

Notice of Regular Meeting of the Board of Adjustments

1-844-992-4726 (Toll Free) or 408-418.9388
Access code: 266 172 019

Thursday, November 19, 2020 at 6:45 pm



Important Notice Regarding Public Participation:

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce face-to-face contact, Governor Greg Abbott has granted a temporary suspension of certain provisions of the Texas Open Meetings Act. While preserving government transparency and maintaining government operations, meetings will be conducted by teleconference. The meeting will be broadcast live via telephone conference by dialing any of the following phone numbers:

- 1-844-992-4726 (Toll Free) or 408-418-9388
 - Access code: 266 172 019
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CALL TO ORDER

CITIZENS' COMMENTS:

In an effort to continue to allow members of the public to address the Board may do so at one of the following temporary alternate options:

- **Electronic Mail (E-mail):** Submit your name, address, and subject and/or agenda item(s) to the City Secretary at mortiz@cityofwilmer.net by 5:00 p.m. on Thursday, November 19, 2020.
- **By phone.** Please call 1-844-992-4726 (Toll Free) or 408-418-9388; Access code: 266 172 019 before the Call to Order and provide your name, address, and subject and/or agenda item(s) before the Call to Order.

At this time, citizens who have pre-registered before the call to order from one of the above options will be allowed to provide comments on any matter other than personnel matters or matters under litigation, for a length of time not to exceed three (3) minutes. No action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law. You will be called by the Presiding Officer during the meeting in the order received.

PUBLIC HEARING:

1. Conduct a public hearing and consider a request for a variance to Article 3.04.009(8) Prohibited Signs, Code of Ordinances of the City of Wilmer, in order to construct a pole sign for a commercial business located at 905 N. Interstate Highway 45, Wilmer, Texas 75172 and being further described as Lot 10R, Block 2, Walter Thompson Addition, in the City of Wilmer, Dallas County, Texas (Case No. V-20-04).

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserve the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities are wheelchair accessible. For sign interpretive services, call the City Secretary's office, 972-441-6373, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Wilmer City Hall on November 16, 2020 at 5:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, and Council members.



 Mayra A. Ortiz, City Secretary

Confirmation of Agenda Removal on _____, 2020.

CITY OF WILMER

Board of Adjustments

1.

Meeting Date: 11/19/2020

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Rona Stringfellow, City Administrator

Agenda Caption:

Conduct a public hearing and consider a request for a variance to Article 3.04.009(8) Prohibited Signs, Code of Ordinances of the City of Wilmer, in order to construct a pole sign for a commercial business located at 905 N. Interstate Highway 45, Wilmer, Texas 75172 and being further described as Lot 10R, Block 2, Walter Thompson Addition, in the City of Wilmer, Dallas County, Texas (Case No. V-20-04).

Background:

The property owner of the subject property has requested to secure required permits to furnish and install one (1) double face, internally illuminated pole sign to be 40' overall height.

Pursuant to Article 3.04.009(8) Prohibited Signs requires the applicant to submit a variance request.

Operational Considerations:

The purpose of this request is for a variance to allow the subject property to install a pole sign.

Legal:

The Public Hearing for this request was published in the Ellis County Press on October 29, 2020; and twenty-three (23) written notices were mailed out to property owners who own property located within 200-feet of the request. No comment forms have been returned as of the posting of the agenda.

Public Information Considerations:

This item is being considered at a meeting of the Board of Adjustments noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. The Board of Adjustment may approve the request, as presented.
2. The Board of Adjustment may deny the request.

Recommendation:

Staff will present facts of the case. This is a quasi-judicial deliberation.

Attachments

Location Map

Pole Sign

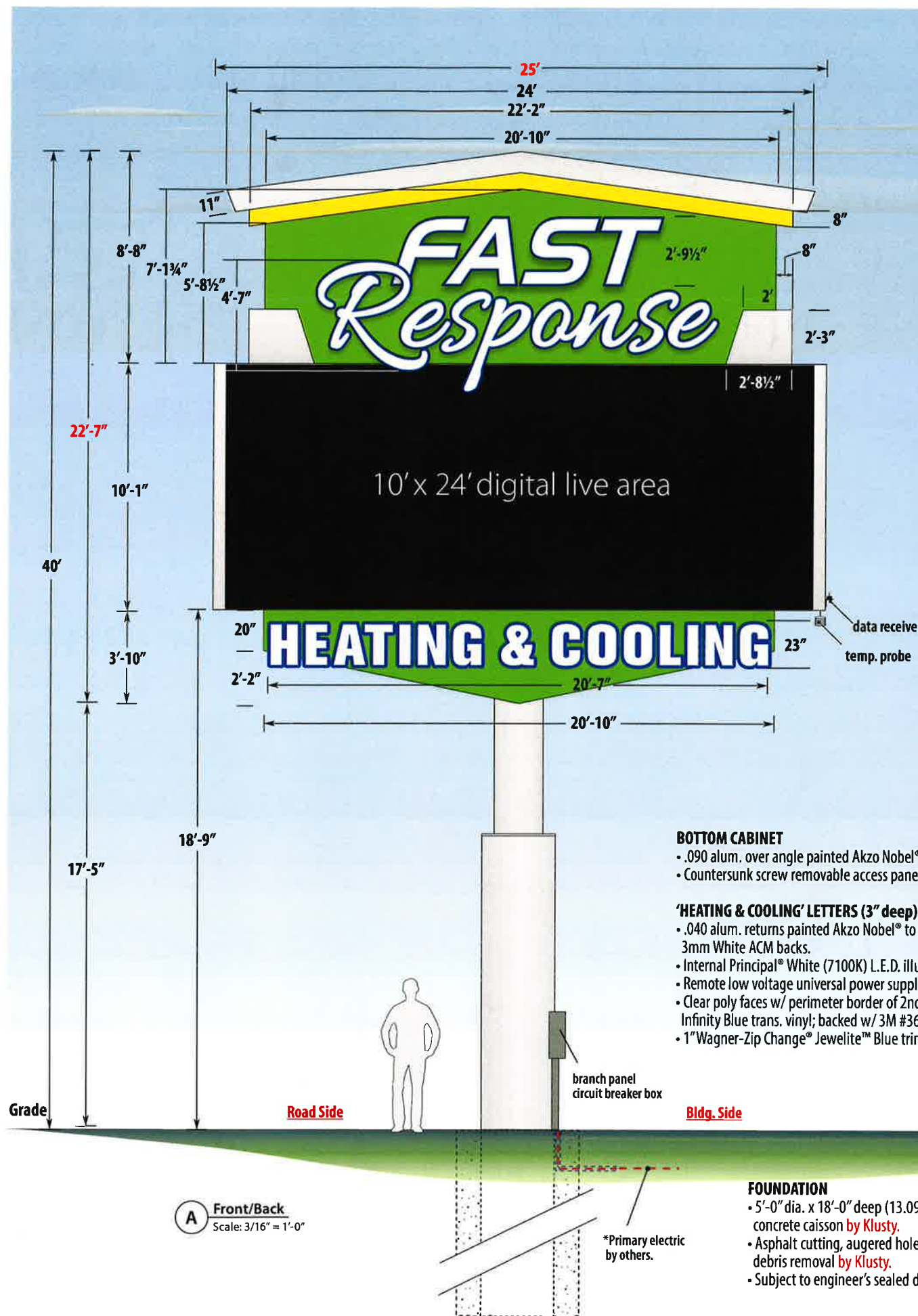
Excerpt from Sec 3.04.009 - Prohibited signs

200' BUFFER MAP – 905 N. IH 45



ONE (1) DOUBLE SIDED PYLON w/ FACE-LIT CHANNEL LETTERS and TWO (2) SINGLE FACED ELECTRONIC MESSAGE CENTERS

564.58 sq.ft.



ROOF & EMBELLISHMENT

- .090 alum. over angle painted Akzo Nobel® Brushed Aluminum and Akzo Nobel® SIGN40318 yellow.

MAIN CENTER CABINET

- .090 alum. over angle painted Akzo Nobel® SIGN50244 brilliant green.

SIDE EMBELLISHMENTS

- .090. alum. painted Akzo Nobel® Brushed Aluminum.

'FAST' LETTERS CHANNELS (3" deep)

- .040 alum. returns painted to match PANTONE 287C (blue); 3mm White ACM backs.
- Internal Principal® White (7100K) L.E.D. illum.
- Remote low voltage universal power supplies.
- Clear poly faces w/ perimeter border of 2nd surf. 3M #3630-187 Infinity Blue trans. vinyl; backed w/ 3M #3630-20 White trans. vinyl.
- 1" Wagner-Zip Change® Jewelite™ Blue trimcaps.

'Response' LETTERS (3" deep)

- .063 alum. returns painted Akzo Nobel® to match PANTONE 287C (blue); 3mm White ACM backs.
- Internal Principal® White (7100K) L.E.D. illum.
- Channel interiors painted bright White.
- Remote low voltage universal power supplies.
- Clear poly faces w/ perimeter border of 2nd surf. 3M #3630-187 Infinity Blue trans. vinyl; backed w/ 3M #3630-20 White trans. vinyl.
- 1" Wagner-Zip Change® Jewelite™ Blue trimcaps.
- Mounting: riv nuts w/ extended studs: 5½" spacing distance from cabinet to back of letters.

LED MESSAGE BOARDS (EMC)

- Watchfire® 16mm XVS full color message center; *each face is a pre-assembled (1) unit.
- Cabinet custom painted to match Matthews® Brushed Aluminum.
- Matrix: 180 x 432 (True 1R, 1G, 1B Pixels 77,760)
- Viewing area: 10' x 24'
- Viewing angles: 140° Horiz / 70° Vert
- Communication method: 4G broadband wireless.

EMC SUPPORT FRAMING

- Boards mechanically fastened (by Klusty) to 10'-1" H x 25' W x 2'-5" deep cage frame consisting of 2.5" x 2.5" steel angle.
- Perf. alum. panels on sides and bottom, solid alum. panel on top; all panels to be countersunk screw removable
- Panels and frame painted Akzo Nobel Brushed Alum.
- See supplemental frame detail drawing for bolt holes sizing and placement.

BOTTOM CABINET

- .090 alum. over angle painted Akzo Nobel® SIGN50244 brilliant green.
- Countersunk screw removable access panels for 'HEATING & COOLING' letters service.

'HEATING & COOLING' LETTERS (3" deep)

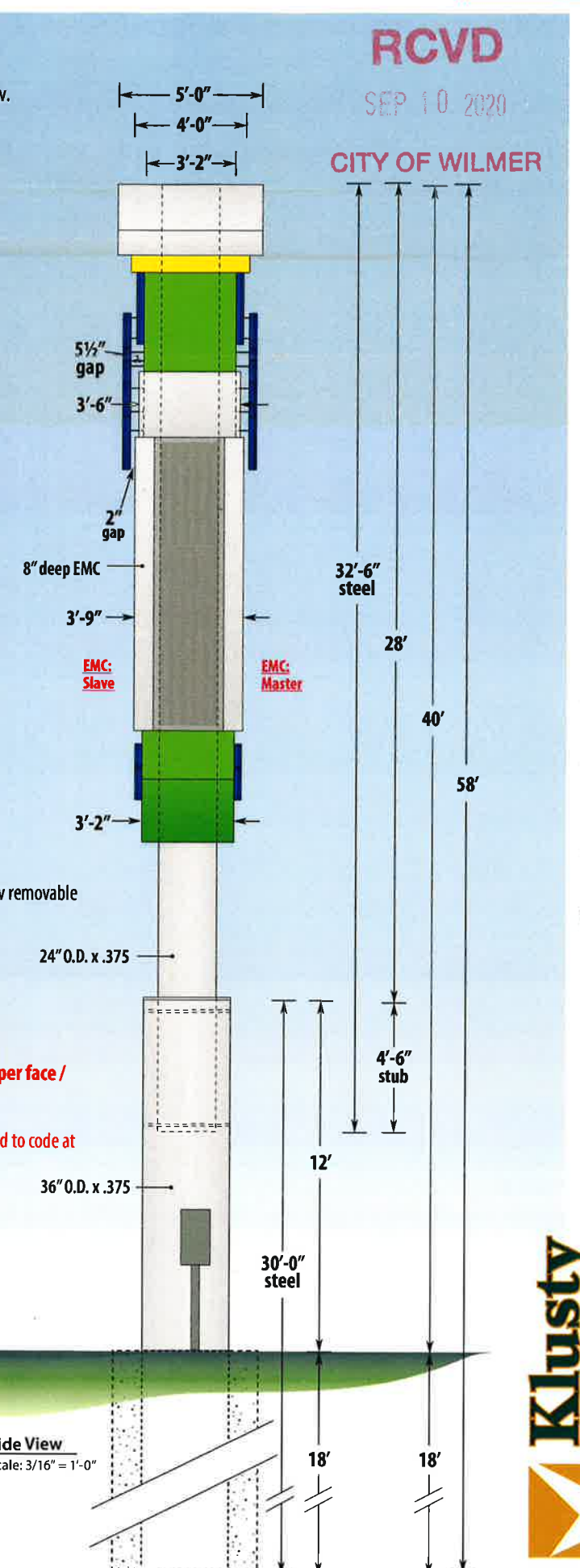
- .040 alum. returns painted Akzo Nobel® to match PANTONE 287C (blue); 3mm White ACM backs.
- Internal Principal® White (7100K) L.E.D. illum.
- Remote low voltage universal power supplies.
- Clear poly faces w/ perimeter border of 2nd surf. 3M #3630-187 Infinity Blue trans. vinyl; backed w/ 3M #3630-20 White trans. vinyl.
- 1" Wagner-Zip Change® Jewelite™ Blue trimcaps.

FOUNDATION

- 5'-0" dia. x 18'-0" deep (13.09 cu yds.) concrete caisson by Klusty.
- Asphalt cutting, augered hole, and dirt spoils/ debris removal by Klusty.
- Subject to engineer's sealed drawing(s).

STEEL SUPPORT

- 24" O.D. x .375" steel pipe sleeved 4'-6" into 36" O.D. x .375" steel base pipe.
- 1" thk. cap plate and 1" thick inner compression rings.
- Painted Sherwin-Williams® SW #7016 Mindful Gray (industrial enamel).
- Direct burial.
- Subject to engineer's sealed drawing(s).



*After zoning approval, manufacturing methods may be subject to change. *Colors may not be exact as shown because of printer limitations. Refer to actual material color charts for true color representation.

APPROVED BY:	DATE: 3/6/20
LANDLORD APPROVAL:	SCALE: 3/16" = 1'-0"
BY: Brian Marco	REP: Vince Klusty
DRAWING NO: FRHC.1.3526	

Klusty SignAssociates
 Design | Branding Logistics
 3160 East Kemper Road • Cincinnati, OH 45241 1517

Sec. 3.04.009 Prohibited signs

The following types of signs are specifically prohibited:

- (1) Balloons, streamers, bunting, banners, flags (except flags allowed under section 3.04.010 of this article) or signs that contain moving parts unless otherwise specifically allowed by this article;
- (2) Signs erected in violation of the building or electrical code of the city;
- (3) Signs attached to or maintained upon any tree or public utility pole or structure;
- (4) Signs attached to or painted on the outside of a fence, railing or wall that is not a structural part of a building;
- (5) Signs attached to or painted on any sidewalk, curb, gutter or street (except house address numbers);
- (6) Signs illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance;
- (7) Signs that move, flash, light intermittently, change color or revolve, unless specifically allowed by this article;
- (8) Pole signs and flag poles, unless otherwise specifically allowed by this article;
- (9) Off-premises signs (except those signs allowed under [sections 3.04.125](#) and [3.04.126](#) of this article);
- (10) Signs erected in the public right-of-way (except those signs allowed under [sections 3.04.125](#) and [3.04.126](#) of this article).

(1995 Code, sec. 13-9)