



City of Abilene

Board of Adjustment Agenda

Notice is hereby given of a meeting of the Board of Adjustment of City of Abilene to be held on Tuesday, November 10, 2020 at 8:30 AM at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on October 13, 2020

AGENDA ITEMS

2. **BA-2020-07:** Receive a Report and Hold a Discussion and Public Hearing on a request from owner B.R. Forest Enterprises LLC, agent Stephen Moody for a request of an approval of a Special Exception to alter the front garage setback of a residence in a Medium Density (MD) District by less than 10 percent. Legal description being Lot 18 in Section 2 of Cordova Place, neighborhood to the City of Abilene, Taylor County, Texas
3. **BA-2020-08:** Receive a Report and Hold a Discussion and Public Hearing on a request from owner First National Bank, agent Jacob & Martin, to seek a 57.7-foot variance from the minimum side setback of 77.9-feet required for freestanding on-site advertising signs within the Buffalo Gap Corridor Overlay. Additionally, the applicant is seeking an 8-foot variance from the minimum 10-foot front setback applicable to freestanding on site advertising signs within Neighborhood Retail (NR) Zoning. Legal description being Lot 101, Block A of Cactus Addition within the City of Abilene, Taylor County, Texas

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests

should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 6th day of November, 2020, at 3:35 p.m.

*Kaitlin Richardson, Deputy City
Secretary*

BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
October 13, 2020 **8:30 a.m.**

BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

Members Present: Mr. Scott Hay, Chairman
Col. Morton Langholtz, Vice-Chairman
Mr. Robert Beermann
Mr. Jon Loudermilk, Alternate
Mr. Bob Thomas, Alternate

Member Absent: Mr. Roger Huber, Secretary
Mr. Mark Odle

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Stanley Smith, City Attorney
Mr. Brad Stone, Planner III
Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Bryce Stickney Ms. Merle Vandiver

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 of the previous meeting, which was held on July 14 2020. Mr. Loudermilk seconded the motion. The vote to **approve** minutes was carried by four (4) with none in opposition.

AYES: Langholtz, Beermann, Loudermilk, Hay

NAYS: None

AGENDA ITEMS

Mr. Brad Stone presented this request. The applicant is requesting a Special Exception to allow an automobile wash (Car Wash) in a Corridor Overlay Zone.

Mr. Hay opened the public hearing. Mr. Jay Taranton spoke in favor of this request. Mr. Taranton resides in Arizona where they have 20 operating express car washes. His company proposes to build two properties in Abilene, Texas. They expect to employ 12 to 15 people.

The express model carwash will be touchless. The driver will stay inside the vehicle, and it is pulled through a wash tunnel.

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

Property owners within 200 feet of the request were notified. There were two (2) responses received in favor, with none in opposition.

PLANNING STAFF RECOMMENDATION: Staff recommends approval.

Discussion included: 1) The use of recycled wash water, 2) the hours for the free vacuum facility, and 3) signage

Colonel Langholtz moved to approve this request based upon the criteria and findings of Staff. Mr. Loudermilk seconded the motion. The motion to approve this Special Exception prevailed by the following vote:

AYES: Langholtz, Beermann, Loudermilk, Hay

NAYS: None

ADJOURNMENT

There being no further business, Colonel Langholtz moved to adjourn the meeting. Mr. Beerman seconded. The Board of Adjustment meeting was adjourned at 8:55 a.m.

Approved: _____, Chair

BA-2020-07

STAFF REPORT



REQUEST:

A Special Exception to alter the front garage setback of a residence in a Medium Density (MD) District by less than 10 percent.

OWNER: B.R. Forest Enterprises, LLC

AGENT: Stephen Moody

HEARING DATE:

November 10, 2020

LOCATION:

2818 & 2820 Melissa Lane, Abilene, TX 79606

LEGAL DESCRIPTION:

Lot 18 in Section 2 of Cordova Place, neighborhood to the City of Abilene, Taylor County, Texas.

ZONING CLASSIFICATION:

Medium Density Residential (MD) District

BACKGROUND:

In most cases, altering a residential setback requires an applicant(s) to pursue a variance. However, when an applicant(s) intends to alter a setback by 10% or less of the minimum requirement, the applicant(s) may seek a special exception. Cordova Place Section 2 subdivision was formally platted in December of 2016 and lot 18 is currently undeveloped. The proposed site plan for lot 18 exhibits that the south corner of the garage will encroach into the front garage setback by 1.8 feet spanning a total distance of 2 feet along the north garage wall. The remainder of the proposed structure will comply with front setback building requirements.

PROPOSAL AND REQUESTED ACTION:

The applicant is requesting to alter the front facing garage setback by approximately 1.8 feet from the minimum setback of 25 feet to be 23.2 feet. This request is a decrease of approximately 7% from the minimum front facing garage setback. According to the applicant, this lot has two site development determinants that inhibit their ability to construct a duplex and meet all MD setback requirements. The inhibiting determinants proclamed is as follows:

- The approximate 15-foot cul-de-sac indentation decreases the extent of developable land and/or frontage
- An 8-foot access easement that extends across the entirety of the north property line increases the north side setback from a 6-foot minimum to a 8-foot minimum

DEVELOPMENT STANDARDS:

Land Development Code; Chapter 2; Article 2; Table 2-2: Site Layout and Building Requirements for Residential Zoning Districts; (MD requirements)

Zoning District	Max. Density of Dwelling Units Per Acre	Minimum Lot Size			Minimum Building Line Setbacks								Max. Height (ft)	Max. Lot Coverage (% of lot area)	Single-Family Standards
		Area (s.f.)	Width (ft) ¹	Depth (ft)	Street Setback (ft)				Garage Setback (front facing only, not on arterials and expressways)	Rear Yard (next to other lot boundary)	Side Yard				
					Subcollector or Minor Street	Collector	Arterial or Expressway with Frontage Rd	Expressway Without Frontage Rd							
MD	12	6,000	60	100	15	20	30	40	25	20	6	35	70%		

APPLICATION REVIEW:

Land Development Code Section 1.4.4.1 (e) Special Exception Criteria for Approval

The purpose of a special exception is to authorize a modification of zoning standards applicable to particular types of development within any zoning district, which is consistent with the overall intent of the zoning regulations and for which express standards are prescribed, but that requires additional review to determine whether the development with the modification is compatible with adjoining land uses and the character of the neighborhood in which the development is proposed. In deciding whether to approve, conditionally approve, or deny the application for a special exception, the Board shall apply the standards for special exceptions for nonconformities, shall determine that the requested special exception complies with each of the following:

- Will be wholly compatible with the use and permitted development of adjacent property, either as filed or subject to such requirements as the Board finds to be necessary to protect and maintain the stability of adjacent properties.**

It is the opinion of staff that this request is of negligible effect to adjacent properties.

- Will place no undue burden on public facilities. Public facilities to be considered shall include, but are not limited to streets and alleys, water and sewer utilities, schools and parks**

It is the opinion of staff that this structural encroachment will place no undue burden on public facilities.

- c. **That approval of the special exception is clearly in harmony with the general purposes and intent of this Ordinance and, furthermore, provides for substantial justice.**

It is the opinion of staff that this request will have minimal impact on the surrounding residential properties and is therefore consistent with the intent of the regulation.

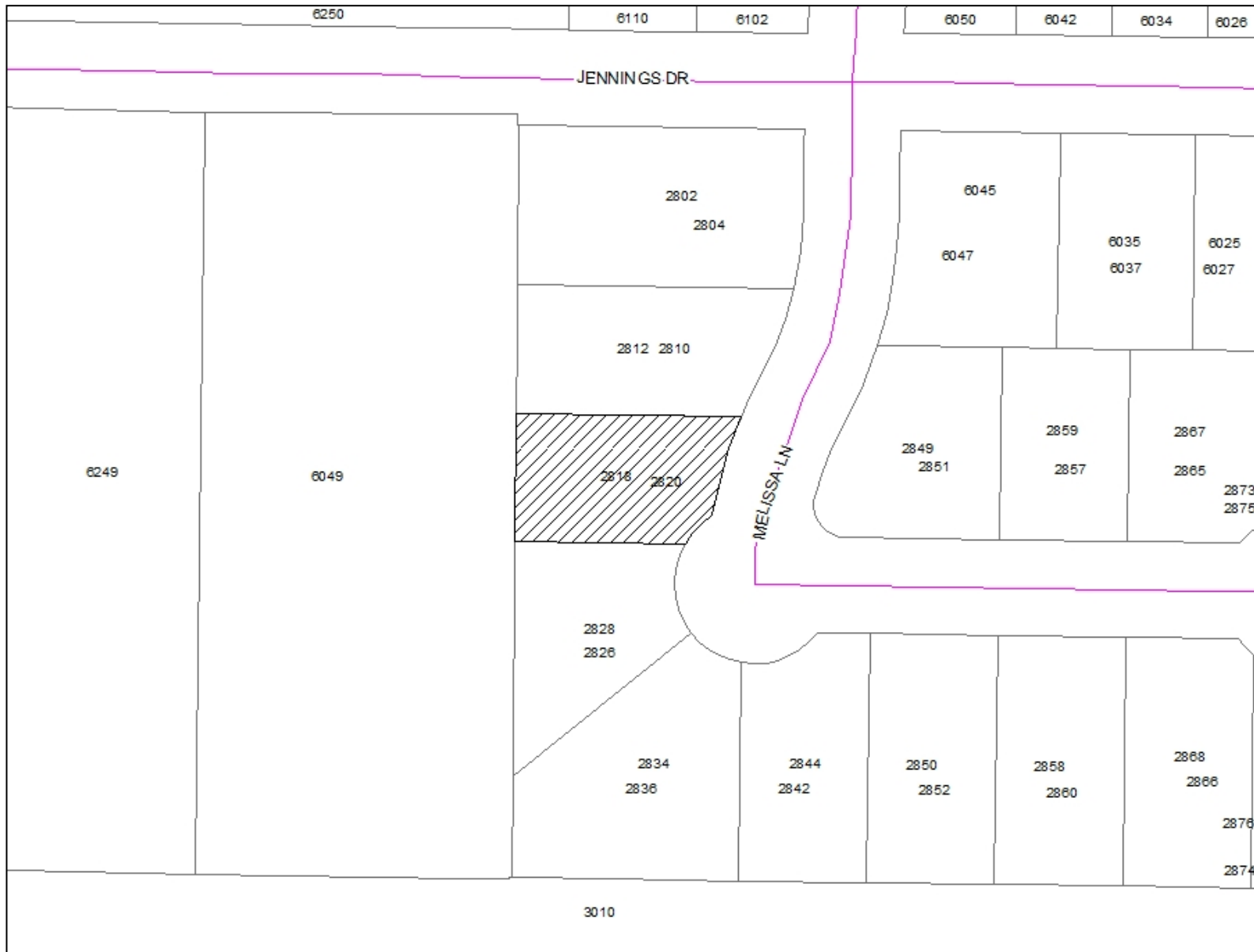
STAFF RECOMMENDATION: Staff recommends approval.

NOTIFICATION: The Planning Services Division sent a notice of this requested variance to the applicant and to owners of all property within a 200-foot radius of this subject property:

Owner	Situs	Response
B R FOREST ENTERPRISES LLC	2858 MELISSA LN	
B R FOREST ENTERPRISES LLC	2860 MELISSA LN	
B R FOREST ENTERPRISES LLC	2834 MELISSA LN	
B R FOREST ENTERPRISES LLC	2836 MELISSA LN	
B R FOREST ENTERPRISES LLC	2850 MELISSA LN	
B R FOREST ENTERPRISES LLC	2852 MELISSA LN	
B R FOREST ENTERPRISES LLC	2842 MELISSA LN	
B R FOREST ENTERPRISES LLC	2844 MELISSA LN	
B R FOREST ENTERPRISES LLC	2826 MELISSA LN	
B R FOREST ENTERPRISES LLC	2828 MELISSA LN	
B R FOREST ENTERPRISES LLC	2818 MELISSA LN	
B R FOREST ENTERPRISES LLC	2820 MELISSA LN	
B R FOREST ENTERPRISES LLC	2857 MELISSA LN	
B R FOREST ENTERPRISES LLC	2859 MELISSA LN	
B R FOREST ENTERPRISES LLC	2849 MELISSA LN	
B R FOREST ENTERPRISES LLC	2851 MELISSA LN	
B R FOREST ENTERPRISES LLC	6047 JENNINGS DR	
B R FOREST ENTERPRISES LLC	6045 JENNINGS DR	
B R FOREST ENTERPRISES LLC	2802 MELISSA LN	
B R FOREST ENTERPRISES LLC	2804 MELISSA LN	
B R FOREST ENTERPRISES LLC	2810 MELISSA LN	
B R FOREST ENTERPRISES LLC	2812 MELISSA LN	
CLARK JAMES RONALD & YONG C	6049 JENNINGS DR	
WEATHERBEE GLENN	6249 JENNINGS DR	

ATTACHMENTS:

- Application
- Presentation



OWNER AND/OR AGENT AUTHORIZATION

Owner Name: B R Forest Enterprises, LLC

Address: 3632 Encanto Dr

City, State, Zip: Fort Worth, Texas 76109

Fax: _____

Phone: (817) 235-4758

Email: stephentmoodycpa@gmail.com

Agent Name: _____

Address: _____

City, State, Zip: _____

Fax: _____

Phone: _____

Email _____

"I am the property owner, and I certify that the information included in this application is true to the best of my knowledge.
(Name) Stephen Moody will act as my agent before the Board of Adjustment."

Witness my hand this day, of October 9th 2020



Special Exceptions



Variance



Appeal

What is the specific nature of the request?

A small corner of our foundation footprint encroaches on the 25' front setback. The encroachment forms a right triangle with a base of 2' and a height of 1'8".

This creates a total area of encroachment of approximately 1.67 sq ft on the front southeast corner of the front setback. B R Forest Enterprises is requesting a special exception allowing the minor encroachment on the 25' front setback.

Project Address: 2818 & 2820 Melissa Lane, Abilene, TX 79606

No. of lots: 1 Acreage: 0.233

Legal Description (Use attachment if necessary): Cordova Place Sec 2, Block A Lot 18

Current Zoning: MD

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Stephen Moody

Date: 10-9-20

Partner, B R Forest Enterprises, LLC

FOR OFFICE USE ONLY

Received: 10/8/2020

Fee: \$ 400.00

Receipt No.: _____

Case No.: BA-2020-07

Reviewed By: Nick Watts

Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary. (Or provide site plan/plot plan)

1. Fully describe the unique, special circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent. (This CANNOT be solely caused by the applicant.)

The lot is situated at the beginning of cul-de-sac that creates a notch at the front southeast corner of the lot which pushes the 25' front setback deeper into the lot than it would normally be if the lot was not located on the cul-de-sac. Also the lot has an 8' foot utility easement running down the north side of property which causes us to have to push the north side yard setback to 8' instead of the standard 6'. These two issues combine to cause the minor encroachment on the front setback. If only one of these issues existed or had the 8' utility easement been on the south property line there would be no encroachment.

2. If this application is for a special Exception to allow a carport in the front yard setback, please fill-in the diagram bellow.

House building material: ☐ Brick ☐ Stone ☐ Wood ☐ Other: _____

Carport Building Material: ☐ Similar to principal structure ☐ Metal ☐ Brick ☐ Stone ☐ Wood

☐ Other _____

The diagram shows a rectangular house at the top. Below it is a smaller rectangular carport. To the left of the carport is a horizontal line labeled "Distance from Side Property Line". To the right of the carport is another horizontal line labeled "Distance from Side Property Line". The carport has a "Length" dimension indicated by a horizontal arrow and a "Width" dimension indicated by a vertical arrow. Below the carport is a vertical line labeled "Distance from the Curb". At the bottom is a horizontal line labeled "Street Name".

SPECIAL EXCEPTION REQUEST

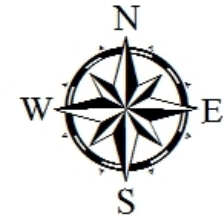
Case: BA-2020-07
Owner: B.R. Forest Enterprises, LLC
Agent: Stephen Moody
Request: Special Exception
Location: 2818 & 2820 Melissa Lane
Notification: 22 in Favor, 0 Opposed
Board of Adjustment: November 10, 2020



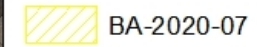
BA-2020-07 AERIAL LOCATION MAP



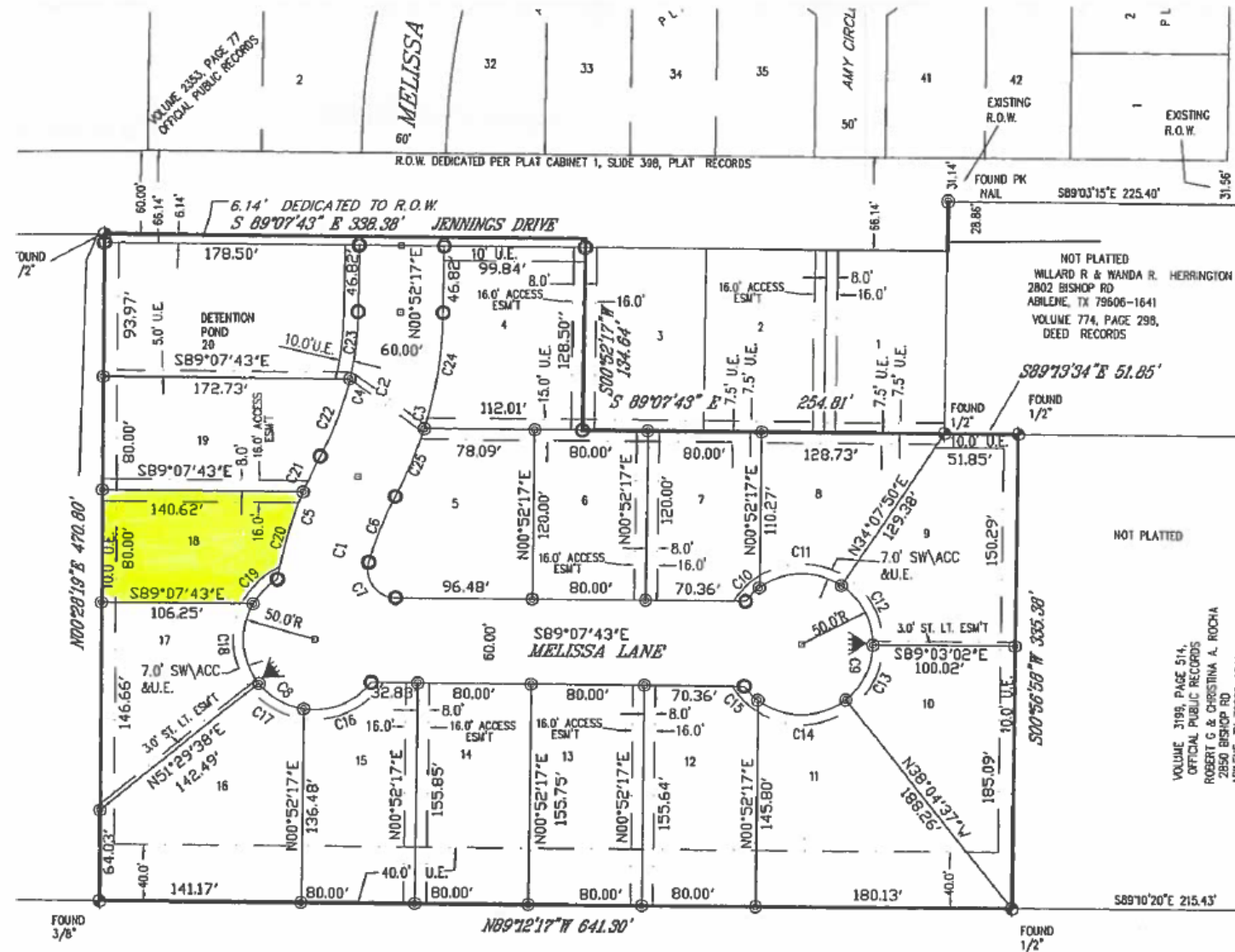
Location Map



Legend

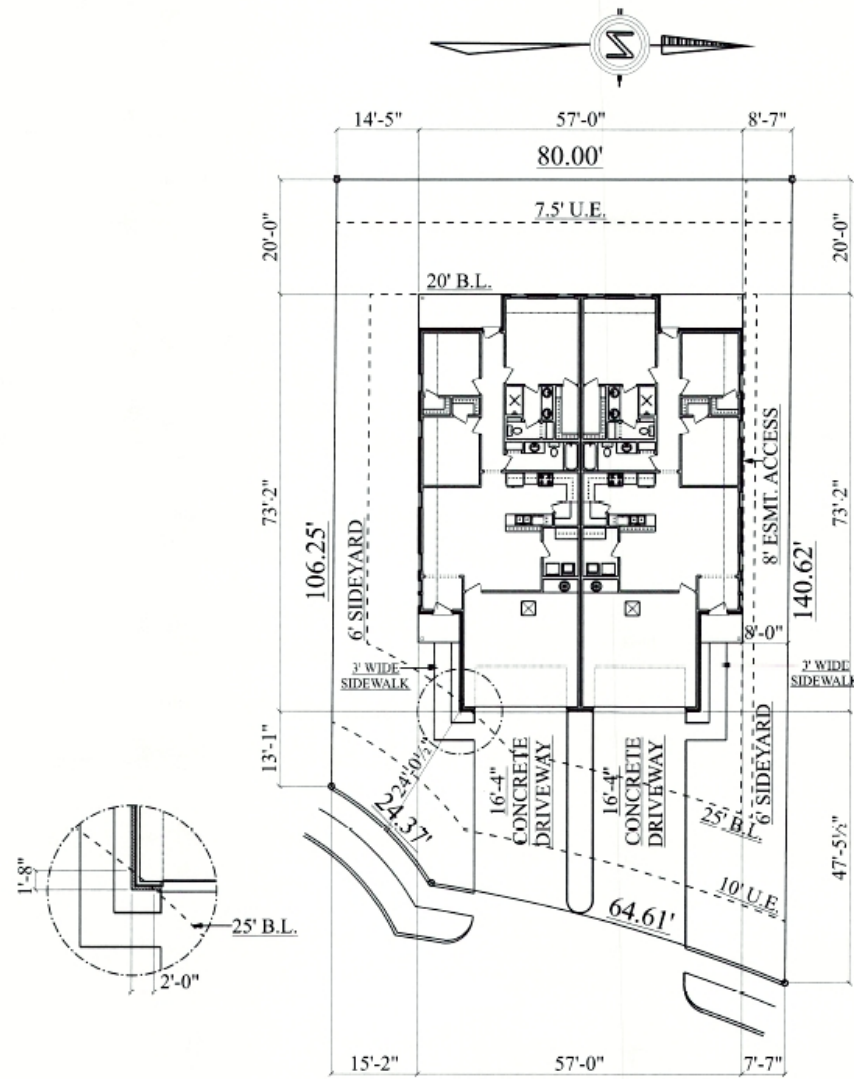






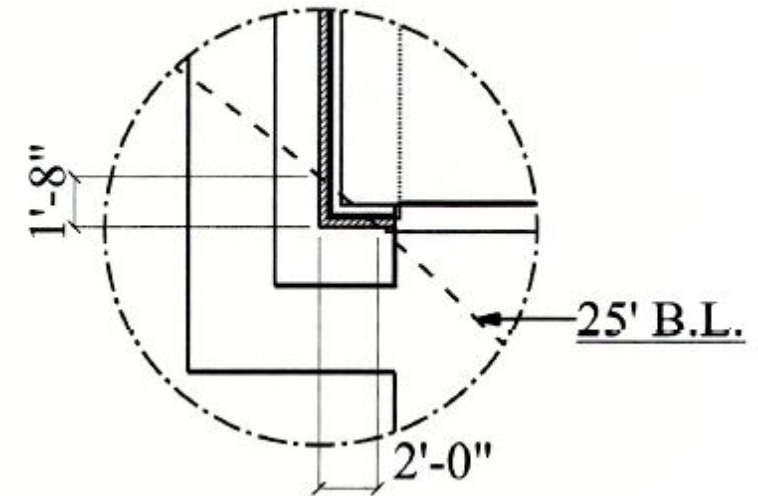
CORDOVA PLACE SECTION 2

BEING 6.00 ACRES OUT OF THE WILLIAM BISHOP SURVEY NO.
43, CITY OF ABILENE, TAYLOR COUNTY, TEXAS.



2818 & 2820 MELISSA LN

Expanded View of Garage Corner



BA-2020-07 VIEWS OF SUBJECT PROPERTY

West View of Subject
Property



North View of Subject
Property



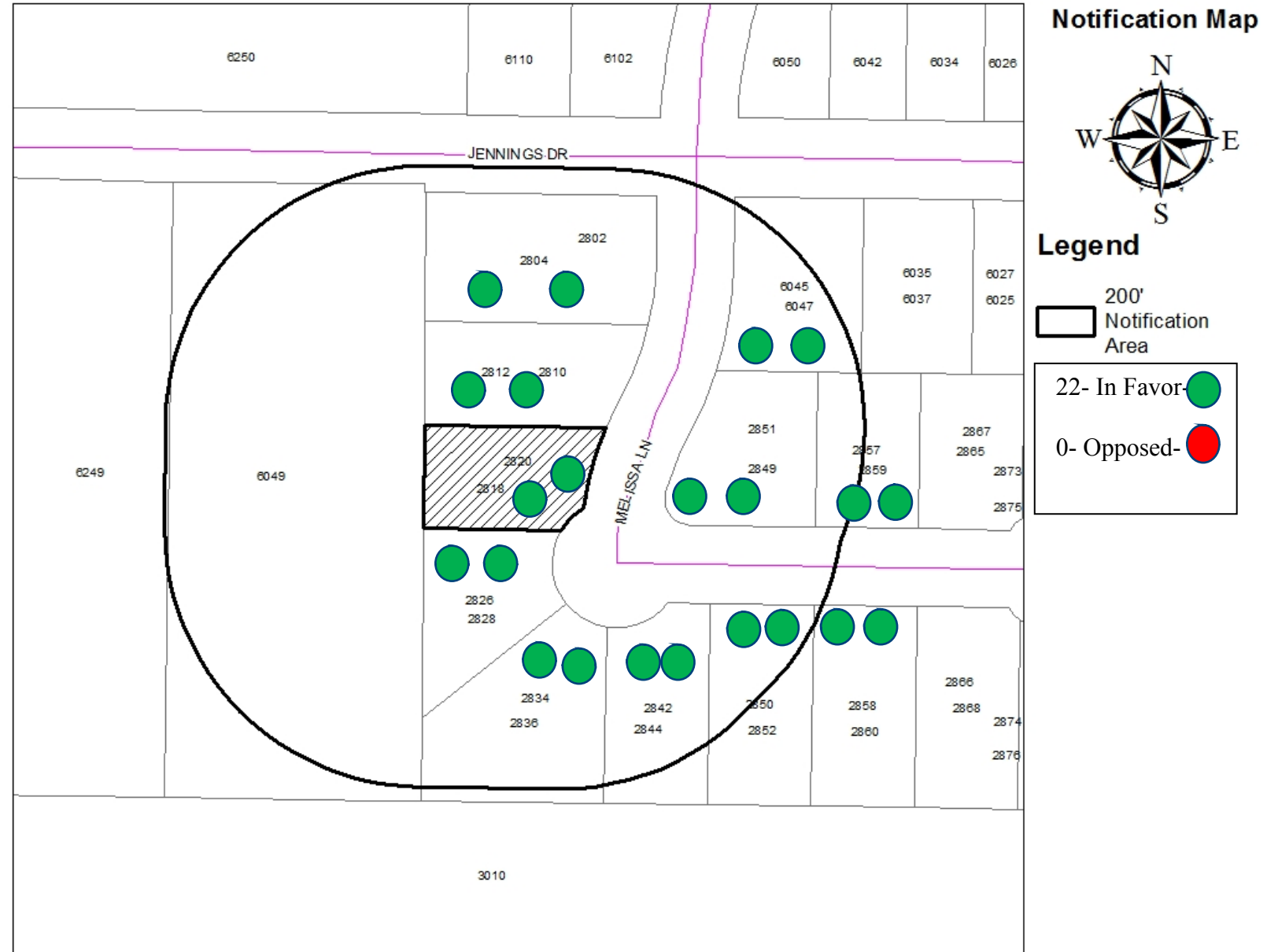
South Neighboring
Property



Lot 19 Garage Corner



BA-2020-07 NOTIFICATION AREA MAP



- Reviewed Pursuant to Section 1.4.4.1 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?



BA-2020-08

STAFF REPORT



REQUEST:

The applicant is seeking approval of two variances from sign regulations applicable within the Corridor (COR) Overlay Zone (Section 2.3.4.1 of the Land Development Code) extending alongside Buffalo Gap Road in:

1. a 57'9" variance from the minimum 77'9" separation required from the subject property's northern boundary, in order to place a sign 20' from the northern boundary; and
2. an 8-foot variance from the minimum 10-foot front setback required from the subject property's front boundary, in order to place a sign located 2-feet from the front boundary.

AGENT/OWNER:

Owner: First National Bank of Albany and Breckenridge

Agent: Jacob & Martin LLC

HEARING DATE:

November 10, 2020

LOCATION:

5657 Buffalo Gap Road, approximately 150 – 200 feet south from Merion Street

LEGAL DESCRIPTION:

Lot 101 in Block A of the Cactus Addition to Abilene

ZONING CLASSIFICATION:

The subject property is currently zoned Neighborhood Office (NO) and located within the Buffalo Gap Road Corridor (COR) Overlay Zone.

BACKGROUND:

More than 25 years ago, Abilene's City Council created a Corridor Overlay Zone extending 600-feet on either side of the centerline of Buffalo Gap Road, from Winters Freeway all the way south to F.M. Hwy 707 (a.k.a. Beltway South). An overlay zone is a special zoning classification encompassing one or more underlying (base) zoning districts and imposes additional regulations in addition to those required by the underlying (base) zoning districts.*

In this Corridor Overlay Zone, freestanding business identification signs must be placed a minimum distance equal to one-fourth of the total lot frontage from any one side property line. All freestanding signs (in the Corridor Overlay Zone) must also be set back a minimum of ten feet (10') from the front lot property line.

* Conversely, an overlay zone may permit certain specific allowances from regulations ordinarily required by the underlying (base) zoning district.

PROPOSAL AND REQUESTED ACTION:

The proponents have a branch banking facility on the subject property at 5657 Buffalo Gap Road. The proponents desire to install a freestanding, monument-type sign at the front of this property. Planned placement of this sign lies closer to the property's north side and front boundaries than is ordinarily required by above-stated regulations for the Corridor Overlay Zone:

1. This property's total frontage (on Buffalo Gap Road) is 311 feet, one-fourth of which is equal to 77'9". That is the minimum setback required between this proposed sign and each side boundary. However, only 20-feet separate the planned placement of this sign from the property's north side boundary. The proponents thereby seek a 57'9" variance from the required 77'9" separation ordinarily required.
2. This proposed sign is also now planned to be set back 2-feet from the site's front boundary on right-of-way for Buffalo Gap Road. This distance is shorter than the minimum 10-foot setback ordinarily required from Buffalo Gap Road's right-of-way in the Corridor Overlay Zone. The proponent's thereby seek an 8-foot variance from the 10-foot sign setback ordinarily required.

DEVELOPMENT STANDARDS:

Land Development Code Section 2.3.4.1 concerning Corridor (COR) Overlay Zone

(e) Signage Requirements

- (2) Location. Freestanding signs shall be placed a minimum distance equal to one-fourth (1/4) the total lot frontage from any side property line.
- (3) On-Site Signage.
 - a. All on-site signs shall follow the requirements specified in Tables 2-10 and 2-11 of this Land Development Code.

Table 2-10 BUSINESS AND/OR IDENTIFICATION SIGNS

Among other considerations, this table stipulates that a minimum 10-foot setback is required (of signs) from front or exterior side property lines in Neighborhood Office (NO) zoning districts.

APPLICATION REVIEW (VARIANCE REQUEST NO. 1)

Criteria for Approval 1.4.4.2 (d): A variance is used to modify the application of the Land Development Code [specifically, Chapters 2 and 4] as it applies to a specific piece of property. In reaching a decision on the variance request, the Board shall determine and make written findings that all of the following conditions are present:

1. **There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

In this particular case, the adjoining lot to the north is too small and oddly (triangular) shaped to be effectively used as a building site. The local gas distribution utility (Atmos Energy) maintains a pressure regulating station in one corner of this triangular lot. No substantial commercial or residential building could conceivably be fit onto the remainder of

that lot. It seems destined to be used only for decorative or landscaping purposes. Due to this circumstance, it seems an unnecessary hardship to literally enforce the minimum 77'9" side setback required between the proposed sign (on the subject property) and this practically unusable lot located north of the subject property.

2. That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.

Due to the likelihood that no substantial building will ever emerge on property to the north, there seems to be no need for all required separation between the proposed sign (in front of the subject property) and that adjoining property to the north.

	Zoning	Existing Land Use
North	PD No. 4 (COR)	utility facility, vacant land
South	NO (COR)	vacant land
East	PD No. 4	single-family residences
West	RS-12 (COR)	vacant land

3. Granting the variance is consistent with the intent of Abilene's Land Development Code.

Assuming the adjacent unbuildable lot remains substantially vacant, as expected, then there may be over 150 feet of open space left between the proposed new sign and the nearest cross street (Merion) to the north. This is consistent with sign spacing and separation objectives of the Corridor Overlay Zone.

STAFF RECOMMENDATION (VARIANCE REQUEST NO. 1):

City staff recommends approving the requested 57'9" variance from the minimum 77'9" separation required between a proposed new sign and the north side boundary of the subject property at 5657 Buffalo Gap Road. Due to the practical improbability of any substantial building development occurring on the lot located north of this subject property, literal enforcement of the minimum required separation seems an unnecessary hardship.

APPLICATION REVIEW (VARIANCE REQUEST NO. 2)

Criteria for Approval 1.4.4.2 (d): A variance is used to modify the application of the Land Development Code [specifically, Chapters 2 and 4] as it applies to a specific piece of property. In reaching a decision on the variance request, the Board shall determine and make written findings that all of the following conditions are present:

- 1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

The Site Plan approved (in 2019) for construction of the building on this subject property indicates that 42-feet separate this site's front property line from the edge of pavement on

Buffalo Gap Road. This is an extraordinary wide margin of space separating the subject property's front boundary from street pavement.

2. That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.

Even if this adjoining segment of Buffalo Gap Road is someday expanded to the same 92-foot width now planned north of Rebecca Lane, there might still be as much as 25-feet separating this site's front boundary from such expanded pavement on Buffalo Gap Road. This is more than the length of most automobiles and small trucks. As a result, a motorist approaching Buffalo Gap Road (from the subject property) would not have his/her view of oncoming traffic impeded by planned placement of this proposed sign only 2 feet from the subject property's front boundary

	Zoning	Existing Land Use
North	PD No. 4 (COR)	utility facility, vacant land
South	NO (COR)	vacant land
East	PD No. 4	single-family residences
West	RS-12 (COR)	vacant land

3. Granting the variance is consistent with the intent of Abilene's Land Development Code.

Setback standards for signs, especially monument-type signs, are driven primarily by a need to have them pose no possible impediment to motorists' visibility and safe driving. In this particular case, given the extraordinarily wide margin separating this building site from pavement on Buffalo Gap Road, relaxing the ordinary sign setback (as requested) should not impede the ability of motorists approaching street pavement. This is likely to remain true, even if and when pavement on Buffalo Gap Road is someday expanded incrementally.

STAFF RECOMMENDATION (VARIANCE REQUEST NO. 2):

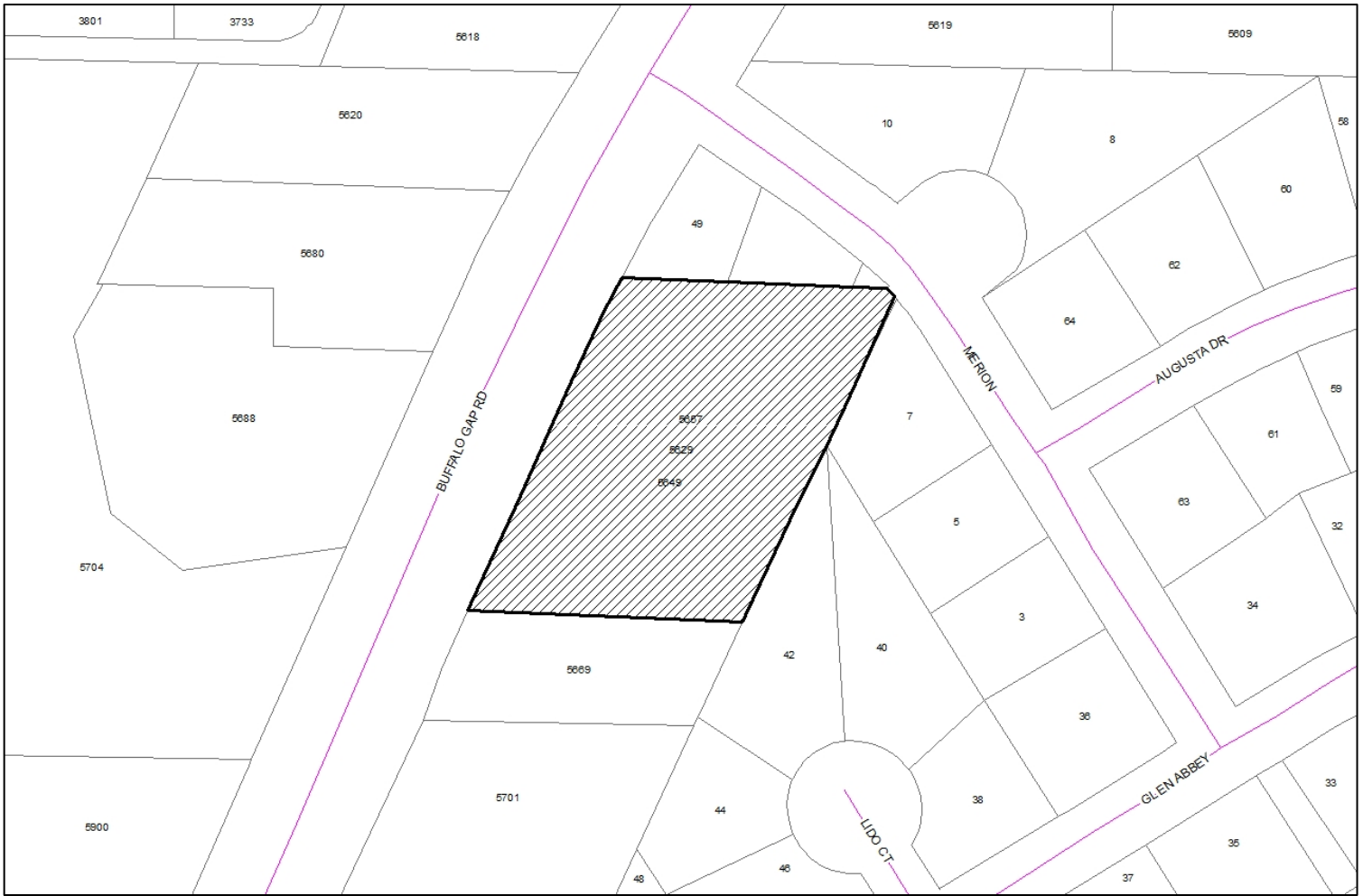
City staff recommends approving the requested 8-foot variance from the minimum 10-foot front setback ordinarily required for placement of a freestanding sign, on this particular property. Approving this requested variance will permit a proposed new monument sign to be set back as few as 2-feet from this property's front boundary on right-of-way for Buffalo Gap Road. Given the extraordinarily wide margin separating this subject property from street pavement, now and in the foreseeable future, literal enforcement of the minimum 10-foot setback would create unnecessary hardship for sign placement.

NOTIFICATION: The Planning Services Division sent, with a certificate of mailing, a notice of this requested variances to the applicant and to owners of all property within a 200-foot radius of this subject property:

Owner	Situs	Response
CHISHOLM EXPLORATION INC	5701 BUFFALO GAP RD	
CITY OF ABILENE	5680 BUFFALO GAP RD	
ENSERCH CORP		
FIRST NATIONAL BANK ALBANY/BRECKENRIDGE	5649 BUFFALO GAP RD	
FIRST NATIONAL BANK ALBANY/BRECKENRIDGE	5629 BUFFALO GAP RD	
FIRST NATIONAL BANK ALBANY/BRECKENRIDGE	5657 BUFFALO GAP RD	
FIRST NATIONAL BANK ALBANY/BRECKENRIDGE	49 MARION	
FIRST NATIONAL BANK ALBANY/BRECKENRIDGE		
GARDNER JOHN C & RENEE PATRICIA	62 AUGUSTA DR	
GAZAILLE ARTHUR L & GERALDINE L	3 MERION	
HEALY NATHAN & ASHLEY M	46 GLEN ABBEY	
HOLMES DANIEL W JR & DONA K	42 LIDO CT	
KVK PROPERTIES LLC	7 MERION	
LACKEY EDWIN & CASSIDY	38 GLEN ABBEY	
LEIGH RODGERS INVESTMENTS LLC	5669 BUFFALO GAP RD	
MADELEY PHILIP C &	5 MERION	
MATADOR 27 LLC	10 MERION	
MEYERS RICHARD H & VICKIE	40 LIDO CT	
MILLER MARK & NINA JAN	5619 BUFFALO GAP RD	
RUZINSKY NANCY KAREN	44 LIDO CT	
SCHROEDER ERIN KATHLEEN	48 GLEN ABBEY	
STEPHENS PROPERTIES LLC	5688 BUFFALO GAP RD	
STEPHENS PROPERTIES LLC	5704 BUFFALO GAP RD	
THROCKMORTON GARY JOHN &	64 AUGUSTA DR	
TNK HOLDINGS LLC	5620 BUFFALO GAP RD	
WHITAKER WILLIAM M &	8 MERION	
WHITE ASHLEY	5618 BUFFALO GAP RD	

ATTACHMENTS:

- Application
- Presentation



[illegible]

EXHBIT "B"

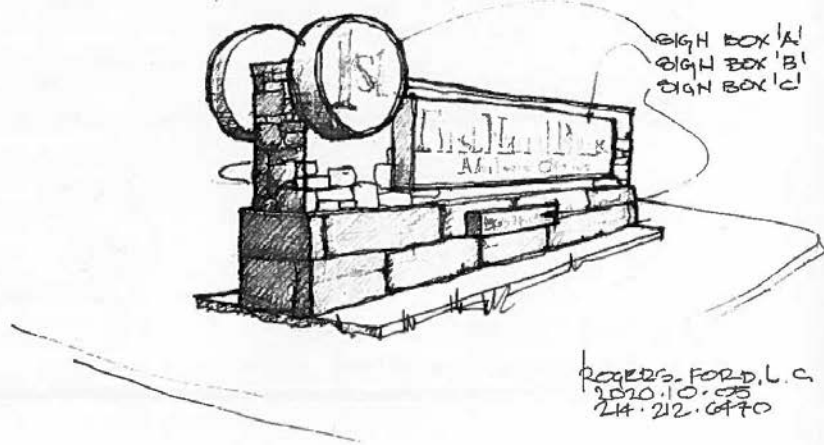
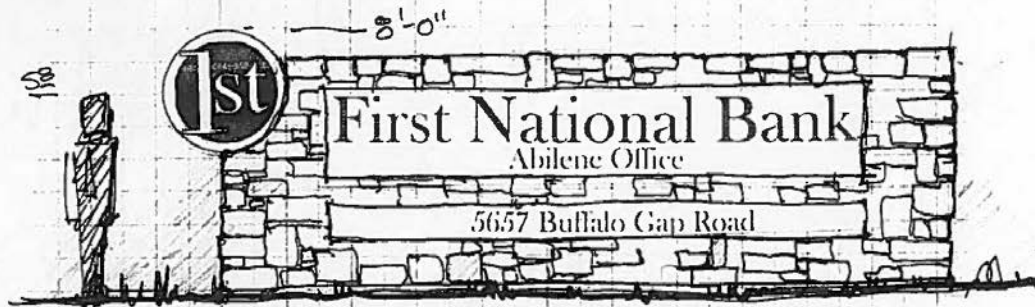


EXHIBIT "C"



ROGERS-FORD, L.C.
ARCHITECTURE AND INTERIOR DESIGN
© 2017

2777 N STEMMONS FREEWAY, DALLAS, TEXAS 75207
TEL 214-871-9388 FAX 214-871-3155



First 1'-4" TALL
Abile 7"
Buff 7"

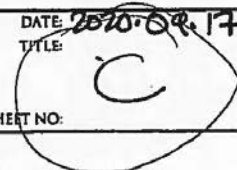
$$\begin{aligned} \text{MAIN SIGN} &= 16' \times 2'5" = 40 \text{ sq ft} \\ &+ 9.6 \text{ sq ft} \\ &= 49.6 \text{ sq ft} \end{aligned}$$

ADDRESS SIGN DOES NOT
COUNT TOWARDS MAX. AREA

PROJECT NO: 3701
PROJECT NAME: FNB

DATE: 2020.09.17
TITLE:

SHEET NO:



OWNER AND/OR AGENT AUTHORIZATION

Owner Name: FIRST National Bank (of Albany and Breckenridge)

Address: 5657 Buffalo Gap Rd.

City, State, Zip: Abilene, TX Fax: _____

Phone: _____ Email: _____

Agent Name: Jacob & Martin

Address: 3465 Curry Lane

City, State, Zip: Abilene TX 79606 Fax: _____

Phone: 325-695-1070 Email: Tai@jacobmartin.com

"I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) Tai Fillingim, Jacob Martin will act as my agent before the Board of Adjustment."

Witness my hand this day, of _____ 20____

☐ Special Exceptions ☒ Variance ☐ Appeal

What is the specific nature of the request?

Request is for a variance in the required side and front setbacks for a new sign. Requested front setback of 2'; requested side setback of 20'.

Project Address: 5657 Buffalo Gap Rd. No. of lots: 1 Acreage: 1.487

Legal Description (Use attachment if necessary): Lot 101 Block A Cactus Addition

Current Zoning: NO-COR

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: _____

FOR OFFICE USE ONLY

Received: 10/13/2020 Fee: \$ 400

Receipt No.: 0001056406

Case No.: 2A-2020-08

Reviewed By: Bradley Stone

Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary. (Or provide site plan/plot plan)

1. Fully describe the unique, special circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent. (This CANNOT be solely caused by the applicant.)

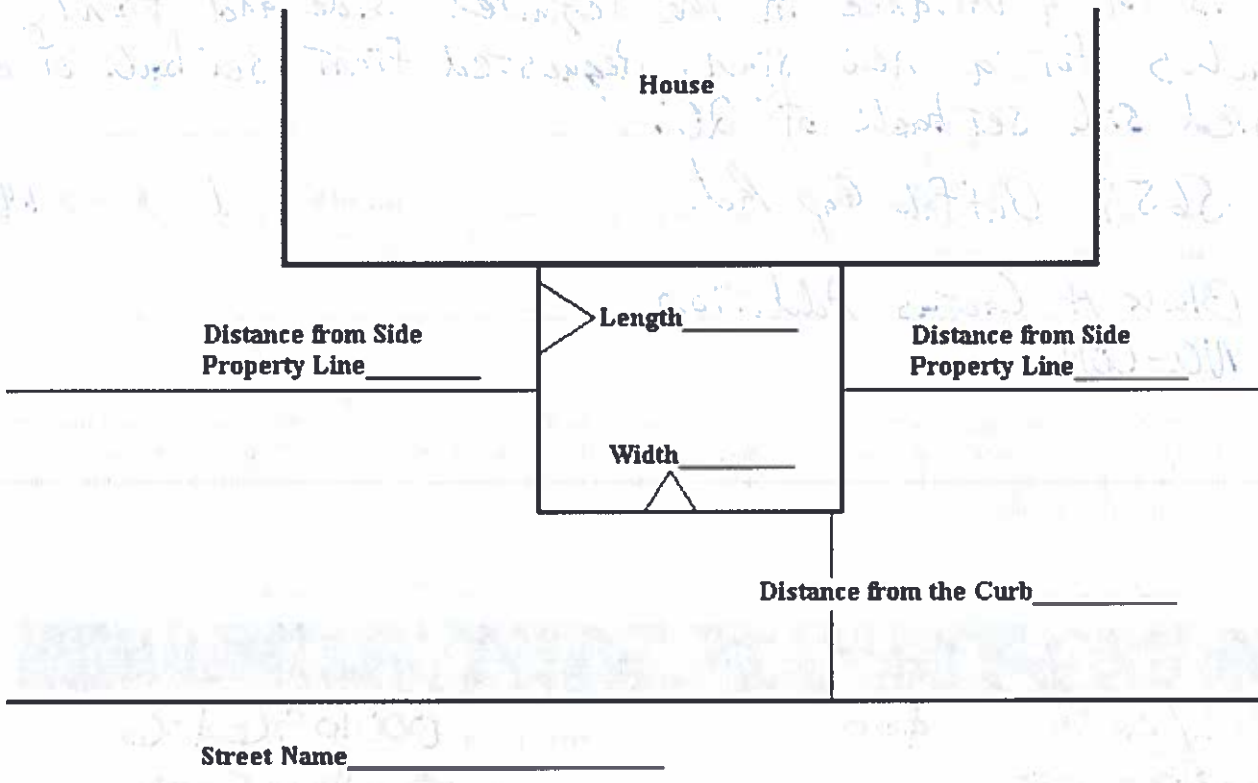
Size of existing lot and required driveway location do not allow sign setback requirements to be met.

2. If this application is for a special Exception to allow a carport in the front yard setback, please fill-in the diagram bellow.

House building material: ☐ Brick ☐ Stone ☐ Wood ☐ Other: _____

Carport Building Material: ☐ Similar to principal structure ☐ Metal ☐ Brick ☐ Stone ☐ Wood

☐ Other _____



VARIANCE REQUEST

Case: BA-2020-08
Owner: First National Bank of Albany & Breckenridge
Agent: Jacob & Martin LLC
Request: Two variances from sign regulations (Section 2.3.4.1 of the Land Development Code) within the COR extending alongside Buffalo Gap Road
Location: 5657 Buffalo Gap Road
Notification: 1 in Favor, 0 Opposed
Board of Adjustment: November 10, 2020



BA-2020-08 LOCATION MAP



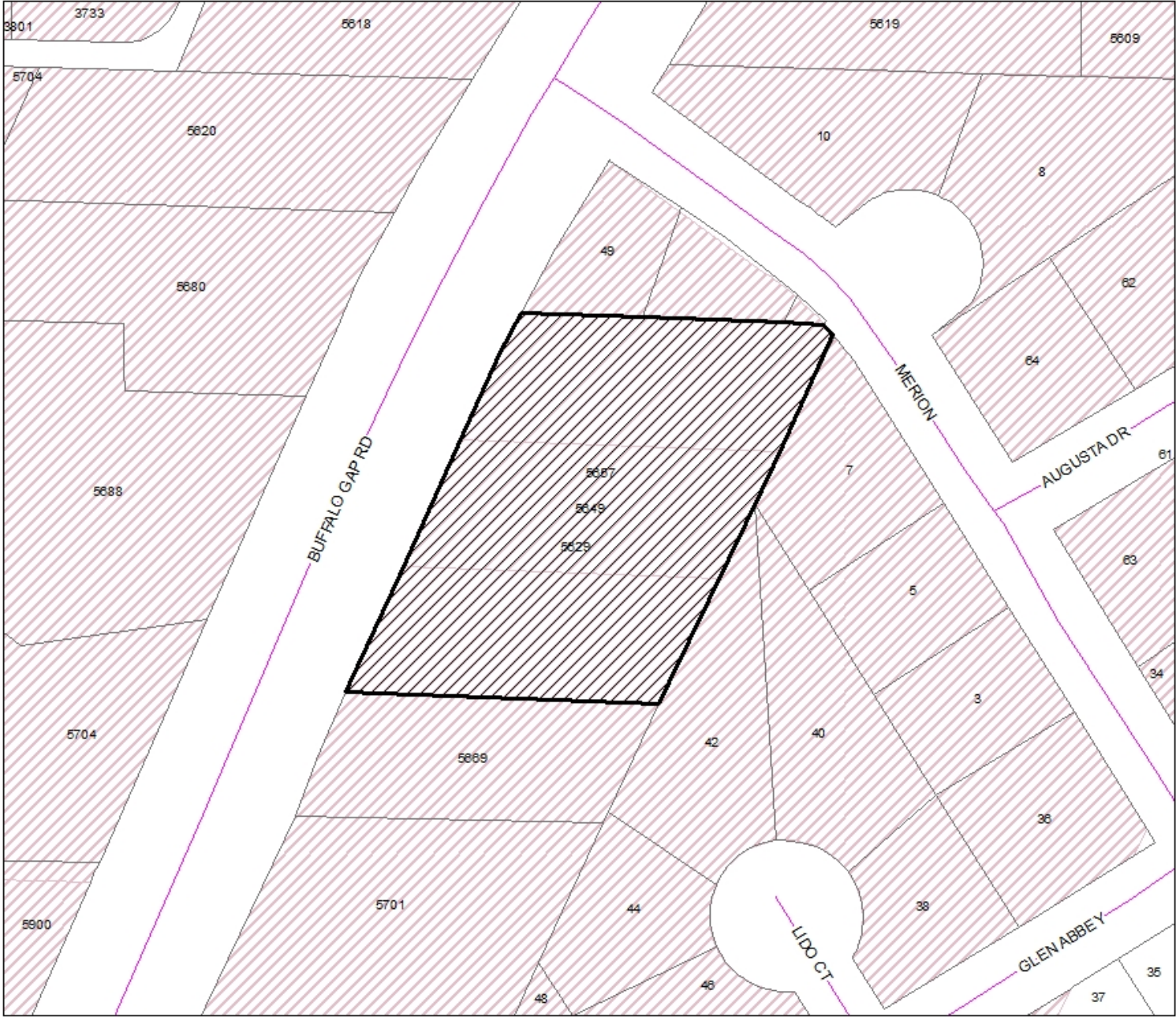
Location Map



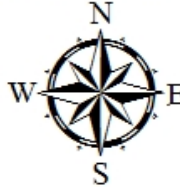
Legend

 BA-2020-08





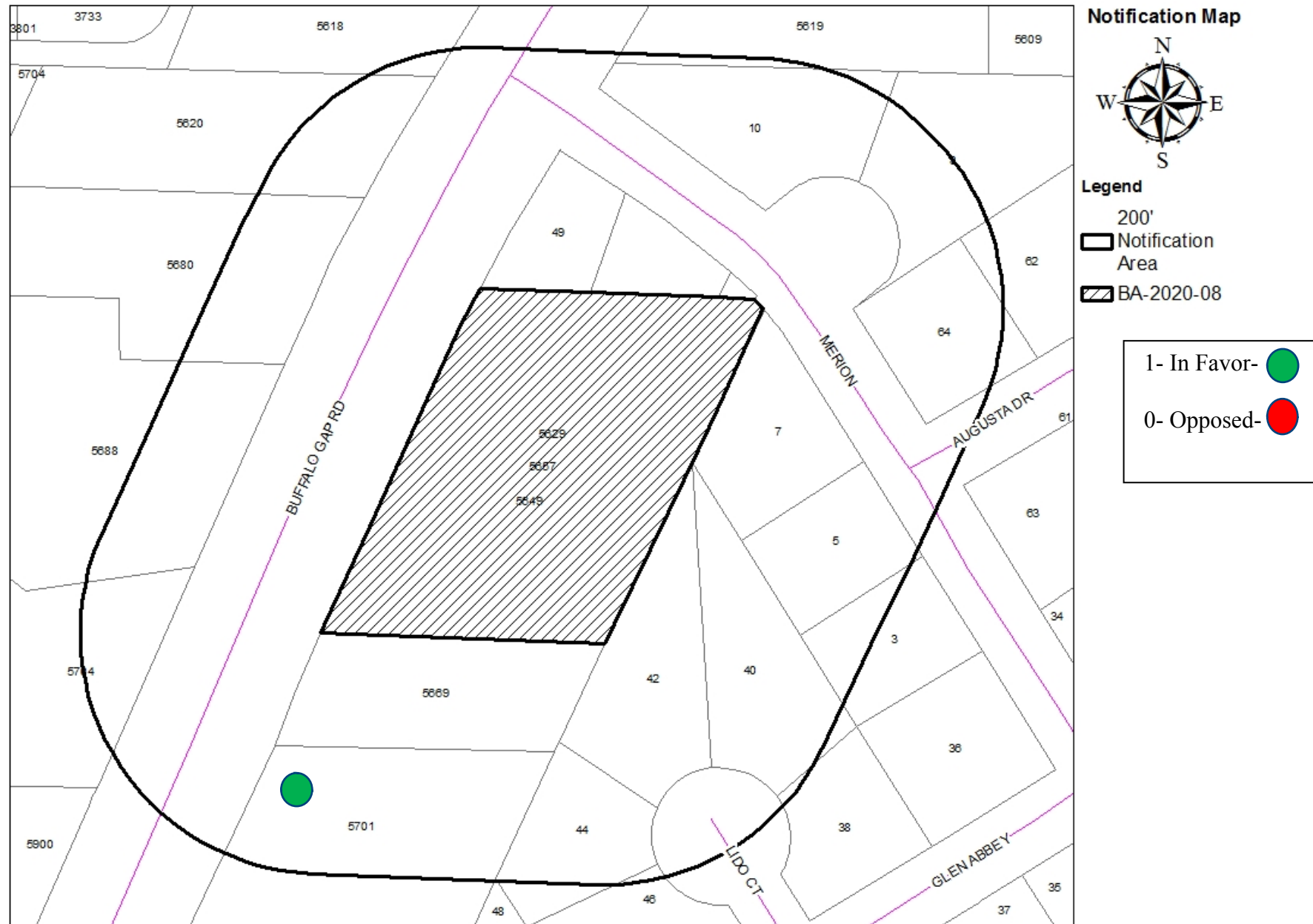
Corridor Map



Legend

-  BA-2020-08
-  Buffalo Gap Corridor

BA-2020-08 NOTIFICATION AREA MAP



BA-2020-08 VIEWS OF SUBJECT PROPERTY

Southern view of subject property
from Merion Street



Northern view of subject property



Southwest Neighboring Property



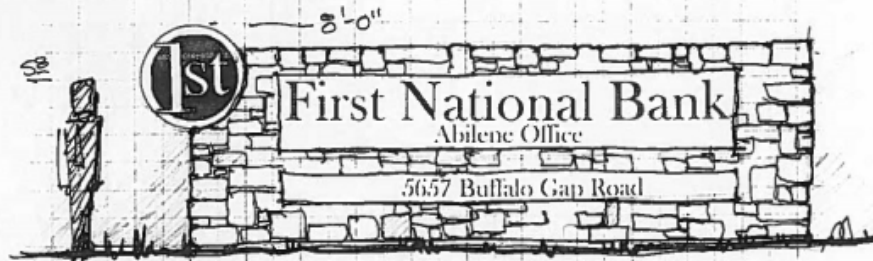
Vacant lot to the north
looking south





ROGERS-FORD, L.C.
ARCHITECTURE AND INTERIOR DESIGN
© 2017

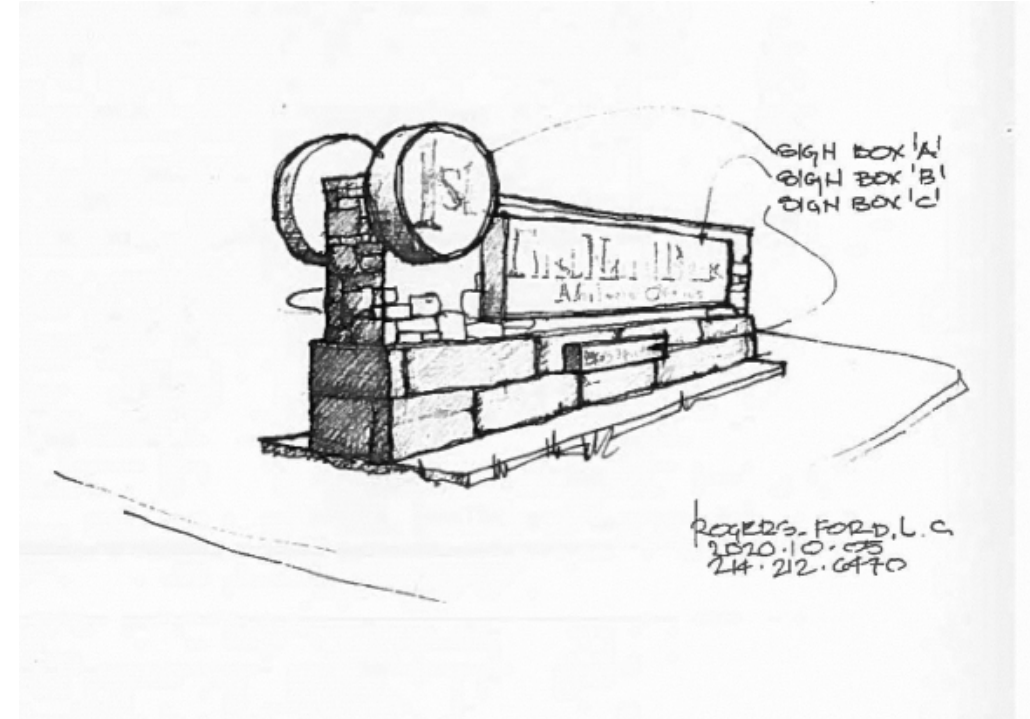
2777 N STEMMONS FREEWAY, DALLAS, TEXAS 75207
TEL 214-871-9388 FAX 214-871-3155



First 1'-4" TALL
Abile 7"
Buff 7"

ADDRESS SIGN DOES NOT
COUNT TOWARDS MAX. AREA

8'-6" ϕ = 9.6 ϕ
MAIN SIGN = 16' x 2'-5" =
40 ϕ
49.6 ϕ



PROJECT NO: 2701
PROJECT NAME: FNB

DATE: 2020.09.17
TITLE:

C

SHEET NO:



Variance 1: 57'9" variance from the required 77'9" side setback

- Due to the practical improbability of any substantial building development occurring on the lot located north of this subject property, literal enforcement of the minimum required separation seems an unnecessary hardship.

Variance 2: 8-foot variance from the 10-foot front sign setback

- Given the extraordinarily wide margin separating this subject property from street pavement, now and in the foreseeable future, literal enforcement of the minimum 10-foot setback would create unnecessary hardship for sign placement.



- Reviewed Pursuant to Section 2.3.4.1 Corridor Overlay Zone (COR)(Signage Requirements)
- Reviewed Pursuant to Section 1.4.4.2 (d) of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?

