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**Sec. 24-90. Monument signs.**

(a) *Monument sign table.*

<i>Sign Type</i>	<i>Commercial Building</i>	<i>Office Building</i>	<i>Hospital, Church or Government Building</i>	<i>Residential</i>
Monument sign	Yes	Yes	Yes	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

(b) *Information on sign.* The information display on a monument sign is limited to the name and logo of residing establishments (except, during such time the premises is for held for lease, it may include a "for lease" display).

(c) *Design and construction standards.* Monument signs must be designed and constructed in accordance with the following standards:

(1) If internally illuminated, the monument sign must:

- a. Be designed and constructed in accordance with applicable UL specifications and requirements and must exhibit the appropriate UL certification.
- b. Use either 30 milliamp neon glass tubing that is 15 millimeters in size and 6500 white in color or high output fluorescent lamps.

(2) Monument sign materials must be noncorrosive, including, but not limited to, the frame, bolts, shields, brackets, paint, vinyl, and aluminum.

(3) Monument sign faces must be either back-lit channel letters or routed aluminum panel faces that are backed with either Plexiglas or up to a maximum one-half inch push-through type Plexiglas.

(4) A monument sign containing a routed aluminum panel face may have an internally lit or back-lit lighting application.

(5) Monument signs must display the building street address number, in four-inch metal letters, on all visible sign faces.

(d) *Number of signs permitted; dimensions and setback requirements.*

(1) For properties with less than 100 lineal feet of right-of-way frontage, the surface area of the monument sign may not exceed 24 total square feet.

(2) For properties with more than 100 lineal feet of right-of-way frontage, the surface area of the monument sign may not exceed 48 total square feet.

(3) A monument sign may not exceed eight feet in height above the highest point in the natural grade immediately adjacent to the base of the sign.

(4) A monument sign must be set back at least ten feet from the boundary line of the property.

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- (5) Properties with less than 400 lineal feet of right-of-way frontage may have only one monument sign on the premises. Properties with more than 400 lineal feet of right-of-way frontage may have up to two monument signs on the premises; provided, however, the monument signs must be spaced at least 100 feet apart.

(Code 1987, ch. 11, subch. D, § 3; Code 1995, § 3.06.091)

## *DIVISION 4. VARIANCES*

### **Sec. 24-119. Purpose; limitations.**

- (a) In order to lessen practical difficulties and prevent unnecessary physical hardships, variances from the regulations may be granted. A practical difficulty or unnecessary physical hardship may result from the size, shape, or dimensions of a structure, or the location of the structure, from topographic or physical conditions on the site or in the immediate vicinity, or from other physical limitations, street locations, or traffic conditions in the immediate vicinity. Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance.
- (b) With respect to signs which are subject to regulation under V.T.C.A., Transportation Code ch. 391 and state department of highways and public transportation regulations, no variance shall be granted from spacing, size and lighting requirements when such would result in less stringent regulation than that provided for under those regulations.

(Code 1995, § 3.06.121)

### **Sec. 24-120. Application.**

Application for a variance shall be made upon a form provided by the city. The variance application shall include the application for a sign permit and shall also state the applicant's reasons for requesting variance in accordance with the criteria set forth in this article.

(Code 1995, § 3.06.122)

### **Sec. 24-121. Fee.**

The fee for a variance shall be as provided in the city fee schedule. The fee shall be paid at the time of application and shall not be refundable.

(Code 1995, § 3.06.123)

### **Sec. 24-122. Hearing.**

Upon receipt of a variance application, the city council shall hold a public hearing prior to the approval or disapproval of the requested variance.

(Code 1995, § 3.06.124; Ord. No. 2019-12-18-17 , § 1, 12-18-2019)

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### **Sec. 24-123. Action on application.**

Within 20 days of the closing of a hearing on a variance application, the city council shall act on the application. The council may approve the application as submitted, may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this article, or the council may deny the application. A variance may be revocable or may be granted for a limited time period.

(Code 1995, § 3.06.125)

### **Sec. 24-124. Criteria for approval.**

Before the city council acts on a variance application, the applicant must prove hardship, and the council must find that:

- (1) There are special circumstances or conditions applying to the land, buildings, topography, vegetation, sign structures or other matters on adjacent lots or within the adjacent right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions are unique to the particular business or enterprise to which the applicant desires to draw attention, and do not apply generally to all businesses or enterprises;
- (2) That such special circumstances were not created by the applicant or anyone in privy to the applicant;
- (3) That the granting of the variance will be in general harmony with the purposes of this article, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general;
- (4) The variance applied for does not depart from the provisions of this article any more than is required to identify the applicant's business or use;
- (5) Such other factors and criteria as the council deems applicable to the proposed variance.

(Code 1995, § 3.06.126; Ord. No. 2013-05-15, 5-15-2013)