



**FARMERSVILLE SIGN BOARD OF APPEALS AGENDA
SPECIAL MEETING
November 8, 2016
City Hall, Council Chambers
205 South Main Street
6:00 P.M.**

I. PRELIMINARY MATTERS

- Call to order, roll call, prayer, and pledge

II. CONSENT AGENDA

- A. Minutes from October 11, 2016

III. PUBLIC HEARING

- A. Public Hearing to consider, discuss, and act upon a request for variances from the height limitations and the sign area limitations for a pylon sign to allow the construction of a pylon sign that is taller and contains a larger sign area than is otherwise allowed for a pylon sign under the sign regulations contained in Chapter 56, "Signs and Advertising," of the Farmersville Code. The variance is being requested for a pylon sign proposed for construction and installation at 1806 West Audie Murphy Parkway, Lot 16R of Murphy's Crossing Phase III, Farmersville, Texas.

III. ADJOURNMENT

Dated this the 4th day of November, 2016.



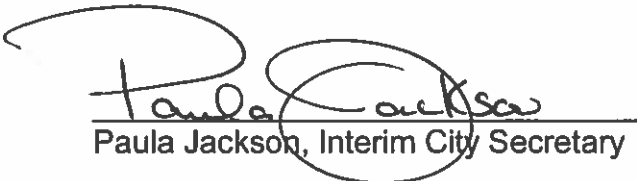
Diane C. Piwko, Mayor

The City Council, acting as the Sign Board of Appeal, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda,

as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney).

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted on October 7, 2016, by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.


Paula Jackson, Interim City Secretary

**FARMERSVILLE SIGN BOARD OF APPEALS
MEETING MINUTES
October 11, 2016**

The Farmersville Sign Board of Appeals met in a special called session on October 11, 2016 at 5:05 p.m. in the City Council Chamber of City Hall with the following members present: Mayor Diane Piwko, Donny Mason, John Klostermann, Michael Hesse, Mike Hurst and Leaca Caspari. Staff members present were City Manager Ben White, Warrant Officer Rick Ranspot, City Attorney Alan Lathrom and Interim City Secretary Paula Jackson.

CALL TO ORDER, ROLL CALL

Mayor Piwko called the meeting to order. Paula Jackson called the roll and announced a quorum was present.

PUBLIC HEARING

Public Hearing requests for variances for height and sign area from the sign regulations contained in Chapter 56, "Signs and Advertising," of the Farmersville Code to permit the construction and installation of a sign to be placed at 1806 West Audie Murphy Parkway, Lot 16R of Murphy's Crossing Phase III, Farmersville, Texas

Mayor Piwko, requested anyone who was wanted to speak for or against the variance request to step forward.

Dan Merrit with Lexington Medical Lodge spoke against the sign. He is afraid the sign will bring down the work and Landscaping they have invested to make their building stand out.

Amin Abata who has property cross from this address spoke for the sign. He felt it would be good for future development of his property.

Jim Foy voiced concerns, stating a variance is for a business that is blocked by other buildings and bridges. Mr. Foy stated you could understand a variance request at that point. He spoke regarding the Sign Ordinance which clearly states the proper size of the sign.

Public Hearings were closed at 5:15PM.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

Mayor Piwko ask if the Council would like to speak regarding the public hearing. Mike Hurst stated the sign seems very extravagant and it's huge sign. Mike Hurst ask Ben White if he looked at the plans for the sign, Ben stated we go by the ordinance which is all we have to go by. If it does not fit we have to tell the customer as so. If we do not follow the ordinance it make it hard on staff. Michael Hesse does not want to detour business, but this sign does not work, you will be able to see the building from a distance. Mayor Piwko ask if the Board could approve two signs. City Attorney Alan Lathrom then stated that the Sign Board of Adjustment cannot draw up signs, the owners of the travel center will need to apply for them. Leaca Caspari said she does not approve of the sign and a variance should not be granted. John Klostermann stated he is concerned with issues of the height, and the lighting of the sign.

Motion to Deny by John Klostermann
Second by Leaca Caspari
Motion carried

ADJOURNMENT

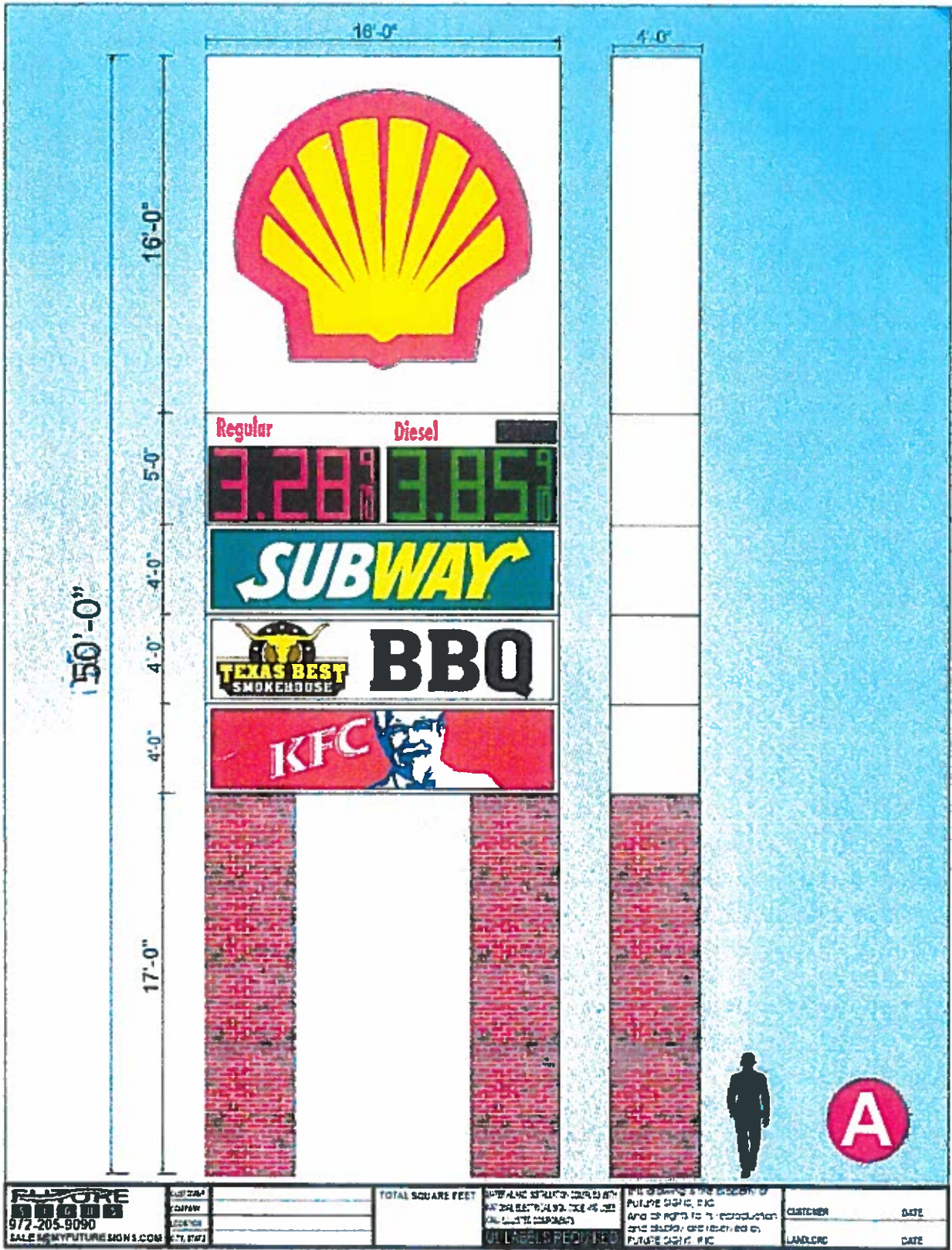
The Sign Board of Appeals adjourned at 5:27pm.

APPROVED

Diane Piwko, Mayor

ATTEST

Paula Jackson, Interim City Secretary



FUTURE
 977-205-9090
 SALE@MYFUTURESIGNS.COM

CLIENT
 COMPANY
 ADDRESS
 CITY, STATE, ZIP

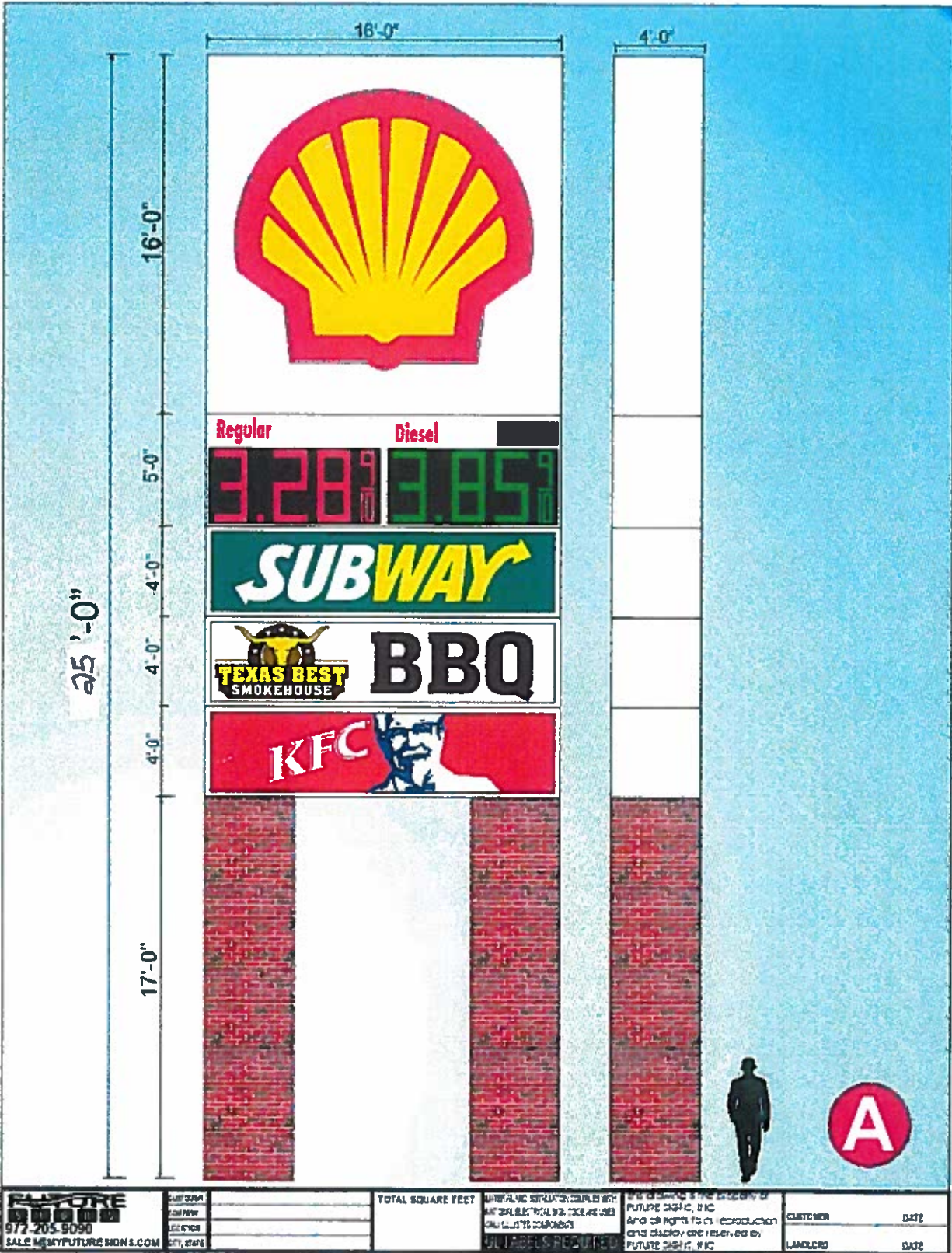
TOTAL SQUARE FEET

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CLIENT/OWNER	DATE
LANDLORD	DATE

Mary Tate

From: Sales Future Sign <sales@myfuturesigns.com>
Sent: Monday, July 25, 2016 10:06 AM
To: Mary Tate
Cc: Paula Jackson
Subject: RE: Shell

Dear All
Good morning, Do you have any up date for the variance? thanks

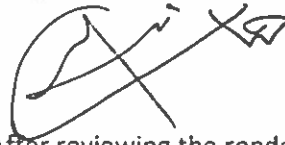
On Jun 30, 2016 10:23 AM, "Sales Future Sign" <sales@myfuturesigns.com> wrote:

To Whom It May Concern,

I would like to request a variance for a sign measuring 528 square feet. The address is it is for the gas Shell gas station at 180~~6~~ West Audie Murphy Parkway. We're trying to have the sign bigger so that it can be more visible from the street and promote business for the 3 restaurants. The gas price sign also needs to be more visible from the street. Thank you very much for your time and consideration!

Just to match our neighbor, Brookshire's.

Good afternoon,

A handwritten signature in black ink, appearing to be 'M. Tate', with a large 'X' over it.

I have received your variance request for the height of your sign. After reviewing the rendering, you will also need to request a variance for the sign area. The maximum sign area per our ordinance is 150 sq. ft. As rendered, your sign area is 528 sq. ft.

Please understand that the sign will need to be setback at least 15 feet from the road and that no other signs may be within 200 feet of this sign on the same lot.

To recap, please request a variance for a sign area of 528 sq. ft.

Please contact me or Paula Jackson with any questions.

Thanks!

Mary Tate

From: Sales Future Sign [<mailto:sales@myfuturesigns.com>]
Sent: Monday, June 27, 2016 9:07 AM
To: Mary Tate <m.tate@farmersvilletx.com>; sales@myfuturesigns.com
Cc: Paula Jackson <p.jackson@farmersvilletx.com>
Subject: RE: Shell

To Whom It May Concern,

I would like to request a variance for a sign measuring 50ft. in height. It is for the Shell gas station at 180^b West Audie Murphy Parkway. We are trying to have the sign bigger so that it can be more visible from the street and promote business for the 3 restaurants. The gas price sign also needs to be more visible from the street. Thank you very much for your time and consideration!

On Jun 24, 2016 11:17 AM, "Mary Tate" <m.tate@farmersvilletx.com> wrote:

Good morning,

In order for me to begin the variance process, I need you to use the language, "I would like to request a variance for a sign measuring 50 ft. in height." We understand that you would like the sign to be larger and visible, but because the height of the drawing you provided is 30 feet taller than the allowed 20 feet per our ordinance, you must request a variance. Please use the above statement to do so.

Thank you,

Mary Tate

From: Paula Jackson
Sent: Friday, June 24, 2016 11:12 AM
To: Mary Tate <m.tate@farmersvilletx.com>
Subject: FW: Shell

From: Sales Future Sign [<mailto:sales@myfuturesigns.com>]
Sent: Friday, June 24, 2016 11:08 AM
To: Paula Jackson <p.jackson@farmersvilletx.com>; sales@myfuturesigns.com
Subject: Shell

Process for Appeal from Sign Regulations:

1. Applicant submits an application for a variance and pays the fee.
2. The owner of the property, if different from the applicant, has to sign off on the requested variance application.
3. If possible, the request for a variance is heard within 30 days after receipt of a completed application and applicable application fees.
4. At least 11 days before the date of the public hearing before the City Council sitting as the Sign Board of Appeals,
 - a. written notice of the public hearing must be sent by United States mail to each owner of property, as indicated by the most recently approved municipal tax roll, within 200 feet of the property on which the variance is proposed; and
 - b. notice shall be published in the official newspaper of the city stating the time and place of such hearing.
5. The written notice must include a description of the time and place of the public hearing, a description of the location of the subject property, and a description of the requested variance.
6. An Agenda for a meeting of the City Council sitting as the Sign Board of Appeals is posted someplace inside City Hall that is accessible to the public and on the City's Internet website for at least a full 72 hours before the beginning of the meeting in accordance with the Texas Open Meetings Act.
7. City Council meets as the Sign Board of Appeals, holds a public hearing, hears testimony for and against the request, and determines whether the variance meets the following requirements:
 - a. The proposed sign does not adversely impact the adjacent property (visibility, size and the like);
 - b. The proposed sign is of a unique design or configuration;
 - c. The variance is needed due to restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be erected; and
 - d. The variance will substantially improve the public convenience and welfare and does not violate the intent of this article.
8. A vote of three-quarters of the councilmembers present or four votes, whichever number is greater, is required to approve the variance.
9. A variance cannot be approved for a sign that is prohibited by the Ordinance.*

A request for a variance from the Sign Code is ONLY heard by the City Council sitting as the Sign Board of Appeals.

After the Sign Board of Appeals rules yea or nay on the requested variance the process stops. The requested variance does NOT go to P&Z and then back to Council. There may, however, be other things like a site plan that would go to P&Z and City Council once the requested sign variance is ruled on by the Sign Board of Appeals so the correct size and dimension of sign can be noted on the site plan. Any appeal of the decision of the Sign Board of Appeals is to the Collin County Courts just like a decision of the Building and Property Standards Commission or the Zoning Board of Adjustment.

* A billboard or a pole sign are signs that are prohibited by the City's Sign Ordinance. A height variance can NOT be awarded for either a pole sign or a billboard because that type of sign is prohibited.

A height variance could be approved for a pylon sign taller than 20 feet including base, measured from grade. A "pylon sign" is a freestanding sign supported from the grade to the bottom of the sign having, or appearing to have, a solid base made of stone, concrete, metal, brick, or similar materials designed to complement the architecture of the building or complex.

Please note that the maximum sign area allowed for a pylon sign is 150 square feet. The required setback is 15' from the curb or property line of no curb. Also, please note that there are spacing requirements of at least 200' to 300' from other freestanding signs on the same lot.