



Board of Adjustment AGENDA ITEM SUMMARY

MEETING DATE: February 15, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Conduct a public hearing, discussion, and possible action on a request for a variance to the City of Angleton Code of Ordinance, Sec. 21.5-7 (3) a.1.(i): Signs permitted and regulated in commercial and industrial districts, for proposed wall signage exceeding the maximum area as calculated by the allowable total sign area of 1½ square feet of signage for each linear foot of business frontage for property located at 3501 Galaznik Rd., Angleton, TX, Brazoria County, within the I-Industrial Zoning District as filed by Gerald Gussett on behalf of Houston Motorsports.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: None **FUNDS REQUESTED:** None

FUND: None

EXECUTIVE SUMMARY:

The applicant proposes to utilize the facility located at 3501 Galaznik Rd., Angleton, TX for their Houston Motorsports Business. The 20,000 s.f. single tenant office/warehouse sits on 2.76 acres, and was completed in 2012. They are seeking a variance of the Signage Code to allow for wall signage on the front and side walls of the existing structure.

The City of Angleton Code of Ordinance, Sec. 21.5-7 (3) a.1.(i): Signs permitted and regulated in commercial and industrial districts, for proposed wall signage exceeding the maximum area as calculated by the allowable total sign area of 1½ square feet of signage for each linear foot of business frontage.

The side wall signage calculation yields 960.33 sq.ft. of signage; and the front sign option "A" will yield 205.5 sq. ft. of wall signs; while option "B" on the front sign yields 143.75 sq. ft. Due to the regional nature of the business marketing plans, staff supports larger signage at this remote location, which is behind the car dealerships fronting on Interstate SH 288. This will allow them some visibility. If the user were to follow the letter of the code, it would only yield wall signage allowances of 150 sq. ft. on total.

Pursuant to Section 28-23(f)(2): No variance shall be granted without first having given public notice and having held a public hearing on the variance request in accordance with subsection (h) of this section and unless the board of adjustment finds:

- a. **That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his/her land;**
- b. *The structure, as it is currently situated, is on a remote road which lends to no major visibility to SH 288.*

That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

The applicant has expressed a dynamic marketing and regional market capturing strategy to serve the coastal region of the surrounding Houston/Galveston markets.

- c. **That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;**
The granting of the variance should not be detrimental to the public health, safety or welfare of surrounding properties which are commercial uses.
- d. **That the granting of the variance will not have the effect of preventing the orderly use of the other land within the area in accordance with the provisions of this chapter; and**
Staff finds no reason why this variance would prevent the orderly use of other land within the area.
- e. **That a finding of undue hardship exists.**
An undue hardship exists pursuant to Section 28-23(f)(3).

Pursuant to Section 28-23(f)(3): In order to grant a variance, the board of adjustment must make written findings that an undue hardship exists using the following criteria:

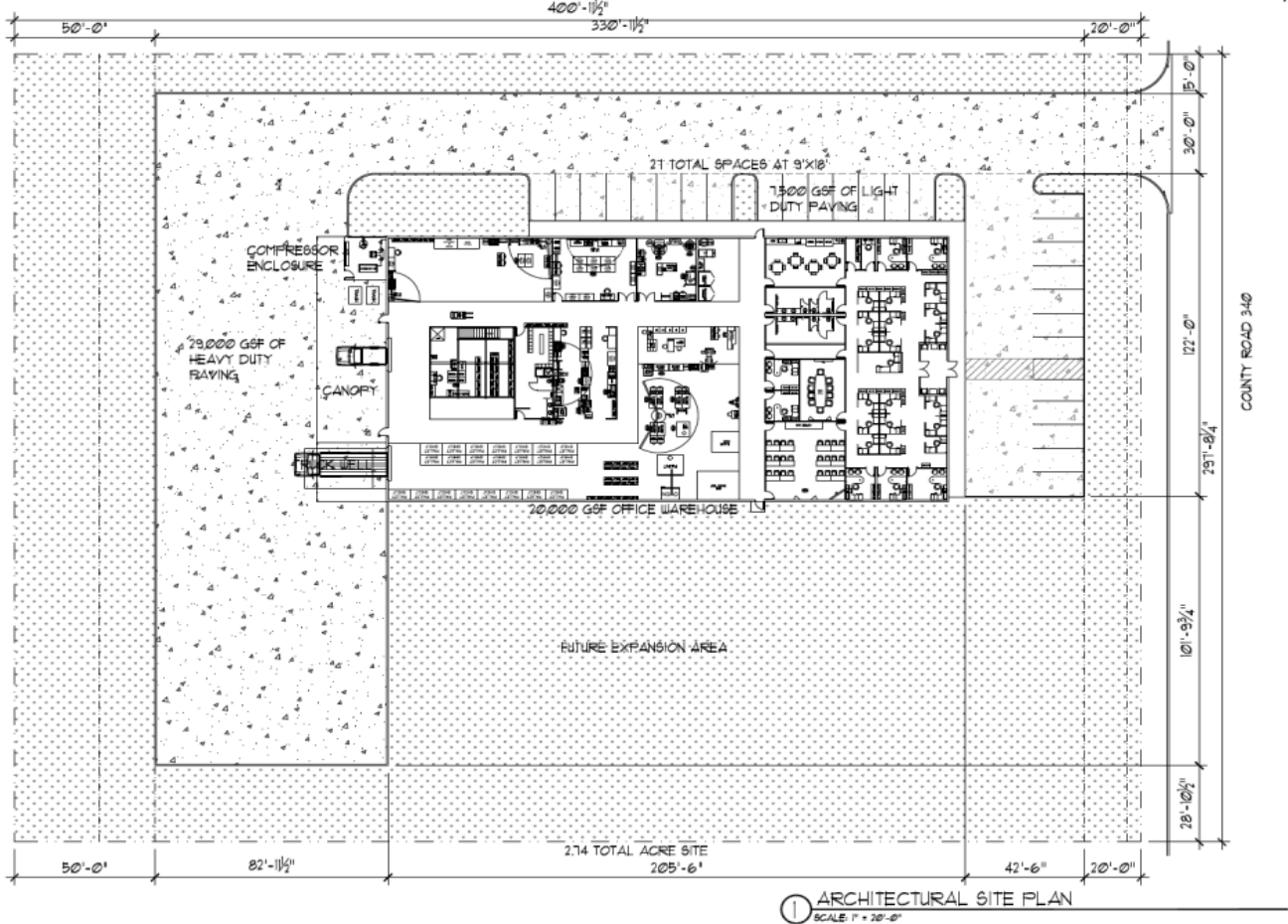
- a. **That literal enforcement of the controls will create an unnecessary hardship in the development of the affected property;**
The structure, as it is currently situated, is on a remote road which lends to no major visibility to SH 288.
- b. **That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in same zoning district;**
The structure, as it is currently situated, is on a remote road which lends to no major visibility to SH 288.
- c. **That the relief sought will not injure the permitted use of adjacent conforming property; and**
The relief sought will not injure the permitted use of adjacent conforming property.
- d. **That the granting of a variance will be in harmony with the spirit and purpose of these regulations.**
Granting of a variance will be in harmony with the spirit and purpose of these regulations.

Pursuant to Section 28-23(f)(4); A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely upon economic gain or loss, nor shall it permit any person the privilege in developing a parcel of land not permitted by this chapter to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship upon another parcel of land.

Aerial View



HOUSTON, TX



① ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"



② CONCRETE TILTWALL CONCEPTUAL ELEVATION
SCALE: 3/32" = 1'-0"



View looking Southeast at Front



West/Front Elevation

Staff Recommendation: Staff recommends that the Board consider granting a variance of the maximum square footage required by Code of Ordinance, Sec. 21.5-7 (3) a.1.(i).