

Board of Adjustment STAFF REPORT



SUBJECT: Case No.: V2024-018

Applicant Joseph Borges representing CJW Partners, LLC is requesting a variance from Section Sec.154.12-37 – Variance from Sign Regulations for property located at 200 W Washington, Parcel R29202, being BLOCK 7; LOT H of the S2600 City Addition of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. Borges is requesting variances from the sign ordinance to place an additional projection sign on the property. This building is the former Rexall Drugstore. The existing sign will remain in place.

The drawing and subsequent email submitted by Signs Express Plus indicate the sign will be 7' in diameter. It is unknown at this time how many additional feet will be added from the materials used to attach the sign to the building.

Known variances needed at this time are:

1. Requesting more than one sign per façade.
2. Requesting to extend beyond the 4' limitation.
3. Requesting to protrude the TxDOT Right-of-way.

Sec. 154.12. Sign regulations.

12-37 Projection sign.

- (a) *Location.*
 - (1) Signs must be premises signs.
 - (2) Sign shall be attached to the building and extending in whole or part between 12 inches and four feet beyond the exterior surface of the building but not protruding into the ROW or another property.
- (b) *Area.* The surface area of the sign where text and graphics are displayed shall not exceed a maximum of 30 percent of the area of the building elevation to which it is attached.
- (c) *Number of signs.* One per building elevation.

Section 12-12 Variances

- (a) Variance authorized. The Board of Adjustment (BOA) may authorize a variance to any restriction set forth in this chapter, including, but not limited to, the number, type, area, height or setback of signs, or any other aspect involved in the sign permitting process.
- (b) Approval standards. In granting any variance, BOA shall consider the following criteria and shall grant the variance only if:

- (1) Special conditions exist which 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; and
- (2) The strict interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of the chapter; and
- (3) The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and
- (4) Granting the variance will meet the objectives of the chapter and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and
- (5) 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
- (6) Granting of the variance will be in harmony with the spirit and purpose of this chapter.
- (7) In granting special exceptions under this section, the Board of Adjustment may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including but not limited to conditions specifying the period during which the nonconforming use may continue to operate or exist before being conformed to the standards of the Zoning Ordinance.

ALTERNATIVES:

1. Approve the Variance Request.
2. Deny the Variance Request.