



Wylie Zoning Board of Adjustment

AGENDA REPORT

Meeting Date:	July 19, 2021	Item Number:	5
Department:	Planning	Case Number:	2021-09
Prepared By:	Kevin Molina	Project Location:	112 S Ballard
Date Prepared:	July 12, 2021	Subdivision Name:	Olde City Park Addition
		Exhibits:	Locator Map, Site Plan, Elevation, Notification Map, Comments

Subject

Hold a Public Hearing to consider and act upon a request by Robert Diaz for a variance to Section 6.3.E.6 of the Zoning Ordinance to allow for an increased size of a monument size for the Downtown Historic District. Property located at 112 S Ballard. **ZBA 2021-09**

Discussion

Applicant: Robert Diaz

Owner: City of Wylie

The subject property is located at 112 S Ballard and is currently zoned Downtown Historic District (DTH).

The applicant is requesting a variance to allow for the placement of an electronic sign that measures a max of 15' in width and 11' in height, being a total square footage of 165 sq.ft..The Downtown Historic District regulations found in Section 6.3.E.6 of the Zoning Ordinance does not specifically allow for monuments signs to be placed within the district boundaries.

A unique circumstance may be apparent as the proposed sign is replacing an existing rod iron sign with more modern signage capabilities that will help broadcast events within the Downtown Historic District.

A sign of similar size was approved by the Zoning Board of Adjustments in May of 2020 and is now in use in front of the Public Safety Building on Highway 78.

Public comment forms were mailed to twenty-six (26) property owners within 200 feet of this request, as required by State Law. At the time of posting one comment form was returned in favor of the request.

The Board shall not grant a variance to the development code which:

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

In order to grant a variance to the development code the Board shall find that all the following have been satisfied:

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.

Approved By

Department Director

Initial
JH

Date
July 15, 2021