



# MINUTES

FOR THE

## SEAGOVILLE BOARD OF ADJUSTMENTS

**Meeting scheduled to begin at 6:30 p.m.,**

**Thursday, January 5, 2012**

in the Council Chambers of City Hall,

located at 702 North U.S. Highway 175 - Se agoville, Texas

<b>CHAIRPERSON</b>	<b>BILL CHAMBLISS</b>
<b>VICE-CHAIRPERSON</b>	<b>MIKE FRUIN</b>
<b>BOARD MEMBER</b>	<b>MILDRED THOMPSON</b>
<b>BOARD MEMBER</b>	<b>JONATHAN EPPS</b>
<b>BOARD MEMBER</b>	<b>JOHN PLAYER</b>
<b>ALTERNATE #1</b>	<b>(VACANT)</b>
<b>ALTERNATE #2</b>	<b>(VACANT)</b>

### **I. CALL TO ORDER**

Board Members present: Board Member John Player  
Board Member Mildred Thompson  
Chairperson Bill Chambliss  
Alternate #1 Jonathan Epps  
Vice-Chairperson Mike Fruin (arrived at 6:08 p.m.)

Board Member(s) absent: None

City Staff present: Building Official Ladis Barr  
Planning Technician/BOA Liaison Cindy Kintz

### **II. INVOCATION & PLEDGE OF ALLEGIANCE**

Alternate #1 Epps gave the invocation and the Board members led in the Pledge of Allegiance.

### **III. APPROVAL OF MINUTES**

- A. Approval of the Minutes for the Housing Standards Commission meeting held on February 7, 2011.

MOTION: Approve the minutes for the Housing Standards Commission meeting held on February 7, 2011.

FIRST: Board Member Thompson      SECOND: Alternate #1 Epps

AYES: Board Member Thompson, Alternate #1 Epps and Chairperson Chambliss

ABSTAINED: Board Member Player

NAYS: None

MOTION CARRIED: (3-0)

#### IV. **PUBLIC HEARINGS**

- A. **#V2012-01:** Conduct a public hearing to consider a request for a sign variance on the subject property located 464± feet southeast of Adkins Street and 737± feet southwest of Hall Road in Seagoville, Texas (Property Physical Address: 1105 North U.S. Highway 175, Property Legal Description: Tract 14 in the G. S. Carpenter Survey, Abstract No. 367, Page 715, as recorded in Instrument No. 200000857793 in the Deed Records of Dallas County, Texas; Total Acreage: 0.2± acres; Zoning District(s): Commercial and U.S. Highway 175 Overlay).

*Applicant: Public Autos Sales.*

The applicant has requested two variances from the Sign Ordinance (No. 04-07) as follows:

1. To exceed the maximum height limit for a pole sign; and/or
2. To exceed the maximum size/area limit for a pole sign.

*(After careful consideration, City Staff determined the variance request would be for an existing legal non-conforming sign. Expansion of a legal non-conforming sign is not allowed. Therefore, the application fee has been returned to the applicant and the public hearing for this sign variance request has been cancelled.)*

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1. Open public hearing and receive staff report and public comments;
  2. Close public hearing;
  3. Discuss and take action on Variance Request #V2012-01 as follows:  
*(Two separate motions for each variance requested)*

- A. To exceed the maximum height limit for a pole sign; and
- B. To exceed the maximum size/area limit for a pole sign.

- B. **#V2012-02:** Conduct a public hearing to consider a request for two sign variances on the subject property located 354± feet southeast of U.S. Highway 175 Service Road and 561± feet northeast of North Kaufman Street in Seagoville, Texas (Property Physical Address: 200 Hall Road; Property Legal Description: Tract 24.1 in the R. D. Fallon Survey, Abstract No. 489, Page 781, as recorded in Volume 86067, Page 1403 of the Deed Records of Dallas County, Texas; Total Acreage: 0.5± acres; Zoning District(s) :Commercial).

*Applicant: Frank Duggan.*

The applicant has requested two variances from the Sign Ordinance (No. 04-07) as follows:

- 1. To exceed the maximum height limit for a pole sign; and/or
- 2. To exceed the maximum size/area limit for a pole sign.

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- 1. Open public hearing and receive staff report and public comments;

Chairperson Chambliss opened the public hearing at 6:05 p.m.

Building Official Ladis Barr presented Staff's report on Variance Request #V2012-02 to the Board.

Frank Duggan (Applicant) - 9337 Old Nacogdoches Trail, Forney, Texas 75126 - Mr. Duggan stated his business had been in Seagoville since 1977. He stated the importance of having his business sign visible from U.S. Highway 175 due to competition along Hall Road. He pointed out that Sonic Drive-In's sign would block his sign if he had to reduce the size and height of his sign.

Julio Torres (citizen and local business owner) - Seagoville Signs and Designs at 210 North Kaufman Street, Seagoville, Texas 75159 - Mr. Torres spoke in opposition to the variance request. He commented that Mr. Duggan should have checked with the City on what the current requirements were for a pole sign before having erecting his business sign. He stated the Board would be setting a precedence, if the Board granted Mr. Duggan's two variance requests.

- 2. Close public hearing;

Chairperson Chambliss closed the public hearing at 6:23 p.m.

- 3. Discuss and take action on Variance Request #V2012-02 as follows:

*(Two separate motions for each variance requested)*

A. To exceed the maximum height limit for a pole sign.

MOTION: Approve the requested sign variance to the maximum height limit for a pole sign by an additional three (3') feet for the subject property located at 200 Hall Road, as requested by the applicant.

FIRST: Board Member Thompson SECOND: Vice-Chairperson Fruin

AYES: Board Member Thompson, Vice-Chairperson Fruin, Chairperson Chambliss, and Alternate #1 Epps.

NAYS: Board Member Player

MOTION CARRIED: (4-1)

B. To exceed the maximum size/area limit for a pole sign.

MOTION: Approve the requested sign variance to exceed the maximum size/area limit for a pole sign by an additional one-hundred forty (140') square feet on the subject property located at 200 Hall Road, as requested by the applicant.

FIRST: Vice-Chairperson Fruin SECOND: Board Member Thompson

AYES: Vice-Chairperson Fruin, Board Member Thompson, Chairperson Chambliss, and Alternate #1 Epps.

NAYS: Board Member Player

MOTION CARRIED: (4-1)

V. REQUESTS AND PRESENTATIONS

None.

VI. ADJOURNMENT

MOTION: Adjourn the meeting at 6:27 p.m.

FIRST: Board Member Thompson SECOND: Alternate #1 Epps

AYES: Board Member Thompson, Alternate #1 Epps, Chairperson Chambliss, Vice-Chairperson Fruin and Board Member Player.

NAYS: None

MOTION CARRIED: (5-0)

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**BILL CHAMBLISS**  
**CHAIRPERSON**

**ATTEST:**

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**CINDY KINTZ, PLANNING TECHNICIAN**  
**AND BOARD OF ADJUSTMENTS LIAISON**