



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
March 14, 2023 **8:30 a.m.**

BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
CITY HALL COUNCIL CHAMBERS, 555 WALNUT STREET, ABILENE

Members Present: Mr. Scott Hay
 Col. Morton Langholtz, Vice-Chairman
 Mr. Robert Beermann
 Ms. Shawnda Rixey
 Mr. Bob Thomas, Alternate

Members Absent: Mr. Jon Loudermilk

Staff Present: Ms. Kelley Messer, First Assistant City Attorney
 Mr. Tim Littlejohn, Director of Planning and Development Services
 Mr. Randy Anderson, Assistant Director
 Ms. Clarissa Ivey, Planner I
 Ms. Mason Teegardin, Planning Technician
 Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Guy Slimp Mr. Carlo Lopez Villamor

CALL TO ORDER

Mr. Hay called the meeting to order at 8:30 a.m. and Ms. Melissa Farr recorded the minutes. A quorum of members was present, and the meeting proceeded.

MINUTES

Colonel Langholtz made the motion to approve the minutes from the regular meeting held on November 8, 2022. Mr. Thomas seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

AYES: Thomas, Langholtz, Rixey, Beermann, Hay
NAYS: None

AGENDA ITEMS

BA-2023-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from N2 Development represented by Michael Everett for a 50' variance from the maximum 50' requirement for sign height and a 555.21 square foot variance from the maximum 300 square foot requirement for sign area located at 2824 E. Overland Trail.

Mr. Randy Anderson presented this request. The proposed sign will be an on-site advertising sign for a proposed CEFCO gas station, located at the northwest corner of Loop 322 and I-20. The subject property is located at least 20-feet below the road base grade of I-20.

I-20 falls significantly when traveling from east bound toward the subject site. Normally that would not create a sign visibility issue because an interstate off-ramp is typically is in close proximity to the intersection with another state-system highway. In this instance, east bound traffic is required to exit I-20 at the SH-351 off-ramp and travel well over a mile on the frontage road to Loop 322. The proposed sign height and area is requested to overcome those constraints.

Mr. Hay opened the public hearing. Mr. Guy Slimp spoke as a representative for CEFCO. He explained the price of fuel is the competitive advantage for CEFCO stations. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius of the property address were notified. There were no (0) responses received in favor, nor in opposition.

Board members agreed they would like additional information and an alternative plan. Colonel Langholtz made the motion to **table** this request until the next meeting. Mr. Beermann seconded the motion. The motion prevailed by the following vote:

AYES: Thomas, Langholtz, Rixey, Beermann, Hay

NAYS: None

BA-2023-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Bobby Gilbreth for a special exception to expand a nonconforming building by 3,450 sq. ft. located at 2400 S. 14th Street.

Ms. Clarissa Ivey presented this request. The building has built in 1953 prior to Land Development Code being adopted. The building has been the home of West Texas Pools & Spas since 1984. The property is currently being used for retail and is proposed to continue to be used for that purpose. The existing building currently doesn't not meet the street setback of 30' from an arterial and 25' from a local street. Additionally, the number of parking spaces is not sufficient and maneuvering area is not located entirely upon private property.

Mr. Hay opened the public hearing. Seeing no one present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius of the property address were notified. One (1) response was received in favor, with one (1) received in opposition.

Discussion among the Board indicated a decision could not be reached without the proponent being present to answer questions. Colonel Langholtz made the motion to **table** this request until the next meeting. Mr. Thomas seconded the motion. The motion prevailed by the following vote:

AYES: Thomas, Langholtz, Rixey, Beermann, Hay

NAYS: None

ADJOURNMENT

There being no further business, Colonel Langholtz moved to adjourn the meeting. Mr. Beermann seconded the motion. The Board of Adjustment meeting was adjourned at 9:47 a.m.

Approved: Scott D Hay, Chairman
Scott Hay