

Board of Adjustment and Municipal Sign Review Board Meeting Minutes

The Board of Adjustment met Wednesday, April 2, 2014 at 6:30 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Chairman Dan Hays-Clark called the meeting to order at 6:36 p.m.

2. Call to order and roll call for confirmation of a quorum of Board members.

Blas Coy	- present
Dan Hays-Clark	- present
Clifford Wright	- present
Herb Goldsmith	- present
Matthew Lassen	- present
Michael Gibbons	- absent (excused)

3. Citizen comments.

There were no citizen comments.

4. Consideration and approval of the March 5, 2013, Board of Adjustment meeting minutes.

Clifford Wright made a motion to approve the meeting minutes of March 5, 2014 with corrections. Seconded by Herb Goldsmith and the motion passed unanimously.

5. Public Hearing Case BOAV14:02: The Board of Adjustment will convene a public hearing on a variance request as follows:

Variance to Zoning Ordinance Section 17.4.B.2, to allow side yard setbacks of eight feet (8') where ten feet (10') is required, and variance to Sections 40.7.A.8 to allow a garage larger than 240 square feet to utilize the smaller setbacks for the side and rear setback of five feet (5'). The subject property consists of +/- 0.2260 acres on Building Block 27, East of Water Street commonly known as 803 Jefferson Street in an area zoned SF-7, Single Family Residential in the city limits of Bastrop, Texas.

Melissa McCollum addressed the Board stating the applicant is requesting a variance to the side yard setbacks of eight feet (8') where ten feet (10') is required; a rear yard setback of five feet (5') where fifteen feet (15') is required; and a side setback of five feet (5') where ten feet (10') is required. Melissa stated the applicants are proposing a garage that is 616 square feet, and would like to utilize the 240 square foot accessory standards setbacks. She stated the current property has an existing main structure facing Jefferson Street. Melissa stated the applicants would like to remodel by removing the existing carport and adding a two-car garage, adding a third bedroom, second bathroom and small library along with updates to the existing two bedrooms, bath and kitchen areas.

Melissa stated the owners are proposing to move the driveway from the south lot line to the north lot line to build the garage in the rear. She stated the existing home is approximately 1034 square feet and with the remodel the owners desire to add an additional 800 square feet to total

about 1800 square feet of living area. Melissa stated the owners are also proposing to add approximately 613 square foot garage and storage room. She stated that staff does recommend approval of the variance.

Bruce Kana addressed the Board stating he is acting as the agent for the owners and will also be the contractor on this project. Mr. Kana stated this design is more compact than the previous design. He stated they intend to keep as much green space as possible and the proposed driveway will provide easier access to the property. Mr. Kana stated he and the applicants feel the improvements they are proposing to make will enhance the neighborhood.

Discussion was held between the Board, Staff and Mr. Kana regarding this project with all questions answered.

Dan Hays-Clark closed the public hearing.

Herb Goldsmith made a motion to approve this variance request with staff findings of fact. Seconded by Blas Coy and the motion passed unanimously.

6. Public Hearing Case BOAV14:03: The Board of Adjustment will convene a public hearing on a variance request as follows:

Variance to Zoning Ordinance Section 40.7.A.4 Area regulations for accessory buildings in residential areas where rear yards shall not be less than five feet (5') and applicant is requesting to expand current garage structure up to the rear property line. The subject property consists of +/- 0.2667 acres in Riverview Heights, Block 7, Lot 31 commonly known as 120 Lincoln Street in an area zoned SF7, Single Family Residential in the city limits of Bastrop, Texas.

Melissa McCollum addressed the Board stating Rob and Jane Hunt of 120 Lincoln Street are requesting a variance to the rear yard setback of zero (0) feet where five feet (5') is required. She stated the current property has an existing main structure facing Lincoln Street and the applicants would like to expand the current garage structure that used to face the now abandoned Richardson Street. Melissa stated the ROW acquisition was shared between the Hunt's and Schiff residence; and now the driveway looks to be shared between both neighbors. She stated there is a five foot (5') PUE on the rear property line and the expansion is planned to be over the rear PUE. Melissa did state the owners have applied to abandon the PUE and that Staff is working on getting the signatures needed to finalize the PUE abandonment. She stated that staff does recommend approval of this variance request.

Clifford Wright asked for verification of the property line and asked if there were any issues with the shared driveway. Mrs. Hunt clarified there were not any issues sharing the driveway. Matt Lassen asked how many feet there were from the other existing garage and it was stated there will be ten (10) feet between the two garages if the variance is approved. Herb Goldsmith inquired about which direction the garage expansion would be built and was told it will be in direct line to the back of the property.

Dan Hays-Clark closed the public hearing.

Clifford Wright made a motion to approve the variance request with staff's findings. Seconded by Blas Coy and the motion passed unanimously.

7. The Board of Adjustment will adjourn its regular session and convene as the Municipal Sign Review Board.
8. Public Hearing Case: The Municipal Sign Review Board will convene a Public Hearing on Sign Variance Request, MSRBV 14:01 as follows:

Variance to Sign Ordinance Section 3.20.016, (D) Business; (i) Area; b. ratio of 1.25 square feet per linear foot of primary façade, up to a maximum of 75 square feet for buildings or tenant spaces with between 50 and 75 linear feet of primary façade where applicant is requesting a total of 226 square feet where 75 square feet would be allowed. The subject property consists of +/- 1.128 acres in Eastken Place; Lot 2 commonly known as 551 Highway 71 West in an area zoned C1, Commercial in the city limits of Bastrop, Texas.

Melissa McCollum addressed the Board stating that Bastrop Junction is a small retail strip center that will have two tenants. She stated the entire building is approximately 100 linear feet and Sleep Experts will be the tenant proposed to occupy the center; they have submitted this variance request. Melissa stated the applicants are requesting a variance from the City's Sign Code, for approximately 226 square feet of signage where 75 square feet would be allowed. She stated Sleep Experts is a retail operation that sells mattresses, and this store will have frontage on both Old Austin Hwy and Highway 71 frontage roads. Melissa stated that currently our sign ordinance has you splitting the maximum allowed signage between building faces, and the maximum signage allowed would be 75 square feet.

Melissa stated Sleep Experts is proposing 226 square feet, or 113 square feet per face of building and that the current variance request exceeds the allowable signage by 151 square feet. Melissa stated staff believes that the proposed signage is three (3) times larger than the allowable signage. She also stated Bastrop Junction has great visibility on two major roads in Bastrop, and feels that 226 square feet is a huge departure from the allowable signage; and Staff is recommending that the Municipal Sign Review Board deny conditional approval of the requested variance.

Several discussions were held between Board members and Staff regarding the building, how the signs would be split and which sides of the building they were proposing the signage for, and the driveway access. Staff provided photographs on the projection screen which helped in navigating where their requested signage would be located. Discussions were also held regarding Burleson Crossing signage and that Lowes was the retail center's anchor; and at this time, Sleep Experts has no anchor, they are a stand-alone business and need visibility. It was recommended we could postpone this hearing to potentially work something out with the Board and owner.

Maggie Star of Custom Sign Creations, acting as the agent for the owner of Bastrop Junction, Chris Whitworth, addressed the Board with a new proposal she had drawn up the evening before this meeting. Ms. Star stated with the new proposal, the front façade signage would have 75 square feet of signage and the side façade would have 37.5 square feet and leaving out the 'moon' that is part of their logo, making this a total of 112.5 square feet of signage which falls within the City's Sign Code.

Dan Hays-Clark closed the public hearing.

Clifford Wright made a motion to approve the variance with the second option presented at this meeting. Seconded by Blas Coy and the motion passed unanimously.

9. The Municipal Sign Review Board will adjourn as the Municipal Sign Review Board and will reconvene into Regular Board of Adjustment session.

10. Director's Report:

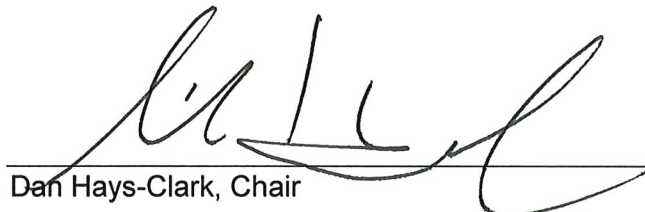
Melissa discussed the Form Based Codes thanking the Board members for signing off on the Resolution. She stated the Form Based Codes has created a Task Force with Herb Goldsmith as the leader. Melissa stated they are currently pulling together some dates to meet.

Melissa also gave a brief update on commercial fencing for industrial uses; she intends to take this to Planning and Zoning and if they recommend approval, she would forward this on to City Council.

The Board was informed we are expecting to have a meeting in May on the 7th.

11. Adjourn.

Clifford Wright made a motion to adjourn at 7:50 p.m. Seconded by Matt Lassen and the meeting adjourned.



Dan Hays-Clark, Chair