or within an exterior secured area; and

(ii) for the purposes of ventilation, a school system may designate in writing as part of its multi-hazard emergency operations plan under TEC, §37.108, specific exterior doors that are allowed to remain open for specified periods of time if explicitly authorized by the school safety and security committee established by TEC, §37.109, when a quorum of members are present, and only if it is actively monitored or within an exterior secured area;

(B) be constructed, both for the door and door frame and their components, of materials and in a manner that make them resistant to entry by intruders. Unless inside an exterior secured area, doors constructed of glass or containing glass shall be constructed or modified such that the glass cannot be easily broken and allow an intruder to open or otherwise enter through the door (for example, using forced entry-resistant film);

(C) include:

(i) a mechanism that fully closes and engages locking hardware automatically after entry or egress without manual intervention, regardless of air pressure within or outside of the facility; and

(ii) a mechanism that allows the door to be opened from the inside when locked to allow for emergency egress while remaining locked; and

(D) if keyed for re-entry, be capable of being unlocked with a single (or a small set of) master key(s), whether physical key, punch code, or key-fob or similar electronic device.

(4) Except when inside an exterior secured area, classrooms with exterior entry doors shall include a means to allow an individual located in the classroom to visually identify an individual seeking to enter the classroom when the door is closed and locked, including, but not limited to, windows, camera systems, and/or intercoms.

(5) Except when inside an exterior secured area, all windows that are adjacent to an exterior door and that are of a size and position that, if broken, would easily permit an individual to reach in and open the door from the inside shall be constructed or modified such that the glass cannot be easily broken.

(6) Except when inside an exterior secured area, all ground-level windows near exterior doors that are of a size and position that permits entry from the exterior if broken shall be

constructed or modified such that the glass cannot be easily broken and allow an intruder to enter through the window frame (for example, using forced entry-resistant film).

(7) If designed to be opened, all ground-level windows shall have functional locking mechanisms that allow for the windows to be locked from the inside and, if large enough for an individual to enter when opened or if adjacent to a door, be closed and locked when staff are not present.

(8) Roof access doors should remain closed, latched, and locked when not actively in use.

(9) All facilities must:

(A) include one or more distinctive, exterior secure master key box(es) designed to permit emergency access to both law enforcement agencies and emergency responder agencies from the exterior (for example, a Knox box) at a location designated by the local authorities with applicable jurisdiction; or

(B) provide all local law enforcement electronic or physical master key access to the building(s).

(10) A communications infrastructure shall be implemented that must:

(A) ensure equipment is in place such that law enforcement and emergency responder two-way radios can function within most portions of the building(s); and

(B) include a panic alert button, duress, or equivalent alarm system, via standalone hardware, software, or integrated into other telecommunications devices or online applications, that includes the following functionality.

(i) An alert must be capable of being triggered by campus staff, including temporary or substitute staff, from an integrated or enabled device.

(ii) An alert must be triggered automatically in the event a district employee makes a 9-1-1 call using the hardware or integrated telecommunications devices described in this subparagraph from any location within the school system.

(iii) With any alert generated, the location of where the alert originated shall be included.

(iv) The alert must notify a set of designated school administrators as needed to provide confirmation of response, and, if confirmed, notice must be issued to the 9-1-1 center of an emergency situation requiring a law enforcement and/or emergency response and must include the location of where the alert originated. A notice can simultaneously be issued to all school staff of the need to follow appropriate emergency procedures.

(v) For any exterior doors that feature electronic locking mechanisms that allow for remote locking, the alert system will trigger those doors to automatically lock.

(11) School systems shall ensure compliance with state and federal Kari's Laws and federal RAY BAUM's Act and corresponding rules and regulations pertaining to 9-1-1

service for school telephone systems, including a multi-line telephone system.

(d) Certain operating requirements. A school system shall implement the following.

(1) Access control. The board of trustees or the governing board shall adopt a policy requiring the following continued auditing of building access:

(A) conduct at least weekly inspections during school hours of all exterior doors of all instructional facilities to certify that all doors are set to a closed, latched, and locked status and cannot be opened from the outside without a key as required in subsection (c) (3)(A) of this section;

(B) report the findings of weekly inspections required by subparagraph (A) of this paragraph to the school system's safety and security committee as required by TEC, §37.109, and ensure the results are kept for review as part of the safety and security audit as required by TEC, §37.108;

(C) report the findings of weekly inspections required by subparagraph (A) of this paragraph to the principal or leader of the instructional facility to ensure awareness of any deficiencies identified and who must take action to reduce the likelihood of similar deficiencies in the future; and

(D) include a provision in the school system's applicable policy stating that nothing in a school system's access control procedures will be interpreted as discouraging parents, once properly verified as authorized campus visitors, from visiting campuses they are authorized to visit.

(2) Exterior and interior door numbering site plan.

(A) A school system must develop and maintain an accurate site layout and exterior and interior door designation document for each instructional facility school system-wide that identifies all exterior and interior doors in the instructional facility and depicts all exterior doors on a floor plan with an alpha-numeric designation, in accordance with the door numbering specifications established in subsection (c)(1) of this section.

(B) Copies of exterior and interior door numbering site plans shall be readily available in each campus main office.

(C) Electronic copies of exterior and interior door numbering site plans shall be provided to the local 9-1-1 administrative entity, the Department of Public Safety, local law enforcement agencies, and emergency first responders in accordance with TEC, §37.117. These entities shall be afforded an opportunity to conduct a walk-through of facilities utilizing the site plans provided.

(D) The site layout and exterior and interior door designation document should be oriented in a manner that depicts true north.

(3) Maintenance.

(A) A school system shall perform at least twice-yearly maintenance checks to ensure the facility components required in subsection (c) of this section function as required. At

a minimum, maintenance checks shall ensure the following:

- (i) instructional facility exterior doors function properly, including meeting the requirements in subsection (c)(3)(A) and (C) of this section;
- (ii) the locking mechanism for any ground-level windows that can be opened function properly;
- (iii) any perimeter barriers and related gates function properly;
- (iv) all panic alert or similar emergency notification systems in classrooms and campus central offices function properly, which includes at least verification from multiple campus staff and classroom locations that a notification can be issued and received by the appropriately designated personnel and that the alert is successfully broadcast to all campus staff and to appropriate law enforcement and emergency responders;
- (v) all school telephone systems and communications infrastructure provide accurate location information when a 9-1-1 call is made in accordance with state and federal laws and rules and when an alert is triggered in accordance with this section;
- (vi) all exterior master key boxes function properly and the keys they contain function properly;
- (vii) law enforcement and emergency responder two-way radios operate effectively within each instructional facility; and
- (viii) two-way radios used by school system peace officers, school resource officers, or school marshals properly communicate with local law enforcement and emergency response services.

(B) A school system shall ensure procedures are in place to require that staff who become aware of a facility component functionality deficiency that would be identified during the twice-yearly maintenance review described by subparagraph (A) of this paragraph immediately report the deficiency to the school system's administration, regardless of the status of the twice-yearly maintenance review.

(C) A school system shall promptly remedy any deficiencies discovered as a consequence of maintenance checks required by subparagraph (A) of this paragraph or reports made under subparagraph (B) of this paragraph.

(e) In implementing the requirements of this section, school systems shall comply with the provisions of § 61.1040(j) of this title (relating to School Facilities Standards for Construction on or after November 1, 2021).

(f) To the extent that any provisions of this section conflict with rules adopted in Chapter 61, Subchapter CC, of this title (relating to Commissioner's Rules Concerning School Facilities), including terms defined by this section or standards established by this section, the provisions of this section prevail.

(g) In implementing the requirements of this section, school systems shall comply with the standards adopted under Texas Government Code, § 469.052.

(h) In implementing the requirements of this section, school systems must adopt a 3-year records control schedule that complies with the minimum requirements established by the Texas State Library and Archives Commission schedule, record series item number 5.4.017, as referenced in Texas Government Code, § 441.169, and Texas Local Government Code, § 203.041.

(i) Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements is confidential under Texas Government Code, § 418.177 and § 418.181, and is not subject to disclosure under Texas Government Code, Chapter 552.

(j) Certification.

(1) A school system must annually certify compliance with subsections (c) and (d) of this section as part of ongoing security audits under TEC, §37.108(b); maintain the certification locally; and provide documentation upon request by TEA. Non-compliance with subsections (c) and (d) of this section and all information received upon completion of a district vulnerability assessment under TEC, §37.1083, shall be reported to the school system's safety and security committee, the school system's board, and TEA, as applicable.

(2) TEA may modify rule requirements or grant provisional certification for individual site needs as determined by TEA.

19 Tex. Admin. Code § 61.1031

Adopted by Texas Register, Volume 48, Number 21, May 26, 2023, TexReg 2716, eff. 5/31/2023; Amended by Texas Register, Volume 49, Number 31, August 2, 2024, TexReg 5769, eff. 8/11/2024



ZONING BOARD OF ADJUSTMENT

Discussion

Agenda Date: November 14, 2024

Agenda Item: C2.

Project Description: Year End Meeting Discussion

Project Planner: Mason A. Garcia, Planning Director

SUMMARY

This is an agenda request to discuss an end of year meeting which will close outstanding items for the Zoning Board of Adjustment. The Zoning Board of Adjustment conducts business in accordance with the Municipal Code, Chapter 2, ARTICLE V, DIVISION 4 - ZONING BOARD OF ADJUSTMENTS BOARD, IN GENERAL, procedures not specifically addressed in this section the board follows the Rules of Commission. At a previous meeting it was mentioned due to the infrequency of the Board meetings it may be best to conduct an end of year meeting to close out all outstanding business.

Below is a summary of each section, please see the attached document for the full language within Division 4.

ARTICLE V.

Sec. 2-316. Discusses the creation of the board of adjustment, the membership number terms and process of appointing members to the board.

Sec. 2-317 Provides the purposes which the boards may make exceptions and variances to zoning regulations.

Sec. 2-318 Discusses the appointment of the board members. This section specifies the City Commission's authority to appoint the Chair and Vice Chair to serve for one year beginning in the appointment month.

Sec. 2-319. Provides information regarding the authority of the Zoning Board which include the following:

- Hear and decide an appeal regarding decisions made by administrative officials, city's zoning regulations or regulations adopted in accordance with Texas Local Government Code.
- Hear and decide special exceptions to the terms of a zoning regulation.
- Authorize in specific cases a variance from the terms of a zoning regulation if the variance is not contrary to the public interest.
- The board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

- The concurring vote of 75 percent of members of the board is necessary to:
 - Reverse an order, requirement, decision, or determination of an administrative official;
 - Decide in favor of an applicant on a matter on which the board is required to pass under a zoning regulation;
 - Authorize a variation from the terms of a zoning regulation.

Sec. 2-320. – In this section you will find information about individuals who may appear before the board, including aggrieved individuals, officers, and departmental boards. Information on how the appeal affects the actions and the timeline for the appeal is also included.

Sec. 2-321. - The board of adjustment shall adopt rules necessary for its government and procedure, not inconsistent with the terms of this Code and with the provisions of state law.

Sec. 2-322. – There is information on the time and place of meetings, including the interval at which meetings take place, as well as details regarding the keeping of minutes and records and the rules of procedure.

Sec. 2-323. - Describes how a decision of the board may be appealed to a district court, including the deadlines for making an appeal and who may do so.

Discussion

Key Points:

- The City Commission makes the appointment of the Chair and Vice Chair yearly at a regularly scheduled time.
- The Zoning Board may adopt rules of procedure.
- To adopt rules of procedure, the item will need to be posted on the Agenda and Internet 72 hours prior to the meeting public notice would not be required.
- The Zoning Board of Adjustment has the authority under Sec 6.2.103 to meet, if there is business at hand, which approval of minutes may constitute.
- To adopt minutes at a year-end meeting, the item will need to be posted on the Agenda and Internet for approval of minutes.

----- End of Report -----

DIVISION 4. - ZONING BOARD OF ADJUSTMENTS BOARD, IN GENERAL

Sec. 2-316. - Created.

There is hereby created and established a board of adjustment, which shall consist of five members to be appointed by the city commission. Such members shall serve for two-year staggered terms. The city commission may also appoint one alternate member to the zoning board of adjustment, who shall serve in the absence of one of the regular members. The alternate member shall serve for a two-year term. Both regular and alternate members may be removed from office for cause by the city commission upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member or alternate member whose term becomes vacant. All cases to be heard by the board of adjustment shall always be heard by a minimum number of four members.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-317. - Purpose.

The board of adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions and variances to the terms of the zoning regulations of the city, and decide appeals from decisions of administrative officials regarding the city's zoning regulations.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-318. - Officers; compensation.

Each year, at the at the time of the regular appointment of new members, the city commission shall appoint from the members of the board a chairman and vice chairman to serve for one year, beginning in that month. The city secretary shall serve as the ex-officio secretary of the board, unless the board shall designate another person to serve as secretary. Members of the board of adjustment shall serve without compensation.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-319. - Authority.

- (a) The board of adjustment shall:
 - (1) Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the city's zoning regulations, or any regulation adopted in accordance with V.T.C.A., Local Government Code, ch. 211;
 - (2) Hear and decide special exceptions to the terms of a zoning regulation when the regulation requires the board to do so;
 - (3) Authorize in specific cases a variance from the terms of a zoning regulation if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the regulation would result in unnecessary hardship, and so that the spirit of the regulation is observed and substantial justice is done.
- (b) In exercising its authority under subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.
- (c) The concurring vote of 75 percent of members of the board is necessary to:
 - (1) Reverse an order, requirement, decision, or determination of an administrative official;
 - (2) Decide in favor of an applicant on a matter on which the board is required to pass under a zoning regulation; or
 - (3) Authorize a variation from the terms of a zoning regulation.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-320. - Appeal to board.

- (a) Any of the following persons may appeal to the board of adjustment a decision made by an administrative official regarding a zoning regulation:
 - (1) A person aggrieved by the decision; or
 - (2) Any officer, department, board, of the municipality affected by the decision.
- (b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed within a reasonable time as determined by the rules of the board. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that

is appealed.

- (c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.
- (d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal within a reasonable time.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-321. - Rules and procedure.

The board of adjustment shall adopt rules necessary for its government and procedure, not inconsistent with the terms of this Code and with the provisions of state law.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-322. - Meetings, minutes, and procedures.

- (a) *Time and place of meetings.* The zoning board of adjustment shall meet at least monthly if business is at hand during each calendar month. Special meetings shall be held at the call of the chairman, upon request of any two members, and at such other times as the zoning board of adjustment may determine. All zoning board of adjustment meetings to transact official business shall be open to the public. All meetings shall be held in conformance with the Texas Open Meetings Act, V.T.C.A., Government Code as Annotated ch. 552.
- (b) *Minutes.* The zoning board of adjustment shall keep minutes of its meetings, hearings, and proceedings. Such minutes shall include a record of all actions, findings, and determinations of the zoning board of adjustment, and shall show the vote of each member upon each question, or if absent or failing to vote, indicating such fact. The minutes and records of the zoning board of adjustment shall be filed in the city secretary's office and shall be public records open for public inspection. The city secretary's office shall provide for the safekeeping of its minutes and records.

(c)

Rules of procedure. The Zoning Board of Adjustment shall adopt rules and procedures (e.g. Bylaws) as it deems necessary for the proper conduct of its business which are consistent with the rules contained herein, the relevant, procedures of Article 6.3, Permits and Procedures, the Constitution and statutes of the State of Texas, and the Constitution of the United State of America.

(Ord. No. 2015-15, § 1, 7-20-2015)

Sec. 2-323. - Judicial review of board of adjustment decision.

In accordance with Section 211.011, a decision of the board of adjustment may be appealed to a district court. Such appeal must be filed within ten days after the date the decision of the board of adjustment. An appeal may be filed by a person aggrieved by a decision of the board, a taxpayer or an officer, department, board of the city.

(Ord. No. 2015-15, § 1, 7-20-2015)

Secs. 2-324—2-364. - Reserved.

Editor's note— Ord. No. 2022-04, § 3, adopted February 21, 2022, repealed div. 5, §§ 2-324—2-337, which pertained to 'Construction board of adjustments and appeals,' and derived from Ord. No. 2019-28, § 2, adopted Aug. 19, 2019; Ord. No. 2021-11, § 2, adopted June 28, 2021. Said ordinance also repealed div. 6, §§ 2-351—2-364, which pertained to 'Electrical board of adjustments and appeals,' and derived from Ord. No. 2019-29, § 2, adopted Aug. 19, 2019; Ord. No. 2021-12, § 2, adopted June 28, 2021.