

MINUTES

BOARD OF ZONING APPEALS

PUBLIC HEARING

Tuesday, January 18, 1994

2:00 p.m.

Members Present: Belvin Harris, Mike Schmitz, Paul McCormack, Mike Allison and John Thomas

Members Absent: Bill Pate and Clarence Tucker.

Staff Present: Pat Payne and Mike Land

Visitors: List

The first item of business was calling the meeting to order at 2:00 p.m. by Chairman Belvin Harris.

The second item of business was the swearing in of new Board member, Mike Schmitz by Chairman Harris.

The third item of business was consideration of and action on the minutes of the regular meeting of December 21, 1993. A motion was made by John Thomas and seconded by Mike Allison to approve the minutes as presented. Motion carried by the following votes: Ayes: Schmitz, Allison, Harris, Thomas and McCormack. Nays: none. Absent: Tucker and Pate. Abstentions: None.

The fourth item of business was consideration and action on a request by the CITGO Company, dba Ricochet Fuel Distributors, Inc., for a 25' variance to the sign height requirements of the I-35 Development Standards Ordinance to erect a 60' tall sign at 903 Summit Avenue.

Mr. Harris asked if anyone was present to speak for the request. Kelly Roberts, representing Ricochet Fuel Company, spoke saying that the company needs the variance for the additional sign height to give their location the visibility it needs in order for vehicles to exit the freeway and get to their business. She continued by saying that prior to their opening this station, it had been opened and shut down before due to lack of business, and she said she felt that it was because no one knew it was there. The business is in a prestigious location and needs to be utilized to its fullest capacity, but needs the advertisement to do it. She requested that the City consider the request for the business to have the same opportunity as other businesses where the layout of the land does not hinder visibility for traffic.

Mr. Harris asked if anyone else wanted to speak for the request; there was none. He asked if anyone wanted to speak in opposition to the request; there was none. He then asked if anyone on the

Board had questions or comments. Mike Schmitz asked Ms. Roberts if the company had studied the situation coming from the south, and would even a sixty foot tall sign be sufficient. Ms. Roberts said they have not, but are pretty certain that sixty feet will be adequate.

Mr. McCormack asked Ms. Roberts if she was currently operating the station. She replied that she is a field supplier, and the station has been open since August, 1993.

Mike Allison asked if the sign would be similar to the one already in place. She replied it would. He then asked where it would be located and she said it would be placed about where the present sign is.

The Board then discussed the issue of there being two freestanding signs on the property, which can only be allowed if the business has two frontages and the signs are spaced a minimum of one hundred feet apart.

The dimensions of the property was then discussed to determine how two separate freestanding signs could be utilized on the same property. One sign will have the main name of the business and the other one will have the prices listed and will also have the company name. The business does have two frontages; one on Refinery Road and the main one on Summit Avenue. Mr. Land said the property is approximately 126' X 100'.

Roy Brewer, who's family owns Brewer's Miniature Horse Farm directly across the highway from the CITGO station, said that he is not against the sign and feels that CITGO does need a taller sign, because that is what he looks for when he travels. He suggested that all sign elements be put on one main pole.

Mr. McCormack asked Roy Brewer if he was protesting the variance request. Mr. Brewer replied that he was not; he was for the Ricochet Fuel Company erecting the sign with the height they have requested in order to attract motorists off the freeway.

Mike Allison suggested to Ms. Roberts that the sign be erected in the northwest corner of the property. That would solve the problem of the two freestanding signs being spaced closer than 100'. Ms. Roberts said it didn't make any difference to her-as long as the sign was visible from I-35.

After no further discussion from the Board, a motion was made by Paul McCormack and seconded by John Thomas to **grant a 25' variance for a 60' sign at 903 Summit Avenue to CITGO Company, dba Ricochet Fuel Company.** Motion carried by the following votes: Ayes: Thomas, Schmitz, Allison and Harris. Nays: McCormack. Absent: Tucker and Pate, Abstentions: None.

After no further business, the public hearing adjourned at 2:17 p.m.