



City of Harker Heights
Zoning Board of Adjustment Minutes
April 18, 2018

Present:	Thomas G. Wilson	Chairman
	David McClure	Vice Chairman
	Paul Perugini	Secretary
	Charles Sweeney	Board Member
	David Hermosillo	Board Member
	Edward Paul Loughran III	Alternate Member
Staff:	Joseph Molis	Director of Planning & Development
	Leo Mantey	City Planner
	Ty Hendrick	Administrative Assistant
		Planning & Development

A quorum was established, and the meeting was called to order at 6:30 p.m.

The first item on the agenda was the approval of the minutes from the February 16, 2017, meeting. Mr. Sweeney made the motion to approve the minutes and Mr. Loughran III seconded the motion. The motion passed unanimously (5-0).

Mr. Molis presented, **ZBA-18-100** Discuss and consider a request for variance from the Development Overlay District 1 – The Knight’s Way Corridor sign regulations to allow for a free standing monopole sign, and allow a maximum height of 35’ and a maximum sign area of 133 square feet on property described ACTG ADDITION AMENDED (LTS 3-5, 7 BLK 1), BLOCK 001, LOT 003A, generally located at 335 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

Mr. Molis stated that Section §155.222 (D) of the Code of Ordinances requires that every variance granted or denied by the Board shall be accompanied by a written findings of fact specifying the reason for granting or denying such variance. Staff has reviewed the request submitted by Raising Canes for a variance from the Development Overlay District 1 – The Knight’s Way Corridor sign regulations, to allow for a free standing monopole sign, and allow a maximum height of 35’ and a maximum sign area of 133 SF on property described as ACTG ADDITION AMENDED (LTS 3-5, 7 BLK 1), BLOCK 001, LOT 003A, generally located at 335 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

Mr. Molis stated that staff believes there is no established undue hardship in this request. The hardship being presented by the applicant is self-imposed and can be avoided. The applicant has the option to utilize architectural designs and site plan to mitigate their established hardship. Also recent development along FM 2410 has conformed to the design manual since its inception. Lastly, the applicant has the option to utilize other signs like roof or wall signs to better advertise the business. Therefore staff recommends that the board deny a request for a variance from the Development Overlay District 1 – The Knight’s Way Corridor sign regulations, to allow for a free standing monopole sign, and allow a maximum height of 35’ and a maximum sign area of 155 SF, on property described as ACTG ADDITION AMENDED (LTS 3-5, 7 BLK 1), BLOCK 001,

LOT 003A, generally located at 335 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

Mr. Wilson then asked the applicant to come forward to give their presentation.

Mr. Darby Clark the CSRS for the Architect and Ms. Sarah McDougal of Architectural Graphics Inc. spoke on behalf of the applicant.

Mr. Darby spoke about the two (2) hardships for the site. The first one being topography, frontage landscaping issues and retaining wall at the back of the property. The second issue Mr. Darby brought up was that they had reached out to the utility company and were told they could not place a sign in the utility easement.

Ms. McDougal then spoke about the hardship of the restriction of the utility easement. Ms. McDougal also stated by not being allowed to have a pylon sign this would put the business at a competitive disadvantage with other restaurants in the area. Ms. McDougal showed photos of other businesses nearby that currently had pylon signs – KFC, Freddy’s and Taco Bueno.

Mr. Wilson then opened the public hearing and asked if there was anyone to speak in favor or against the variance being passed.

Mr. Wilson then asked if there was anyone who would like to speak in favor or against the variance. There was no one to speak in favor of the variance. Mr. Wilson then closed the public hearing.

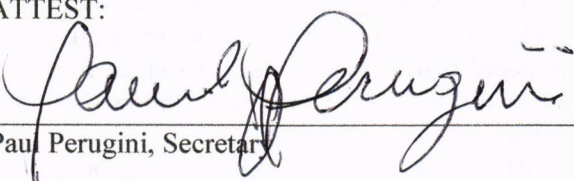
Mr. Wilson then asked if there was any discussion between the commissioners. There was concern that this would open Pandora’s Box and it would create more issues down the road, nothing against the business.

After the discussion Mr. Wilson asked if there was a motion to approve or disapprove a request for a variance from the Development Overlay District 1 - The Knight’s Way Corridor sign regulations, to allow for a free standing monopole sign, and allow a maximum height of 35’ and a maximum sign area of 155 SF, on property described as ACTG ADDITION AMENDED (LTS 3-5, 7 BLK 1), BLOCK 001, LOT 003A, generally located at 335 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

Mr. McClure made a motion to disapprove the variance and Mr. Sweeney seconded the motion. Mr. Wilson then asked for a vote. The request for a variance was unanimously disapproved (5-0.) The meeting was closed at 7:36 pm.



Thomas G. Wilson, Chairman

ATTEST:


Paul Perugini, Secretary