

AGENDA – ZONING BOARD OF ADJUSTMENT

NOTICE OF MEETING

City of Canyon Zoning Board of Adjustment Meeting will take place via Video Conference. Notice is Hereby Given in Accordance with the Order of the Office of the Governor Issued March 16, 2020.

Notice is hereby given that the Zoning Board of Adjustment will meet at 4:00 p.m. on May 26, 2020 at City Hall, 301 16th Street, in the Commission Chambers, Second Floor by Video Conference (In Order to Advance the Public Health Goal of Limiting Face-to-Face Meetings Also Called “Social Distancing” to Slow the Spread of the Coronavirus / COVID-19. There will be No Public Access to the Location Described Above.

The video meeting is hosted through Zoom. These links are also provided on the [City of Canyon Website](#).

If you wish to have the ability to ask questions of the ZBOA, you must join the Zoom meeting at: <https://us02web.zoom.us/j/88469151761>

To address the Zoning Board of Adjustment on any posted agenda item, you will need to complete the [Speaker Registration Card](#) located on the City of Canyon website and **submit it no later than 3:30 pm, Monday, May 26, 2020**. The Zoom meeting can be joined from a Tablet or Cell Phone to utilize the microphone and camera on those type devices, or a computer can be used. If you do not have a microphone, you can dial into the meeting or use Zoom Chat.

If you wish to join the meeting by phone, you can dial in at: 1-(346) 248-7799
Webinar ID: 884 6915 1761

All callers that have not completed the Speaker Registration Card will be muted for the duration of the meeting. If you have completed a Speaker Registration Card, you will be unmuted at the appropriate time.

- (1) Call to Order.
- (2) Approve Minutes of the September 23, 2019 Meeting.
- (3) Consider and Take Appropriate Action on a Variance Regarding Flutter Signs During the COVID Response.
- (4) 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 or before the 22nd day of May, 2020.

Gretchen Mercer

Gretchen Mercer, City Clerk

Zoning Board of Adjustment Meeting
Minutes – September 23, 2019

The Zoning Board of Adjustment met in the City Commission Chambers of City Hall at 4:00 p.m. on September 23, 2019, with the following members in attendance: Vice-Chair James Hartman, Layne Myatt, Pat Williams, Wiley Harp, and Mary Ellen Brandt.

The following City Staff were present: Interim City Manager Jon Behrens and Director of Planning and Development Danny Cornelius.

Item 1: Call to Order.

Vice-Chair James Hartman called the meeting to order at 4:01 pm.

Item 2: Approval of the Minutes of the July 30, 2018 Meeting.

Mary Ellen Brandt moved, duly seconded by Wiley Harp, to approve the minutes as presented. The motion passed unanimously.

Item 3: Consider and Take Appropriate Action on a Variance Request Regarding Front Yard Setback at 25 Jynteewood Circle.

A variance was requested by James Irlbeck regarding the front yard setback at 25 Jynteewood Circle. The property was platted with a 25' minimum front yard setback from the property line to the front of the house. Mr. Irlbeck requested a 20' front yard setback. The reason for the request is an unusually large area occupied by a 20' Public Utility Easement on the back of the property. The easement line along the rear of the house does not follow the curve of the property line, making the distance from the rear property line to the easement line as much as 26'.

Mickey Comer of Comer Custom Builders presented the request and additional exhibits. He explained that the proposal had been presented to and received the approval of the Public Works Department.

After discussion, Mary Ellen Brandt moved, duly seconded by Layne Myatt, to approve the variance request. The motion passed unanimously.

Item 4: Adjourn

There being no further business, the meeting was adjourned at 4:20 pm.

James Hartman, Vice-Chair

ATTEST:

Gretchen Mercer, City Secretary

AGENDA

To: Zoning Board of Adjustment
From: Danny Cornelius, Director of Planning and Development
Date: May 4, 2020
Re: Consider and Take Appropriate Action on a Variance Regarding Flutter Signs During the COVID Response.

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.



Recently, in order to support local businesses during the COVID-19 crisis, our office has ceased enforcing the 14-day rule. However, in order to continue allowing the placement in excess of the 14-day rule, the issue is being presented to the Zoning Board of Adjustment. As Director of Planning and Development, I am seeking your guidance moving forward. It would be my recommendation that these signs be allowed in compliance with other requirements of the City Ordinances (i.e. placement only on private property and no impairment of vision for traffic at street corners) for a time period set by the Board. At the end of the time period, the board would reconsider the variance. Based on the Governor’s orders regarding business openings, the variance could then be extended or allowed to lapse.

ORDINANCE NO. 1064

Flag and Flutter Sign Amendments

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS; AMENDING THE ZONING CODE, CHAPTER 156 OF THE CODE OF ORDINANCES, SECTION 5.10, SIGN REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; the passage, promulgation, and enforcement of the provisions herein contained are determined necessary and advisable for the promotion of the general welfare of the community to carry out the governmental powers and police powers delegated to and possessed by the City of Canyon; and,

WHEREAS; the Planning and Zoning Commission of the City of Canyon, recommended certain amendments to City of Canyon Code of Ordinances, Chapter 156, Zoning Code; and,

WHEREAS; the City Commission finds that the proposed amendments to Chapter 156 as recommended by the Planning and Zoning Commission would be in the best interest of the City;

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS;

SECTION 1:

That Chapter 156, Section 5.10, **Definitions**, is hereby amended by adding the following:

Flag. A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country, institution, or business or as a decoration during public festivities.

SECTION 2:

That Chapter 156, Section 5.10, **Prohibited Signs, Item 7** is hereby amended as follows:

7. Signs with revolving beacons, fluttering, undulating, swinging, or otherwise moving parts.

Exception: Flags advertising the business on the premises. The flag must be on private property and not in the public right-of-way. The flag must be at least 12 feet above grade with no more than one flag per business.

Exception: Fluttering signs advertising special events shall be authorized for a maximum period of fourteen (14) days per calendar year.

SECTION 3:

Severability. If any provision, section, subsection, clause, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision continued herein shall become inoperative or fail by any reasons of the unconstitutionality of any other portion or provision.

SECTION 4:

Repealer. All ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

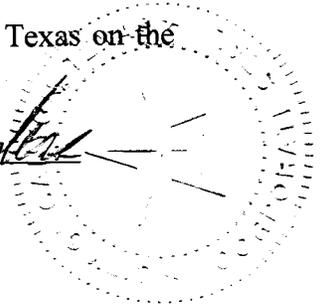
SECTION 5:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the
21st day of August, 2017



Gary Hinders, Mayor



ATTEST:



Gretchen Mercer, City Clerk