

# Board of Adjustment

## STAFF REPORT



**SUBJECT:** Case No.: V2024-020

Applicant Dylan Davis is requesting a variance from Section Sec.154.12-50(a) – Variance from Sign Regulations for property located at 899 W Washington, Parcel R29577, being BLOCK 62; LOT 1 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:

Ms. Davis is requesting a variance from the sign ordinance. The applicant is requesting a seven-foot variance to place a monument sign three feet off the property line. Monument signs are categorized as Free-Standing Signs and are required to be 10 feet from the property line.

#### **12-50 Generally.**

- (a) All freestanding signs shall be setback a minimum ten feet from the property line.

#### **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.