



City of Farmers Branch

Minutes

Zoning Board of Adjustment

Farmers Branch City Hall
13000 William Dodson Parkway
Farmers Branch, TX 75234

Tuesday, January 29, 2019

1:00 PM

Council Chambers

Meeting called to order at 1:00 PM in the Council Chambers

Presiding: Chairman John Tarlton

Present: Vice Chairman Mike Del Valle, Mike Rogan, Glenn Douglass, Beverly Nelson, Alternate Jarrod Williams

Absent: Alternate Tommie Hylkema

Staff: Hugh Pender, Building Official; Paul Mattson, Deputy Building Official; Danielle Summers, Plans Examiner; Rebecca Albin, Recording Secretary; Louise Means, Administrative Assistant I

A. AGENDA ITEMS

A.1 **Consider approval of the Minutes of the October 23, 2018 Regular Meeting; and take appropriate action.**

Chairman John Tarlton asked the Board if they had read the minutes of the October 23, 2018 meeting and if anyone had changes to the minutes. Mr. Mike Del Valle made a motion to approve the minutes as drafted. Mr. Glenn Douglass seconded. The motion carried unanimously.

B. PUBLIC HEARING

B.1 **Conduct a public hearing and consider a variance request; and take appropriate action.**

Howard Freed of Freed's Furniture, owner/tenant of Lot 5 Block 1 of the Metropolitan Industrial Park Sec 2 subdivision more commonly known as 4355 LBJ Freeway, is requesting permission for a 1,500 square foot special sale sign (banner) on the south elevation facing Interstate 635, permission to place a special sale sign (banner) on the west elevation facing the interior lot line rather than facing the street or the on-site parking lot, and permission for the west elevation special sale sign (banner) to be 1,500 square feet. Ordinance No. 3247, Section 62-10(i)(6) allows non-residential property with frontage along Interstate 635 to have 300 square feet of wall sign area for each storefront facing the street or facing the on-site parking lot, and Section 62-10(i)(1) allows properties located in "O" (Office) zoning districts to have 200 square feet of wall sign facing the street or facing the on-site parking lot. A variance to allow a south facing special sale sign (banner) to exceed the allowable area by 1,200 square feet, a special sale sign (banner) to be placed on the west wall, and a west facing special sale sign (banner) to exceed the allowable area by 1,300 square feet would be necessary to issue the Special Sale Sign Permit.

Chairman Tarlton asked if there was anyone present testifying regarding this case before the Board to rise and be sworn in. They did so.

Mr. Hugh Pender, Building Official, gave a brief presentation on the applicant's variance request. Mr. Pender informed the Board that Staff was supporting the request because a property hardship had been found.

Chairman Tarlton opened the floor for questions from the Board. There were none.

Mr. Pender stated that 6 letters were sent out to the surrounding property owners and no responding letters received.

Having already been sworn in, Mr. Howard Freed of 4355 LBJ Freeway came forward. Mr. Freed stated that he is asking for a variance to allow a south facing special sale sign (banner) that exceeds the allowable area by 1,200 square feet and a special sale sign (banner) to be placed on the west wall that exceeds the allowable area by 1,300 square feet. Mr. Freed also stated that the signs are to advertise the going out of business sale and the allowable size for the signs per the Ordinance looked like a postage stamp on the building. Mr. Freed also stated that he wanted the signs to be visible to the drivers on LBJ Freeway.

Chairman Tarlton opened the floor for questions from the Board.

Mr. Del Valle asked Mr. Freed what the time frame was for the display of the banners. Mr. Freed stated that it would not be past March 31, 2019.

With no further testimony from the audience, a motion made by Mr. Del Valle to close the public hearing, seconded by Mr. Rogan. Motion carried unanimously.

After deliberation by the Board, a motion was made by **Mike Rogan to grant** a variance to Ordinance No. 3247 Sections 62-10(i)(6) & 62-10(i)(1) of the Code of Ordinances to allow a west facing banner and to allow a 2,700 square feet increase in special sale sign (banner) area, and that the two banners would not be displayed past March 31, 2019, because our determination from the facts and evidence presented at the public hearing indicated that literal enforcement of the Zoning Ordinances would be contrary to public interest and would result in an unnecessary hardship. Motion was seconded by **Mike Del Valle**. Motion passed unanimously with the following vote:

Aye: 5 - Chairman John Tarlton, Vice Chair Mike Del Valle, Member Mike Rogan, Member Glenn Douglass, Member Beverly Nelson

C. ADJOURNMENT

With no other items on the agenda, a motion was made by **Mr. Del Valle** and seconded by **Mr. Rogan** that the meeting be adjourned at **1:31 PM**. The motion carried unanimously.

APPROVED:

John Tarlton, Chairman

Rebecca Albin, Recording Secretary