
BOARD OF ADJUSTMENT
January 12th, 2016
Minutes

Members Present: Mr. Wayne Bradshaw- Chairman
Mr. Bob Beermann
Mr. Scott Hay
Mr. Huber

Staff Present: Zack Rainbow, Planner II
Ben Bryner, Planning Service Manager
Kelley Messer, Assistant City Attorney
Donna Boarts, Administrative Planning Secretary (Recording)

Others Present: James Boyd
Robert Kern
Mickey Houk
Vic Corley
David McMeekan
Bruce Kreitler

Item One: Call the Meeting to Order:

Chairman Bradshaw called the meeting to order at 8:30 A.M. and declared a quorum present.

Item Two: Approval of the Minutes:

Mr. Beermann moved to approve the minutes for December 8th, 2015. Mr. Huber seconded the motion and the motion was carried by a vote of four (4) in favor (Beermann, Hay, Huber and Bradshaw) and zero (0) in opposition.

Item Three: Special Exception:

a. BA-2016-01

A public hearing to consider a request from Corley Wetsel, agent Robert Kern (Acme Sign & Plastics) for an approximately 10 foot variance to the 50 foot maximum sign height for 2 signs on property zoned HC (Heavy Commercial). Legal description being **CORLEY WETSEL TRUCKING CO, BLOCK A, LOT 1, ACRES 18.05**. Located at 3642 W. Lake Road.

Mr. Zack Rainbow presented the staff report for this case. The applicant is requesting this variance in order to build 2, new 60' tall signs along the I-20 frontage in front of the trucking center that is currently under construction. The applicant states that the proposed site lies in between 2 overpasses in a "valley", and the additional 10' in height requested would help overcome the man-made topography obstacles.

Staff feels that even though there is the presence of the 2 overpasses, that these do not negatively affect the site or hinder their ability to advertise their location with 50' tall signs. If someone is headed west on I-20 the closest off ramp is over 1 mile away at Lowden Street, and if someone is headed east on I-20 they would be on an elevated overpass when they would be able to see a sign at the location. They

would then be able to take the next exit and make a left turn to access the location. Staff feels that the additional 10' in height isn't needed based on the location of the off ramps.

If the Board considers the option of granting this variance request, staff recommends limiting the variance to these requests and not granting a general sign height variance that would permit this sign into the indefinite future.

Land Uses:

The subject parcel is being developed with a large, trucking service center. To the south is I-20. The large parcel to the north is mostly vacant, the properties to the east are developed with hotels and a gas station, and most of the properties to the west are developed with homes.

Conditions peculiar to the land:

There are no conditions peculiar to the land.

Hardship from a strict interpretation:

Staff finds no non-financial hardship for this request.

Effects on the health, safety and welfare:

The City Council has established policies through both the City's adopted Comprehensive Plan and the adopted Sign Regulations indicating that tall signs, such as the requested signs, are not compatible with the image that the City of Abilene wants to portray. This has been deemed an issue of community welfare through the adoption of these plans and ordinances. In fact, draft ordinances are in the works that could potentially reduce the allowable sign heights even further. Allowing a sign to exceed the longstanding maximum height limit of 50' would violate both the letter and spirit of the adopted ordinance.

Property owners within 200 feet of the request were notified. Two (2) comment forms were returned in favor and two (2) in opposition.

Staff recommendation:

Denial, the request does not meet the criteria required to approve a variance.

Mr. Huber inquired if the Walmart sign exceeded the 50ft limit?

Mr. Rainbow stated that both Walmart and two other businesses exceed the 50 ft. height limit. Walmart is in a PD (Planned Development) zoning district.

Mr. Bradshaw opened the public hearing.

Mr. Robert Kern (agent, Acme Signs) spoke in favor of this 10 ft. variance. The goal is to have the sign visual to the public driving by. Mr. Kern stated there was an elevation difference on this property.

Mr. Beermann inquired where the sign would be placed.

Mr. Bryner stated that the physical location of one of the pole signs needs to be at the corner adjacent to both streets with the other sign location allowed along the frontage road.

Mr. Kern stated an exact determination has not been made. However, the recommendation to the client will be that one be on the east end of the property and one on the west end to have some separation. Businesses in the area were granted 60 ft. sign height for visibility from the Highway.

Mr. Beermann inquired what services will be provided at this location.

Mr. Kern stated Corley Wetsel Trucking (sales & service) are looking to expand and wanted to remain in the Abilene area.

Chairman Bradshaw stated to Mr. Kern that there are only four (4) panel members to make a vote today. He advised that if there was a doubt on the quorum vote an option to TABLE until next monthly meeting was available.

Mr. Kern stated that he would proceed.

Mr. Vic Corley (owner of Corley Wetsel) spoke in favor of the expansion. Mr. Corley stated the 60 ft. sign height is desired for better visibility.

Mr. Beermann inquired if a sign near an exit would be a better choice?

Mr. Corley stated that they are looking into using billboards as advertisement.

Mr. Bruce Kreidler spoke in favor of this variance and to accommodate long term businesses remaining within the Abilene area.

Chairman Bradshaw closed the public hearing.

Mr. Beermann moved to approve the 10 ft. Variance to the fifty (50) ft. maximum sign height specifically for the two poles for this site based on the board determination that there is a peculiarity to the land due to the elevation being lower than surrounding properties in the area and that the hardship in this case is the location does not have an easy access from the interstate. Mr. Hay seconded the motion and the motion carried by a vote of four (4) in favor (Beermann, Hay, Huber & Bradshaw) and none (0) opposed.

Item Four: Adjourn

Mr. Bradshaw moved to adjourn the meeting at 9:15 a.m.

Approved: _____, Chairman