



# Wylie Zoning Board of Adjustments

## AGENDA REPORT

**Department:** Planning

**Item Number:** 4

**Prepared By:** Kevin Molina

### Subject

Hold a Public Hearing to consider and act upon a request by Chris Dague for a variance to Section 22-447 (9) and Section 22-450 (f) of the Sign Ordinance to allow for three painted wall signs over the maximum allowed wall signage square footage. Property located at 2201 Country Club Road. **(ZBA 2025-20)**.

### Recommendation

Motion to approve or deny.

### Discussion

**OWNER:** Gateway Community Church of Murphy

**APPLICANT:** Signs Up

The applicant is requesting a variance to Section 22-447 (9) and Section 22-450 (f) of the Sign Ordinance to allow for three painted wall signs over the allowed wall signage square footage as generally shown on the attached Variance Exhibit.

The request is to allow for three painted signs on a wall that measures 36' in height for the Gateway Community Church which will soon be renamed Harvest City Church in February of this year. The variance request is being made as the Sign Ordinance prohibits painted signs and has a maximum wall signage requirement where signs shall not, in total, exceed two square feet for every linear foot of the primary facade of the building or lease space, with no one sign exceeding 75 percent of the total allowed square footage. Wall signs mounted to the side or rear of a building shall not exceed one-half (½) the square footage area of signs mounted to the front of the building.

The purpose of the Sign Ordinance restricting painted signs and having a maximum size limitation is to prevent obstructed views, avoid distracting motorists and to preserve the visual aesthetics and quality of life of the community. The Zoning Board of Adjustments may approve or deny the request as presented or discuss potential changes to the presented signage proposal.

The applicant believes the variance request has merit for the following reasons:

- The painted signs are proposed in locations which are non-intrusive as they are non-illuminated and are proposed on walls that are 650' away from the right of way of Country club Road. The signs will also not face the adjacent southern residential development.
- While the sign ordinance does not allow for painted signs it does allow for murals with a maximum area not to exceed the length or height of the exterior wall on which it is painted, drawn or applied. This proposal would be in compliance with the mural allowance.
- The church has a unique physical constraint due to the deep setback which impacts visitors knowing where to turn in from the roadway. The painted wall signs will aid in improving the visibility of the church while being non-intrusive to the safety of traveling vehicles.

Public comment forms were mailed to sixteen (16) 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 and one in opposition 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.