

Zoning Board of Adjustment

October 26, 2022 Meeting Minutes

The City of Bastrop Zoning Board of Adjustment met Wednesday, October 26, 2022 at 6:00 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Scott Long called the meeting to order at 6:00 p.m.

Scot Robichaud	Absent
Gary Moss	Present
Jeffery Hala-dyna	Present
Richard Smarzik	Present
Scott Long	Present
David Lowden	Present

2. CITIZEN COMMENTS

There were no comments from citizens.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

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

Richard Smarzik made a motion to approve the August 3, 2022 Zoning Board of Adjustment Meeting. Jeffery Haladyna seconded the motion and the motion carried unanimously.

- 3B. 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.

Jennifer Bills presented the 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 to the Board Members. She stated the applicant could not be present at the previous meeting and after reviewing the application with the City Attorney there are no issues with the applicant resubmitting their application.

Jennifer Bills stated the property owner is requesting digital signage due to a tree blocking the sign, the property owner has reached out to the owner about cutting down the tree, but the owner of the tree is not willing to compromise. She mentioned the applicant stated the sales have gone down and that the Valero owner thinks the digital sign would help.

Jennifer Bills stated they do have digital signage already on the building facing the other direction and presented other properties that have their digital signage obscured by other trees. She also

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stated when the code was being drafted digital signs were not taken into consideration because of the visibility and the city being a dark sky.

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

1. The sign is not illuminated externally?
 - No, it is internally illuminated.
2. The street picture to the west at the Shell, the sign looks a lot closer to the Highway than the Valero sign. What is the setback?
 - They are both close, but I do not have an exact answer on the set back.
3. Will the sign be refaced?
 - Yes, they would take the current face out and install the digital signage.
4. Will there be any change in visibility to the sign if it becomes digital?
 - No, because the tree will still block the visibility of the sign.
5. The store cannot cut or trim the tree?
 - No, because it is not located on their property.
6. Is the pylon sign able as close to the road as it can be?
 - Yes, it is in the southeast corner of the property.
7. Is the current sign in compliance with the current light it has now.
 - When they applied for the sign, they did not say that it was going to be internally illuminated.

Lee Simmons, the applicant here on behalf of V&S Enterprise spoke to the board members about adding digital signage and the hardships they have with competitors before the change of the sign code in 2019. He spoke about the tree blocking the sign and how he was not able to reach an agreement with the property owner regarding the tree. He thinks this is a reasonable request, since they are not changing the height or area of the sign. He mentioned the gas prices change throughout the day and they are having to go out manually to change them. He stated he understood the concern about the birds and dark sky and that they will take that into consideration.

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

1. How many years has it been a Valero?
 - Not many, maybe a year or longer.
2. Was it an independent business before it became Valero?
 - Yes, it was an independent business.
3. Do you know how many gas stations have opened in that area since 2016?
 - No, I do not have that information.
4. Is the sign a screen or LED segments?
 - It will be LED segments.

Scott Long opened the Public Hearing at 6:22 p.m.

There were no comments or questions from citizens.

Scott Long closed the Public Hearing at 6:22 p.m.

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Richard Smarzik made a motion to deny the variance 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. Gary Moss seconded the motion and the motion carried unanimously.

4. ADJOURNMENT

Richard Smarzik made a motion to adjourn the meeting at 6:23 pm. Gary Moss seconded the motion and the motion carried unanimously.

Chair

Vice-Chair