

AGENDA

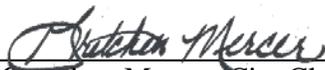
NOTICE OF MEETING

Notice is hereby given that the Zoning Board of Adjustment of the City of Canyon will meet at 4:00 p.m. on the 22nd day of February 2021, in the Cole Community Center at 300 16th Street in the City of Canyon to discuss the following agenda items. If you plan to attend this meeting in person, there is a 50% capacity limit and social distancing is practiced.

The meeting is broadcast on [YouTube](#). YouTube does provide closed captioning on the recorded video, it is not provided real-time.

1. Call to Order.
2. Elect Board Chair and Vice Chair.
3. Approval of the Minutes of the October 26, 2020 Meeting.
4. Consider and Take Appropriate Action on the Variance Regarding Flutter Signs as Approved at the July 27, 2020 Meeting.
5. Adjourn.

I certify that the above Notice of Meeting was posted on the bulletin board of the Civic Complex of the City of Canyon, Texas on the 19th day of February 2021.


Gretchen Mercer, City Clerk

Zoning Board of Adjustment Meeting
Minutes – October 26, 2020

The Zoning Board of Adjustment met in the City Commission Chambers of City Hall at 4:00 p.m. on October 26, 2020, with the following members in attendance: Rich Hopson, Layne Myatt, Wiley Harp, and Jonny Luna. Chair Joan Van Doren joining via Zoom.

The following City Staff member was also present: City Manager Joe Price, Assistant City Manager Jon Behrens, and Director of Planning and Development Danny Cornelius.

Item 1: Call to Order.

Wiley Harp called the meeting to order at 4:00 pm

Item 2: Approval of the Minutes of the July 27, 2020 Meeting.

Rich Hopson moved, duly seconded by Layne Myatt, to approve the minutes as presented. The motion passed unanimously.

Item 3: Consider and Take Appropriate Action on a Variance Request to Allow an 8' x 20' Shipping Container (Detached Accessory Building) to be used as a Home Office in the Rear Yard of 18 Jynteewood Circle.

Mark Gilbreath of 18 Jynteewood Circle submitted a variance request to allow him to use a shipping container/detached accessory building as a home office. The City of Canyon Zoning Ordinance, Chapter 156 of the Code of Ordinances, defines an Accessory Building as:

“A subordinate building to a residential dwelling, attached or detached, and used for a purpose customarily incidental to the main structure such as a private garage for automobile storage, tool house, lath, or greenhouse as a hobby (**not a business**), home workshop, children's playhouse, storage house, or garden shelter, but not involving the conduct of a business.”

A Home Occupation is defined as:

“A home occupation is an occupation carried on in the home by a member of the occupant's family, without the employment of additional persons, without the use of a sign to advertise the occupation, without offering any commodity or service for sale on the premises and which does not create obnoxious noise or other obnoxious conditions to abutting residential property, such as emission of odor, increased traffic or generation of light or smoke, and **where the use is carried on in the main structure only**. A Home Occupation shall specifically exclude the operation of a repair garage, beauty shop, barbershop, plumbing shop, or similar activity.”

A home office would not be an allowed use in a detached accessory building. Other uses as listed in the accessory building definition would be allowed.

Letters were sent to 24 property owners within 200' of the request. Responses were received from 10 property owners with 1 in support and 9 opposed.

Mark Gilbreath presented his request. He explained it would be used as a home office (no customers) and tool storage.

Mary Ellen Brandt of 58 Jynteewood spoke in opposition to the request. She explained that she understood there must be some sort of hardship to obtain the variance and there is no hardship in this case. She had concerns about the aesthetics of the building, ADA accessibility compliance, parking lot requirements, and compliance with electrical and plumbing codes. She expressed concerns about alley access to the building and explained that alleys are only allowed for emergency access.

Dori Wasmundt spoke in opposition to the request. She had concerns about the placement of the building. As it is currently set, the air conditioning unit overhangs her fence. She also had concerns about the aesthetics of the building and the effect on the value of her home.

After discussion, Joan Van Doren moved, duly seconded by Rich Hopson to deny the request to use the detached accessory building as an office. The motion passed unanimously.

Item 4: Adjourn

There being no further business, the meeting was adjourned at 4:39 pm.

Joan Van Doren, Chair

ATTEST:

Gretchen Mercer, City Secretary

AGENDA

To: Zoning Board of Adjustment
From: Danny Cornelius, Director of Planning and Development
Date: February 22, 2021
Re: Consider and Take Appropriate Action on the Variance Regarding Flutter Signs as Approved at the June 29, 2020 Meeting.

During the July 27 meeting, the Board approved a 6-month extension on a variance to allow flutter or feather signs to be placed without time restriction.

Just to recap the situation and the City Ordinance:

Flutter or “feather” signs have become increasingly popular over the last several years. The City of Canyon Zoning Ordinance restricts this type of sign at each business to 14 days per calendar year. See the attached Ordinance No. 1064.



Our office originally requested a variance in May 2020 to the time limit in response to the COVID crisis. In order to allow businesses to advertise openings during this difficult time, the Board granted several temporary variances.

Businesses have been open to the public for several months. Staff does not recommend extending the variance at this time.