



**CITY OF HEDWIG VILLAGE, TEXAS  
BOARD OF ADJUSTMENT  
SPECIAL CALLED MEETING  
MONDAY, MARCH 18, 2024  
6:30 P.M. - 955 PINEY POINT ROAD**

**MINUTES**

**1. Call to Order**

Chairperson Searcy called the meeting to order at 6:31 p.m.

Present: Harlan Bergen, Member  
Charles Matthews, Member  
Michael Rigo, Member  
Jeremy Sanders, Member  
Sam Searcy, Chairperson

Will Petrov, City Attorney  
Ian Knox, Assistant Building Official  
Lisa Modisette, City Secretary  
Board of Adjustment Secretary

Absent: None

**2. Appointment of Chair and Vice-Chair**

Member Matthews motioned, Member Bergen seconded, to appoint Sam Searcy as Chair and Jeremy Sanders as Vice-Chair. Motion carried 5-0.

**MOTION CARRIED UNANIMOUSLY**

**3. Approval of Minutes: January 31, 2023**

Member Matthews motioned, Member Sanders seconded, to approve the minutes as presented. Motion carried 5-0.

**MOTION APPROVED UNANIMOUSLY**

**4. Public Hearing on a request for a variance:**

Property: 9429 Katy Freeway (HCAD #1057920000002)  
Applicant: Jennifer Wolfe, on behalf of Old Navy Stores  
Owner: LevCal Hedwig Village LP  
Variance request: Variance from Section 507(C)(2)(d), Signs, District B, Permitted Signs, from the Code of Ordinances of the Planning and Zoning Code of the City of Hedwig Village, to increase the maximum square footage area of an attached sign from three hundred (300) square feet to four hundred thirty-one point forty seven (431.47) square feet to allow channel letters with a painted and bordered background.  
Legal Description: LT B1 Target Place R/P, in Harris County, Texas

**5. Discussion and Action: Regarding the requested Variance at 9429 Katy Freeway (HCAD #1057920000002).**

Ian Knox, BBG Consulting, Inc. and the City's Building Official, stated the requested blue background would exceed the size requirement for signs. The Code states any background color would be considered as part of the sign if the color is distinguishable from the building.

Jennifer Wolfe's, on behalf of Old Navy Stores, presentation included a rendering of the sign and a description of the reason for the variance request. Mrs. Wolfe stated the proposed sign would be white channel letters with a solid blue background. The blue background would give contrast to the white letters on the sign. She stated the channel letters are within the size requirement as per the Code; however, the blue background would exceed the size requirement.

Furthermore, Mrs. Wolfe had the opportunity to discuss the variance request as well as answer questions regarding the request. During questioning, Mrs. Wolfe, the City Building Official, and Members of the Board briefly discussed the variance, the need for the background color, and the reasons for approval of the variance. Approval of the variance would not be injurious to other property, would not be contrary to the spirit or the intent of the Code, would allow for appropriate visibility of the tenant, and the acknowledgement that the property owner is aware of the sign and does not object. Mrs. Wolfe stated Old Navy Stores is in the process of rebranding, including changing their signs from blue letters to white letters with a blue background.

Member Rigo asked if the variance could be approved with conditions.

Will Petrov, City Attorney, stated the variance could be approved with conditions and that approval of a variance does not set a precedent. Each variance is considered separately and on its own merits when reviewed by the Board at a hearing.

There were no comments from the public.

The Board of Adjustment members deliberated on the proposed variance request and found that the owner did satisfy the burden of showing that the standards for a variance had been met. Specifically, the Board addressed the fact that approval of the variance would not be injurious to other properties, would not be contrary to the spirit or intent of the Code, and would allow for appropriate development of the property. The Board concluded from the evidence presented that the variance requirements were met as required by the Planning and Zoning Code.

Chair Searcy motioned, Member Matthews seconded, to approve the variance with the following conditions:

- Applicable only to current applicant's (Old Navy) use of the property only,
- Applicable to the specific requested design and color, omitting the blade sign as requested by the applicant;
- The applicant performs routine maintenance to ensure the color of the sign does not change over time;

- The variance shall automatically expire should the applicant no longer lease the property; and
- The variance shall automatically expire should the applicant sublease the property;

Motion carried 5-0.

**MOTION APPROVED UNANIMOUSLY**

## **6. Adjournment**

Member Bergen motioned, Member Matthews seconded, to adjourn the meeting at 7:00 p.m. Motion carried 5-0.

**MOTION APPROVED UNANIMOUSLY**

Approved and accepted on April 9, 2024.

ATTEST:

/s/  
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Sam Searcy, Chairperson  
Board of Adjustment

/s/  
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Lisa Modisette, City Secretary  
Board of Adjustment Secretary