

Zoning Board of Adjustment

August 3, 2022 Meeting Minutes

The City of Bastrop Zoning Board of Adjustment met Wednesday, August 3, 2022, at 6:00 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Scot Robichaud called the meeting to order at 6:00 p.m.

Board Members:

Scot Robichaud	Present
Gary Moss	Present
Jeffery Haladyna	Present
Richard Smarzik	Present
Scott Long	Present

Staff Present:

Jennifer C. Bills, Director of Planning and Development
Nicole Peterson, Planning Technician

2. CITIZEN COMMENTS

There were no comments from citizens.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider action to approve meeting minutes from the June 1, 2022, Zoning Board of Adjustment Meeting.

Gary Moss made a motion to approve the June 1, 2022, Zoning Board of Adjustment Meeting. Jeffrey Haladyna seconded the motion and the motion carried unanimously.

- 3B. Public Hearing and consider action to deny a variance from the Bastrop Building Block(B³) Code, Chapter 8 – Signs, Article 8.3 (b) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas.

The Director of Planning, Jennifer Bills, presented the variance request from the Bastrop Building Block(B³) Code, Chapter 8 – Signs, Article 8.3 (b) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street to the Board Members.

David Lapp, Senior Project Manager with Level 5 LLC, spoke with the board members about the sign variances that were approved in the past. He stated that he believes they have a special occasion given the sign ordinance does not have a specific description for the proposed sign type.

Discussion commenced between the Board Members and David Lapp over the following topics:

1. Does the parking lot belong to the City?
 - Yes, it is a city-owned parking lot.

Zoning Board of Adjustment

August 3, 2022 Meeting Minutes

2. How large is the parking lot?
 - It has about 30 parking spaces.
3. Are the lights that are currently on the building for this sign?
 - Yes, the applicant had it listed on the plans but there was a misunderstanding that we were not allowed to have both signs.

Reid Sharp, spoke on behalf of First National Bank and read a letter out loud stating the First National Bank stating the history of the bank, its contributions to the community, and why the sign should be approved.

Discussion commenced between Board Members and Reid Sharp over the following topics:

1. How much money did it cost to build this new building?
 - It was roughly \$44.00 per square foot so about 2.3 million dollars.
2. Did the amount also include the cost for the land?
 - No, the land was already paid for.

Discussion commenced between Board Members and Staff over the following topics:

1. When will signs be an item for discussion with the Planning and Zoning Commission?
 - It depends on City Council; at this time, we would have to outsource to re-write the code and make sure there are funds allocated in the budget.
2. Would this be considered a corner lot if they gas station was not there?
 - Yes, if the ATM gas station was not there it would be considered a corner lot.
3. If Vibe Tribe and Body Toners were to be sold, could other businesses go in there?
 - Yes, they could put other businesses in there.

Scot Robichaud opened the public hearing at 6:28 p.m.

There were no comments or questions from citizens.

Scot Robichaud closed the public hearing at 6:28 p.m.

Scot Robichaud made a motion to approve the variance from the Bastrop Building Block(B³) Code, Chapter 8 – Signs, Article 8.3 (b) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas. Richard Smarzik seconded the motion and the motion carried 4-1 with Scott Long opposed to the motion.

- 3C. Public Hearing and consider action to deny variances from the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas.

The Director of Planning, Jennifer Bills, presented the variance request from the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop to the Board Members.

Zoning Board of Adjustment

August 3, 2022 Meeting Minutes

She stated the applicant is requesting a digital sign, but the current code does not allow for digital signage.

Discussion commenced between the Board Members and Staff over the following topics:

1. Is the current sign in compliance with the code?
 - Yes, the current sign is in compliance with the code.
2. The applicant is asking for the same size sign, and they would just like to have it be a digital sign?
 - Yes, it would be a blinking sign that would change with the different gas prices.
 - The current digital signs they have on the canopy now are considered a legal non-conforming sign.
3. The Board asked if the applicant is stating the hardship is due to the visibility of the sign, and is the applicant would be allowed to bring the sign closer to the street and further to the west?
 - Staff responded further research would need to be conducted because there is a possibility that a detention pond is on the other corner of this lot.
4. Would the city consider relocating the currently illuminated signs on their canopy?
 - Yes, the city could consider moving the signs on the canopy.
5. Would it take re-writing the sign code for this type of sign to be considered?
 - Yes, currently there is a dark sky ordinance in place which restricts outdoor lighting from shining up or out. The city also has color temperature requirements and a maximum lumen output per site.

Scot Robichaud opened the public hearing at 7:02 p.m.

There were no comments or questions from citizens.

Scot Robichaud closed the public hearing at 7:03 p.m.

Richard Smarzik made a motion to deny the variance as stated for the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas. Gary Moss seconded the motion and the motion carried unanimously.

4. ADJOURNMENT

Richard Smarzik made a motion to adjourn the meeting at 7:04 pm. Gary Moss seconded the motion and the motion carried unanimously.

Chair

Vice-Chair