
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Director Development Services

MEETING: June 5, 2023

SUBJECT:

Burleson ISD at 517 SW Johnson Ave. (Case 23-036): Consider approval of a resolution for a sign variance to allow for two monument signs without masonry wrapping; Chapter 63, Sign Regulations. *(Staff Presenter: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item.)*

SUMMARY:

On April 4, 2023, an application was submitted by Jeffrey Parrack with Burleson ISD for a sign variance allowing for two monument signs without adequate masonry wrapping. Per the sign code, monument signs must be wrapped in masonry material to match or compliment the main building. The masonry material wrapping the advertising area shall not exceed 100 percent, nor fall below 30 percent of the commercial advertising area. Building permits for the school were submitted and approved in 2021. The applicant was under the impression that signage approval was included in the building permit approval. Unaware that signs have a separate permitting process, the two monument signs were constructed without permits or inspections in 2022. The applicant was informed that sign permits would need to be submitted retro-actively for the already constructed signs. Following staff review, it was determined that the existing signs were not in compliance with the masonry wrapping standard for monument signs. The applicant is now requesting a waiver to allow for the two existing signs to remain as constructed without adequate masonry wrapping. The applicant's justification for approval in granting the variance has been attached as Exhibit 5.

Planning Analysis

Section 63-54(f) (Monument sign) of the Sign Ordinance contains the following standard:

- Monument signs must be wrapped in masonry material to match or compliment building, exposed sign cabinets or poles are prohibited. The masonry material wrapping the advertising area shall not exceed 100 percent nor fall below 30 percent of the commercial advertising area.

Approval Standards in Granting a Variance.

(Chapter 63-Sign Regulations, Section 63-12(b) - Variances):

Consideration

Special conditions exist that are **peculiar to the land, structure or building** involved and are not applicable to other lands, buildings or structures in the same vicinity. The City may attach such conditions to granting all or a portion of any variance necessary to achieve the purpose of this chapter.

The **strict interpretation** of the chapter would **deprive the applicant of rights commonly enjoyed by other properties** in the vicinity under the terms of this chapter.

Special conditions and circumstances do not **result from the actions of the applicant(s)** and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences.

Granting the variance will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare

The request will be the minimum variance necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of this chapter; and

Granting the variance will be in harmony with the **spirit and purpose** of this chapter.

OPTIONS:

- 1) Approve the sign variance with or without conditions;
- 2) Deny the sign variance.

RECOMMENDATION:

Staff recommends Council render a decision on the variance request. It is staff's determination that the variance request is minimal in nature and the signs match the overall architectural theme of the campus. Additionally, the masonry base is substantial and complements other masonry aspects of the adjacent educational buildings.

FISCAL IMPACT:

None.

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