



AGENDA

BOARD OF ADJUSTMENT

SPECIAL MEETING

WEDNESDAY, APRIL 20, 2022, 6:30 P.M.

CHAMBER OF COMMERCE, BOARD ROOM

114 CENTRAL AVE.

1. CALL TO ORDER

2. PUBLIC COMMENTS FOR NON-AGENDA RELATED ITEMS

Individuals may request to speak on items not on the agenda. Speaker comments are limited to three (3) minutes and no formal action can be taken. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Commissioner, Staff, or others.

3. CONSENT AGENDA

All matters listed below are to be considered routine by the Board and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.

1. Consider approval of the following Minutes

3.I. November 15, 2021 Minutes.

Documents:

[NOVEMBER 15, 2021 SPECIAL MINUTES.PDF](#)

4. NEW BUSINESS

- 4.I. Project #202200051: Sign Variances From Section 32-216 To Reduce The Setback Of A Proposed Freestanding Sign From Ten (10) Feet To One (1) Foot From Side Property Line & Section 32-217(3)(B) To Allow For A Thirty-Two Percent (32%) Increase In The Proposed Sign Area For A Freestanding Sign Located At 298 Upper Elgin River Rd. (A59 STANDIFER, ELIZABETH, ACRES 61.211).

A. Staff Presentation

- B. Applicant Presentation
- C. Open Public Hearing
- D. Close Public Hearing
- E. Discussion
- F. Consideration

Documents:

[COMBINED PACKET.PDF](#)

5. ANNOUNCEMENTS

6. ADJOURNMENT

The Board may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code. The board will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-0119. Servicios de traduccion disponible en la reunion.

**MINUTES
CITY OF ELGIN BOARD OF ADJUSTMENTS
SPECIAL MEETING
MONDAY, NOVEMBER 15, 2021 – 6:30 P.M.**

CALL TO ORDER - ROLL CALL: The Chair called the meeting to order at 6:41 P.M. at the Public Library Annex (Civic Center) located at 404 N. Main St., Elgin, TX U.S.A.

BOARD PRESENT: Chair Regan Dumbeck, Vice-Chair Stephen Kylberg (Senior Alternate), Franklin Boettcher, Ruby Simms, and Shifton McShan.

BOARD ABSENT: Brenda Piña & Darren Mogonye (Junior Alternate)

STAFF PRESENT: David Harrell, Development Services Director

PUBLIC COMMENT FOR NON-AGENDA RELATED ITEMS: No members of the public were present to speak.

CONSENT AGENDA

1. April 19, 2021 Minutes.

On a motion by Ruby Simms, seconded by Shifton McShan, the Board voted unanimously (4-0) to approve the Minutes.

ELECTION OF CHAIR AND VICE CHAIR FOR 2022: On a motion by Franklin Boettcher, seconded by Ruby Simms, the Board voted unanimously (4-0) to approve Regan Dumbeck as Chair and Stephen Kylberg (Senior Alternate) as Vice-Chair for 2022. Both Chair and Vice-Chair elect accepted their positions.

ANNOUNCEMENTS: David Harrell announced that Brenda Piña had not reapplied for the Board and that a vacancy will now exist. This will allow the Council to move Stephen Kylberg to Regular Member and move Darren Mogonye to Senior Alternate Member. This means the vacancy will exist for the Junior Alternate Member.

ADJOURNMENT: The Chair adjourned the meeting at 6:45 P.M.

Regan Dumbeck, Chair

Attested: _____
Melissa Lipiec, Secretary

On a motion by _____, seconded by _____ the
foregoing instrument was passed and approved this 20th day of April 2022.



Development Services Department

STAFF REPORT

Application for Sign Variance

File Number: 202200051

Date: April 4, 2022
Applicant: Kendall Swanson
Representative: SAME
Hearing Date: Board of Adjustment – April 20, 2022
Location: 298 Upper Elgin River Rd.

APPLICATION SUMMARY

Consideration (action) by the Board of Adjustment of a sign variance from Section 32-216 to reduce the setback of a proposed freestanding sign from ten (10) feet to one (1) foot from side property line & Section 32-217(3)(b) to allow for a thirty-two percent (32%) increase in the proposed sign area for a freestanding sign

DEPARTMENT COMMENTS

The City Sign Code regulates signage within the City limits and its extraterritorial jurisdiction (ETJ) in accordance with State law. The proposed sign has a required ten (10) foot setback from the property line. Also, the maximum sign area is 13 square feet in size (1 square foot of sign area for every 3 linear feet of lot frontage). Under Section 32-100, the Board may grant a sign variance to allow a setback less than the required setback and to allow for a sign area increase by up to forty percent (40%) of the area allowed. In this case the applicant is asking for a one (1) foot setback from the side property line and to increase the sign area up to thirty-two percent (32%) from 13.3 square feet to 17.5 square feet. The sign is to advertise a farm with an RV Park.

Under Section 211.008, TLGC, at least 75% of the Board members must be present at the meeting to hear the case. Since there are five (5) regular Board Members, there would need to be four (4) present.

STAFF ANALYSIS

Although there are no sign variance criteria, staff does believe that a unique circumstance exists as this is the only flag lot with a commercial use in the area (see attachment 2). Enforcement to current standards would not allow for a sign at the location without a reduction in the setback due to the flag portion of the lot. Also, the area is rural in nature where traffic will quickly travel down the roadway and the present 13.3 square feet sign is smaller and would be difficult to see (see attachment 2).

Based on this information staff believes there are unique circumstances and the granting of this sign variance by the Board would result in substantial justice. If desirable by the Board, they can grant a larger sign area to the maximum forty percent (40%) of the area as a condition of the approval.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Staff Maps
3. Site Plan
4. Sign Schematic

Attachment 1

Application

SIGN VARIANCE APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT / SIGN CONTRACTOR

Contractor License Number: _____

Name: _____

Postal Address: _____

E-Mail Address: _____; Phone Number: _____

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not. Granting a permit does not give authority to violate or cancel provisions of any other state or local law.

 _____

Signature

Printed Name

Date

BUSINESS OWNER / TENANT

Name: _____

Postal Address: _____

E-Mail Address: _____; Phone Number: _____



310 North Main Street
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

PROPERTY OWNER / MANAGER CONSENT

I have reviewed and approved this sign variance request.



Signature

Printed Name

Date

E-Mail Address: _____; **Phone Number:** _____

FOR OFFICE USE ONLY

Application Received

Date: _____

Board of Adjustment Consideration

Date: _____



310 North Main Street
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

David Harrell

From: Kendall <ktorkle@hotmail.com>
Sent: Saturday, March 26, 2022 9:33 AM
To: David Harrell
Subject: Sign Permit and Variance 298 Upper Elgin River Rd

CAUTION: This email originated from outside of the City of Elgin. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sign variance Info:

We are applying for two variances:

1. An increase in sign square footage
2. Reduction of sign setback requirements

Lot Road Frontage (40') with Upper Elgin River Road - See attached survey

Max Square footage without variance $(40/3) = 13.3$ sq ft

requesting an increase to allow 17.5 sq ft of sign. ~32% increase

Sign to be located 10 ft from Swanson right of way line off of Upper Elgin River road, and **requesting a setback of 1ft with property adjacent (See attached survey and picture.)**

Rationale for variance:

Property is abnormally narrow shaped flag lot with only a 40 ft entrance. The entry of 40 ft flag lot continues for ~1000ft from the road until property opens up. The business will be a farm and RV park. Large trucks and trailers will be entering property needing all the possible entrance way as a driveway, using nearly all of the 40ft entrance way.

1. An increase in sign square footage: the area increase requested is to obtain increased readability appropriate for the sign and is proportionally increased for visibility which is restricted substantially by the unique narrowness of the entryway.
2. Reduction of sign setback requirements: there is an adjacent property with a fence to the south, and we want to put the sign ~1ft from the property boundary (Harper fence), while maintaining normal 10 ft setback from our right of way off of Upper Elgin River Road.

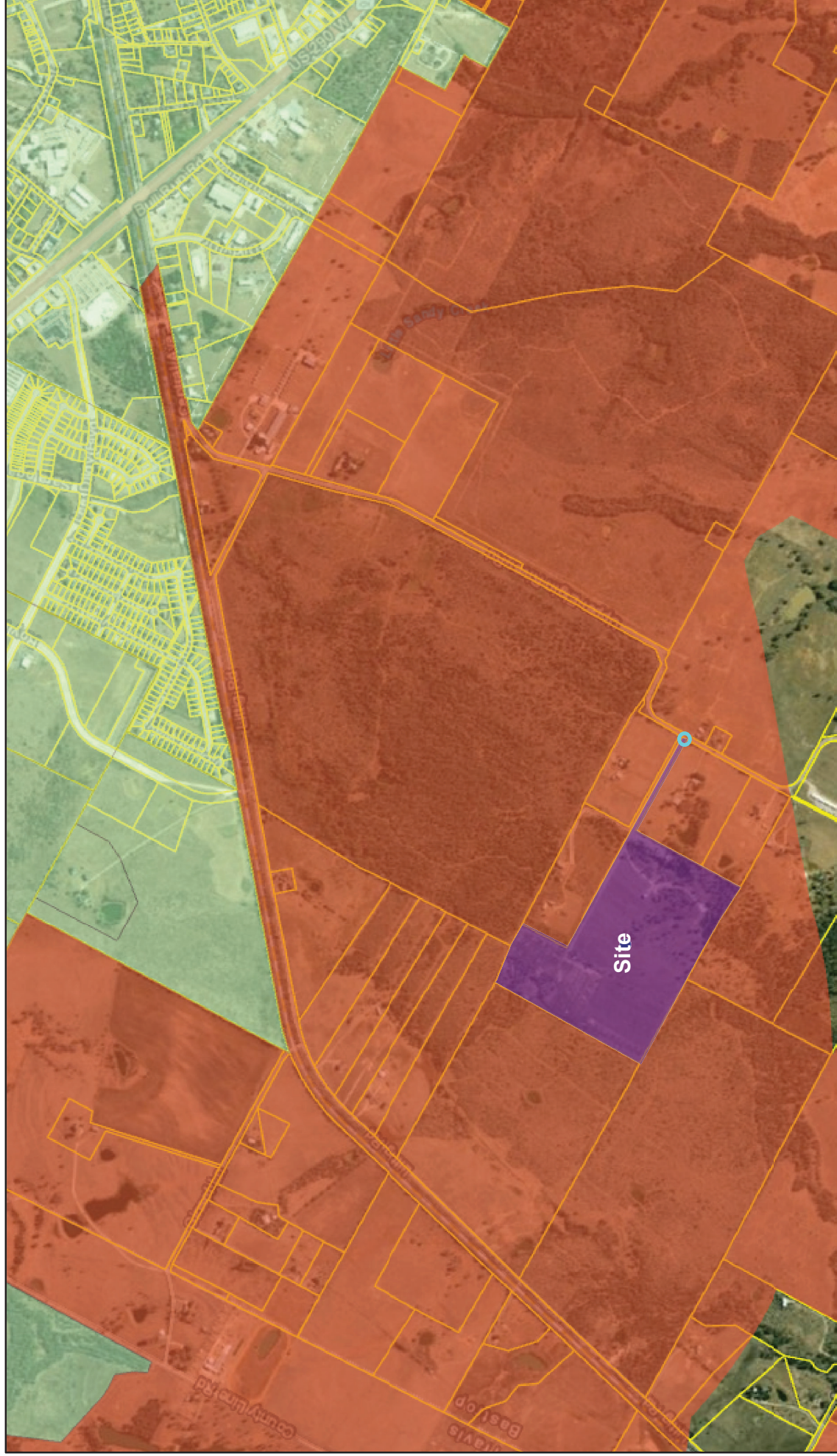
Attached:

- 1) Survey showing location of sign and proposed setbacks.
- 2) Rendered picture of sign on property (entrance pic)
- 3) Schematic of sign
- 4) Variance application
- 5) Sign application

Attachment 2

Staff Maps

ArcGIS Web Map



4/4/2022, 5:45:03 PM

Elgin City Limits

Elgin ETJ

FULL PURPOSE

Bastrop Parcels July 2021

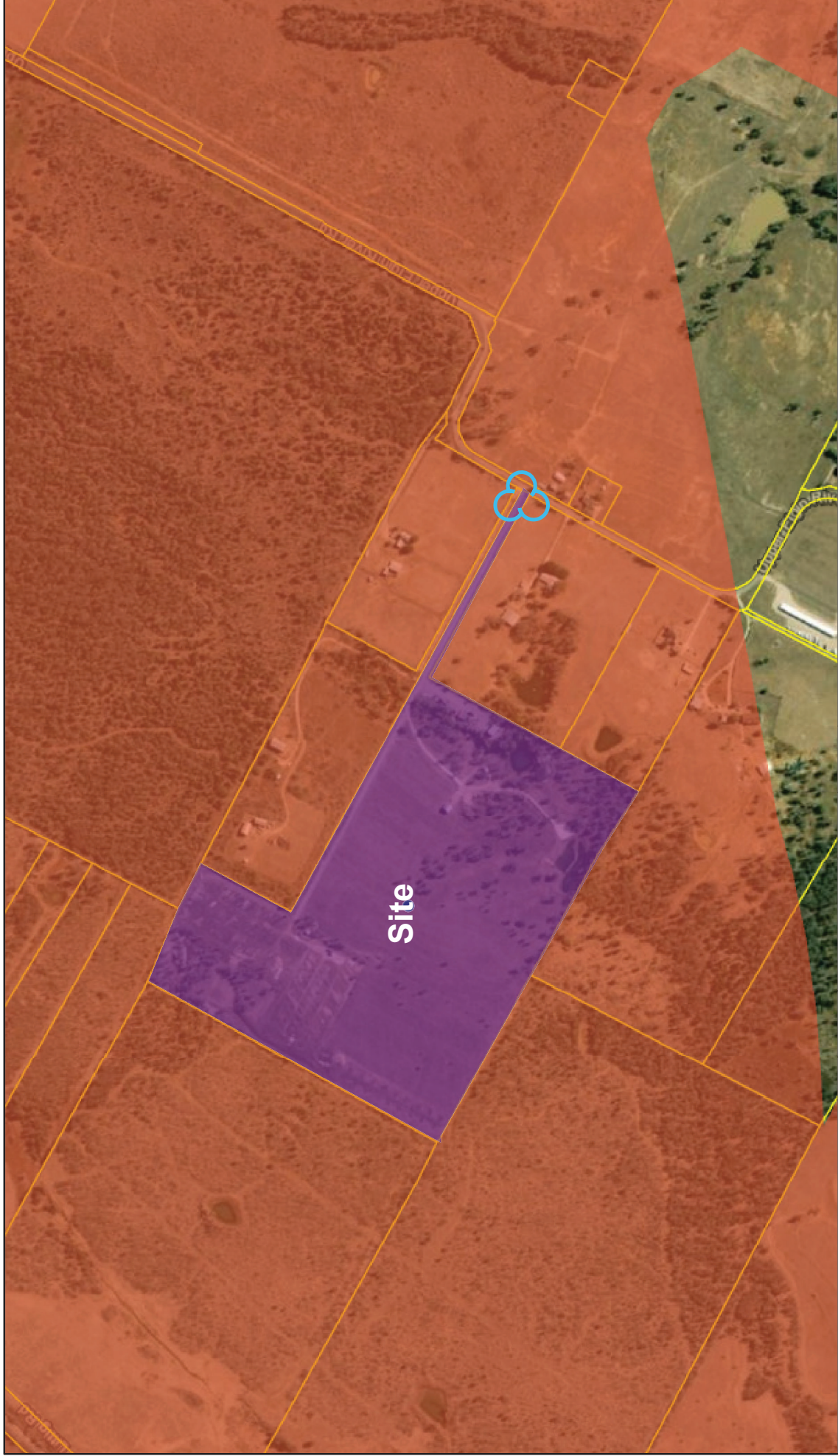
1:18,056

0 0.13 0.25 0.5 mi

0 0.2 0.4 0.8 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

ArcGIS Web Map



4/4/2022, 5:40:41 PM

Elgin ETJ

Bastrop Parcels July 2021

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

ArcGIS Web Map



4/4/2022, 5:56:02 PM

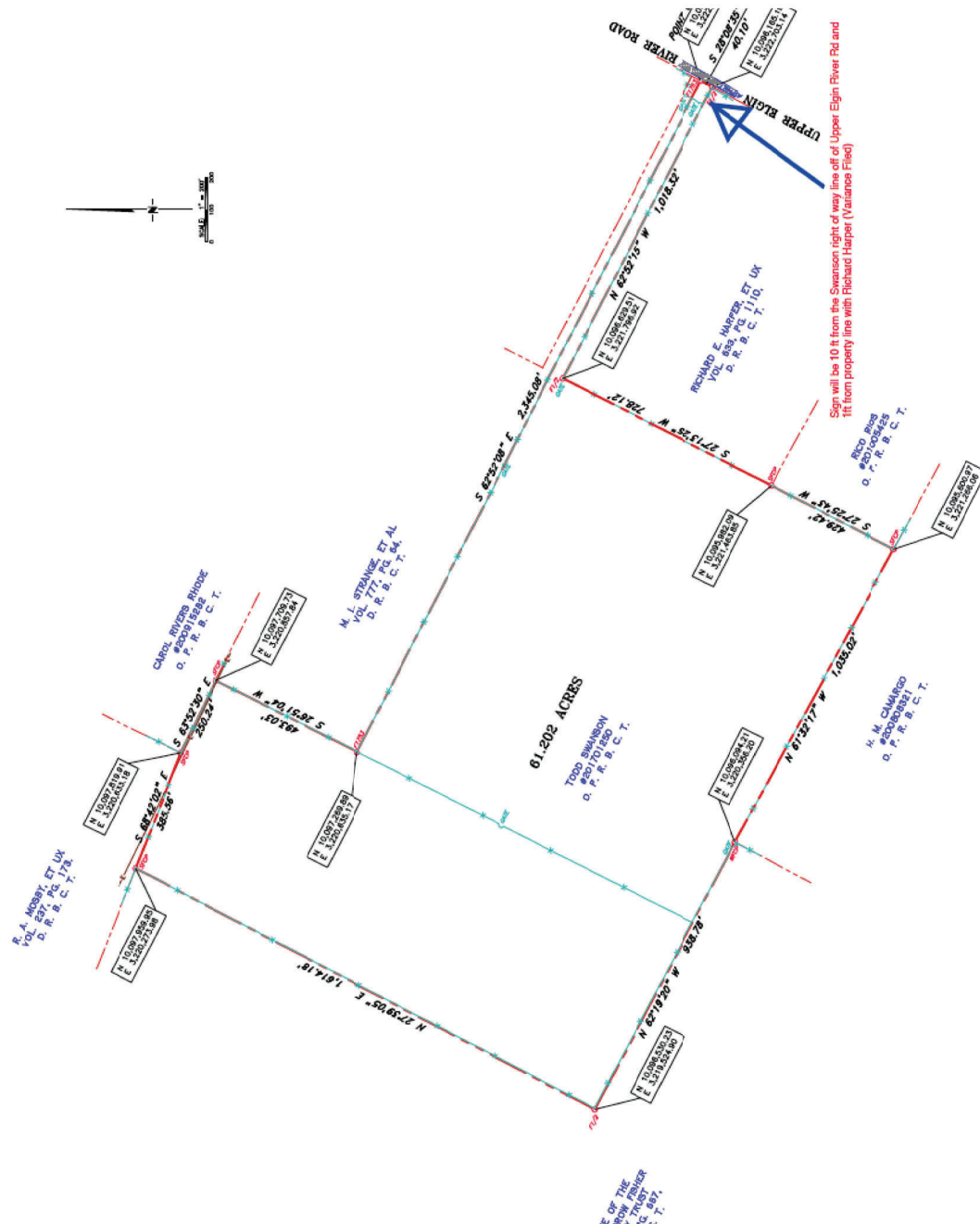
 Bastrop Parcels July 2021

1:1,128
0 0.01 0.03 0.05 mi
0 0.01 0.03 0.05 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Attachment 3

Site Plan



Attachment 4
Sign Schematic



Note: Sign schematic is an older image with a smaller height.

Right of way line

10' to property line

1' to fence line

(1) Horizontal 4x4 Post 3.5" x 3.5"
Pressure Treated Post
Painted with Sherwin Williams Pro Industrial Outdoor Paint
or Polyshades Stain

80" Wide

Sign secured to post with
(2) 1/4" x 3" Stainless steel screw eye lag bolts
Load capacity 990 lbs.

5/16" x 6" Galvanized Lag Bolts
with .5" x 2" Stainless Steel Washers

(2) 4" Pre-galvanized
black powder coated rafter clips

(2) Vertical 4x4 Post
3.5" x 3.5"

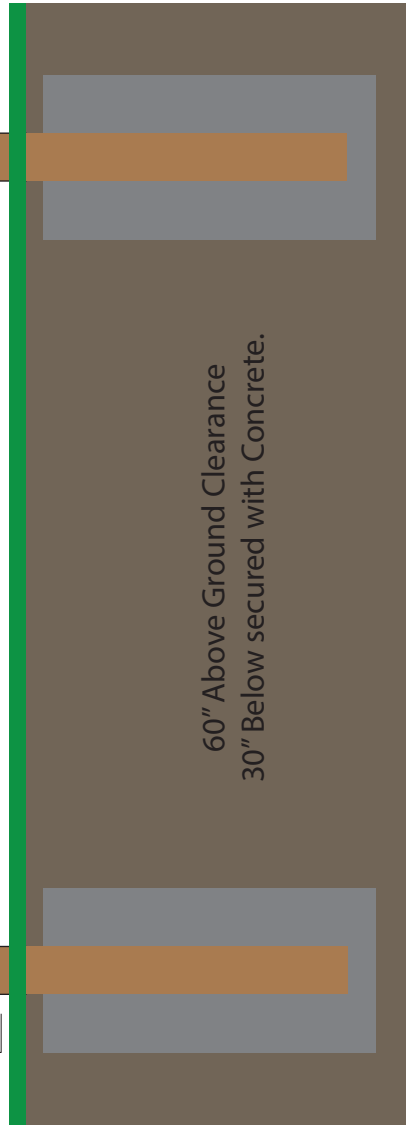
Pressure Treated Post
Painted with
Sherwin Williams
Pro Industrial
Outdoor Paint
or Polyshades Stain

Printed Vinyl with UV Laminates applied



60"x40" Sign Face
3mm Max Metal Composite Aluminum
.15mm aluminum panels bonded to solid polyethylene core.

84" Tall



60" Above Ground Clearance
30" Below secured with concrete.

16.67' sq ft. visible clearance