

**CITY OF EASTLAND
BOARD OF ADJUSTMENT**

March 4, 2019

On the 4th day of March 2019, the Board of Adjustment for the City of Eastland, Texas, convened in Open Session at Eastland City Hall, as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

Members Present:	Shirley Stuart (alternate) Vicki Armstrong (alternate) Mary Warford Terry Jones Gena Camacho
Members Absent:	Kelly Sikes Norman Owens
Staff Present:	Bill Dolen, Director of Planning Ron Duncan, City Manager Terry Simmons, Code Enforcement Roma Holley, City Secretary
Guests Present:	Kenneth Chapman, Jason Marks, Larry Vernon

I. Meeting Called to Order

Mary Warford called the meeting to order at 6:20 p.m.

II. Invocation and Pledge of Allegiance

Bill Dolen gave the invocation and Mary Warford led the Pledge of Allegiance.

III. Approve Minutes of the Meeting Conducted on May 1, 2017 Meeting

Terry Jones made a motion, seconded by Vicki Armstrong, to approve the minutes of the May 1, 2017 meeting, as written. Motion prevailed by the following vote:

Ayes: Board Members Warford, Armstrong, Stuart, Camacho
Nays: None

**IV. The Board of Adjustment will conduct a Public Hearing Regarding:
Case No. 19-001, Request for a Zoning Variance to Allow the Replacement of an
Existing Billboard located at 9650 IH 20 with an Electronic billboard at a Higher
Overall Sign Elevation**

Opening of Public Hearing

Mary Warford opened the public hearing at 6:22 p.m. and announced the following:

Case No. 19-001, Request for a Zoning Variance to Allow the Replacement of an Existing Billboard located at 9650 IH 20 with an Electronic billboard at a Higher Overall Sign Elevation

Staff Briefing

Bill Dolen, the Planning and Zoning Director, briefed the Board regarding the variance request submitted by Ken Chapman to elevate the billboard, located at 9650 IH 20, because when equipment is parked in front of it, the sign is partially blocked. Mr. Chapman would also like to replace it with an electronic billboard at a higher elevation than the original.

Mr. Dolen stated that the billboard is in a Light Industrial District. He stated that four (4) public hearing notices were sent to adjacent property owners within 200 feet and to date had not received any replies although one of the adjacent property owners is here tonight.

In 2007, a Planning and Zoning Ordinance was approved by the City Commission and billboards are listed as a prohibited sign and not allowed within the City of Eastland. Therefore, existing billboards as of December 11, 2007, were grandfathered and only when the cost to repair, modify or replace an existing billboard is greater than 50% of its appraised value, would a variance be required. Mr. Chapman is requesting the variance because in order to elevate the existing billboard, the estimated cost is 50% of the current appraised value.

Mr. Dolen stated that elevating the billboard in its current location should not negatively impact the adjacent west side property, that contains the Eastland County Water Districts ground storage tank and pump station serving the City of Eastland. Mr. Dolen introduced photos of the billboard and adjoining property within 300 feet. He also introduced an aerial diagram illustrating eastbound traffic views of the adjacent business, located east of the current billboard and noted the line of sight from the outer, eastbound lane of traffic along Interstate 20 was approximately 360 feet.

The elevation issue comes into play when adjacent property owner parks equipment in front of the current sign, blocking the lower 8-10 feet of the sign.

Staff Recommendation:

Mr. Dolen stated this billboard should not be a hinderance to adjoining properties. It is a billboard that is locally owned and used for local advertising. Staff opinion is that the variance be approved if the board is in agreement.

Applicant Introductory Presentation

Kenneth Chapman addressed the Board and advised that the billboard is beginning to deteriorate and that to remodel the current billboard would cost more than 50% of its value. He distributed a photo of the current billboard and of the proposed billboard. He stated that the proposed electronic billboard will enhance both the advertising for his business and promote the whole of Eastland.

Mr. Chapman wants to elevate the sign so that the lower edge is approximately 16 feet from the existing ground level.

Citizen Comments

Mary Warford announced if anyone would like to say anything about the request and voice their opinion “for” or “against” the variance, now would be the time to do so.

Jason Marks was present and spoke in favor of the variance being approved. Mr. Marks owns the property and business located at 9500 E. IH 20, on the east side and adjacent to the billboard location. He stated that he just wants to make sure that the power line to his business is not affected and he believes that elevating the sign will not be an issue. He also stated that he believes this will be a great asset for both Mr. Chapman and for Eastland.

Further Discussion by Staff

Gena Camacho spoke and asked for clarification about the request for the variance because of the elevation and whether making it electronic was part of the variance. Discussion followed that revealed that there is no ordinance for or against electronic signs, that the variance is because of the elevation only. There is no negative impact to the surrounding properties nor will there be in the future because of what is on the surrounding property. The hardship would be on Mr. Chapman if the variance is not granted because of the problem of the sign being blocked at the current height.

The Public Hearing was closed at 6: 51 p.m.

V. Reconvene in Open Session

Consider Action on Subject of Public Hearing

Gena Camacho made a motion, seconded by Terry Jones, to approve the variance for the sign to be elevated. Motion prevailed by the following vote:

Ayes: Board Members Warford, Armstrong, Stuart, Jones

Nays: None

VI. Staff Briefing

Bill Dolen advised that he will take this particular subject to the Planning and Zoning Board to discuss Electronic Signs. Bill also noted that he is retiring on May 3, 2019 and would like to hold another meeting in April 2019 to introduce his replacement to the Board. He also stated that Mary Warford and Terry Jones’s terms on the Board of Adjustment will run out in September 2019 and asked for everyone to look for possible replacements.

VII. Public Comment

No other public comment.

VIII. Adjournment

Terry Jones made a motion, seconded by Gena Camacho, to adjourn at 6:55 p.m. Motion passed unanimously.

Approved

Mary Warford, Secretary
Eastland Board of Adjustment

Attest

Roma Holley, City Secretary