



**AGENDA**  
**BOARD OF ADJUSTMENT**  
**MONDAY, APRIL 6, 2015**  
**4004 MAIN STREET**

---

The Board of Adjustment will convene into a Work Session at **6:30 p.m.** in the Annex Conference Room at the Municipal Center, 4004 Main Street, at which time the following items will be considered:

- i. Call to Order.
  - ii. Bond Election Presentation.
  - iii. Discuss items on the regular agenda.
  - iv. Adjournment.
- 

The Board of Adjustment will convene into a Regular Meeting at **7:00 p.m.** in the Annex Conference Room at the Municipal Center at which time the following items will be considered:

1. Call to Order.
2. Consider approval of the minutes of the Regular Meeting of The Board of Adjustment from March 2, 2015.
3. Conduct a public hearing and consider a request for a Special Exception to allow a wall sign to exceed the maximum height. The subject property is located at 5100 Lakeview Parkway, further described as being Lot 2, Block 1 of the Greenway Liberty Grove Addition, City of Rowlett, Dallas County, Texas.
4. Adjournment.

NOTE: THE BOARD OF ADJUSTMENT MAY RETIRE AND CONVELE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING DEPARTMENT AT 972-463-3949 FOR FURTHER INFORMATION.

A handwritten signature in black ink, appearing to read "Garrett Langford".

Garrett Langford, Principal Planner

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ADJUSTMENT OF THE CITY OF ROWLETT, TEXAS  
HELD IN THE ROWLETT MUNICIPAL CENTER,  
4000 MAIN STREET, ROWLETT, TEXAS  
March 2, 2015**

**PRESENT:** Chairman Raymond Moyer, Vice-Chair Wanda Hoff, Members Chris Kizziar, James Vessels, Harris Brown, Alternate Member Robert Vickers

**ABSENT:** Alternate Members Kellie McKee, Tony Brown

**STAFF PRESENT:** Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

**1. Call to Order**

Chairman Raymond Moyer called The Board of Adjustment Regular Meeting to order at 7:00 p.m.

**2. Consider approval of the minutes of the Regular Meeting of The Board of Adjustment from December 1, 2014.**

Alternate Member Robert Vickers made a motion to approve the minutes. Member Chris Kizziar seconded the motion. The item passed 5-0.

**3. Conduct a public hearing and take action on a request for a variance to allow an attached patio cover to encroach eleven feet into the 20-foot setback from the rear property line and to exceed the maximum lot coverage of 45%. The subject property is located at 8214 Columbia Drive, further described as being Lot 61, Block 9 of the Spinnaker Cove, an addition to the City of Rowlett, Dallas County, Texas.**

Mr. Langford gave a presentation, read the proposal, showed slides of property, gave background information, and code requirements. Mr. Langford stated that 18 notices were mailed out and two were returned in favor of granting the variance. Mr. Langford stated that staff recommends denial.

The Board Members discussed setbacks and other properties in the area.

Chairman Raymond Moyer opened the public hearing.

The following speakers came forward:

**Richard Dietlin  
8214 Columbia  
Rowlett, TX 75089  
Homeowner**

Mr. Dietlin stated the old deck had a lot of erosion and needed to be redone.

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ADJUSTMENT OF THE CITY OF ROWLETT, TEXAS  
HELD IN THE ROWLETT MUNICIPAL CENTER,  
4000 MAIN STREET, ROWLETT, TEXAS  
March 2, 2015**

**Robert Garza  
317 Hillside Ct.  
Garland, TX 75043  
Builder**

Mr. Garza stated there was problems with erosion. He said the new patio cover would include gutters.

No questions were asked.

Chairman Raymond Moyer closed the public hearing at 7:15 p.m.

Alternate Member Robert Vickers made a motion to approve the request. Member Harrison Brown seconded the motion. The item passed 5-0.

**4. Adjournment.**

The meeting was adjourned at 7:17 p.m.

---

**Chairman- Raymond Moyer**

---

**Secretary**

---

**Date**



**AGENDA DATE:** 04/06/2015

**AGENDA ITEM:** 3

**AGENDA LOCATION:**

Individual Consideration

**TITLE**

Conduct a public hearing and consider a request for a Special Exception to allow a wall sign to exceed the maximum height. The subject property is located at 5100 Lakeview Parkway, further described as being Lot 2, Block 1 of the Greenway Liberty Grove Addition, City of Rowlett, Dallas County, Texas.

**STAFF REPRESENTATIVE**

Garrett Langford, AICP, Principal Planner

**SUMMARY**

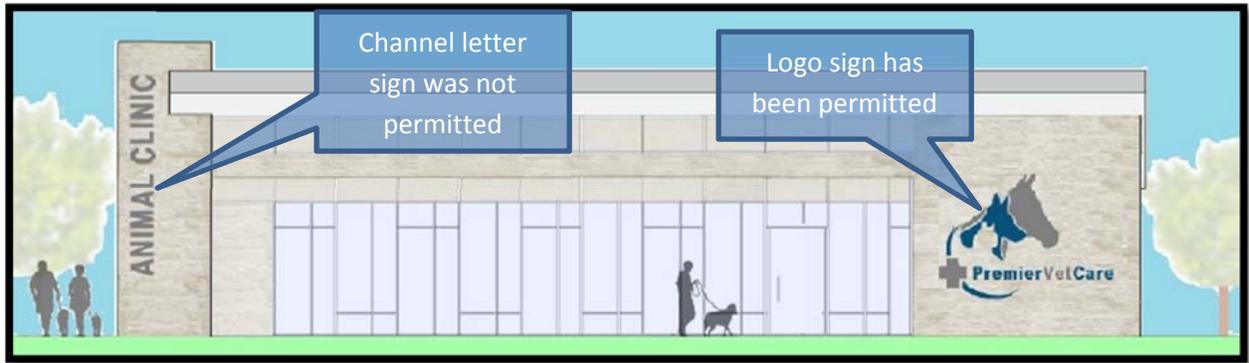
The applicant is requesting a Special Exception to the wall sign height requirements outlined in Chapter 77, Section 512 of the Rowlett Development Code (RDC). The applicant is proposing to install a new wall sign that will exceed the maximum height by 10 feet at 5100 Lakeview Parkway (Attachment 1 – Location Map).

**BACKGROUND INFORMATION**

The subject property is located at 5100 Lakeview Parkway, adjacent to recently constructed Discount Tire located at 5150 Lakeview Parkway. The subject property retains a zoning designation of General Commercial/Retail (C-2). The applicants are constructing a new veterinary office (Attachment 2 – Site Plan). A veterinary office is permitted by right in the C-2 zoning district.

The construction of the new veterinary office is near completion. The applicant would like to install two wall signs (Attachment 2 – Wall Signs). One of the wall sign consists of a logo with the name of the business, "Premier Vet Care." The second wall sign consisted of channel letters stating the words "Animal Clinic" which is oriented vertically (see the image below).

*{Remainder of page intentionally left blank.}*



The “Animal Clinic” sign was not granted a permit as it did not meet the height requirements for a wall sign. Per Section 77-512 of the RDC, the maximum height of a wall sign is 1/3 of the wall height with wall-sign height never exceeding 10 feet. The 10-foot maximum height does not apply until wall height exceeds 30 feet. The wall height of the building is 24 feet which translates to a maximum wall-sign height of eight feet. The height of the “Animal Clinic” sign is 17.71 feet.

## DISCUSSION

The approval criteria for a Special Exception are outlined in Section 77-512.F. of the Rowlett Development Code (RDC). Staff recommends that Board of Adjustment consider the request based on the following approval criteria as stated below. Following the criteria below, Staff has provided commentary on how the request meets the criteria.

*Section 77-512.F.2. Approval Criteria.* Decisions on Special Exception shall be based on consideration of the following criteria:

- (a) The board of adjustment may grant special exceptions from the provisions of this section [77:512] if it appears that the provisions would work a manifest injustice.
- (b) In considering a request for special exception to requirements of this section [77:512], the board of adjustment shall consider, but not be limited to, the type of sign, existence of signs in the general area, the degree of change requested, the reason for the exception request, the location of the exception request, the duration of the requested special exception, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, the effect of the exception on the general plan of regulating signs within the city, and such other factors as the board deems pertinent.
- (c) No special exception shall be granted by the board of adjustment if the same conflicts with the spirit of this Code, which is one of providing public safety, adequate lighting provisions, open space and air, conservation of land, protection of property values, and encouraging the appropriate use of the land.

A manifest injustice describes something which is obviously unfair that is direct, obvious, and observable. This criterion is to ascertain whether the height requirement as applied in this situation creates an obviously unfair situation for the subject property. The size requirements in

Section 77-512 are to ensure wall signs are proportionate to the size of the façade and to avoid visual clutter. Wall signs are limited by size, width and height. Below are the requirements from Section 77-512 of the RDC.

TABLE 5.12-1: SPECIFIC SIGN REGULATIONS					
	Number Allowed	Max. Area	Max. Height	Max. Width	Other Restrictions
Wall	N/A	The greater of 10% of the façade or 60 sq. ft. combined	Equal to 1/3 height of façade up to 10 ft.	75% of façade width	Shall not project more than 30 inches from the wall.

The new building has a façade area of 1,560 square feet which results in a maximum allowed square footage of 156 square feet for all wall signs combined. There is not a limit on the number of wall signs so long as the combined square footage of all the wall signs do not exceed the maximum. The logo sign was approved for 59.25 square feet and the proposed channel letter sign is 31.5 square feet resulting in a total of 90.5 square feet. The square footage of the combined wall signs will utilize 58% of the allowable square footage.

Other size provisions from the RDC state that a wall size cannot exceed 75% of the façade width. The façade of the building is 77 feet wide which results in a maximum width of 57.75 feet. The approved logo sign is 12.5 feet wide. The channel letter sign, when oriented vertically, is 21 inches wide. If the channel letter sign was written horizontally, then it would be 17.71 feet wide. The combined width of the wall signs, in all regard how the channel letter sign is oriented, falls well below the maximum width requirement.

The channel letter sign is proposed to be attached to a wing wall that was designed as part of the façade with the intent to provide a space for the proposed sign in keeping with overall architecture of the building. Denying the request could cause injustice to the applicant as it would prevent applicant for utilizing a sign as it was originally intended with the overall architecture of the building. The injustice is further evident when considering if the channel letter sign was oriented differently, then it would be permitted. Additionally, under a loose interpretation of the ordinance, the individual letters could be considered as separate signs where each letter would be permitted as it would meet the area and dimensional requirements. When considering the design and size of the façade, the proposed channel letter sign is appropriate. In Staff's opinion, the proposed wall signage is in proportion to the size of the façade and is in keeping with the intent of the sign ordinance to limit visual clutter.

**Public Notice**

Notices of this request were mailed to property owners within 200 feet. On March 20, 2015, a total of seven notices were mailed. As of April 1, 2015, no responses have been returned in favor or in opposition to the request.

**FISCAL IMPACT/BUDGET IMPLICATIONS**

N/A

**RECOMMENDED ACTION**

Staff recommends approval of the request.

**ATTACHMENTS**

Attachment 1 – Location Map

Attachment 2 – Proposed Wall Sign

Attachment 3 – Applicant's Request



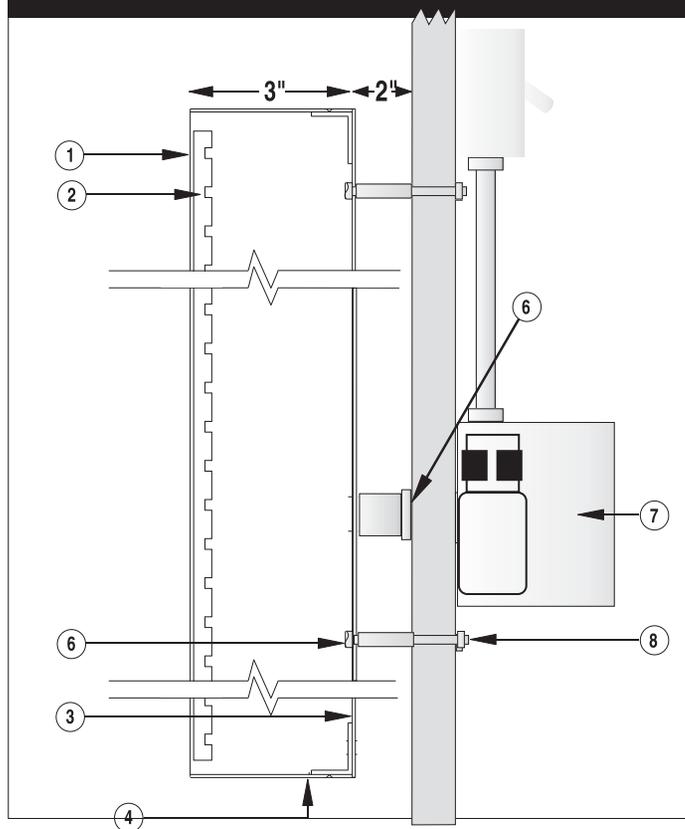
17.7'

21"

# ANIMAL CLINIC

(31.5 SF)

## REVERSE-MOUNTED CHANNEL LETTERS



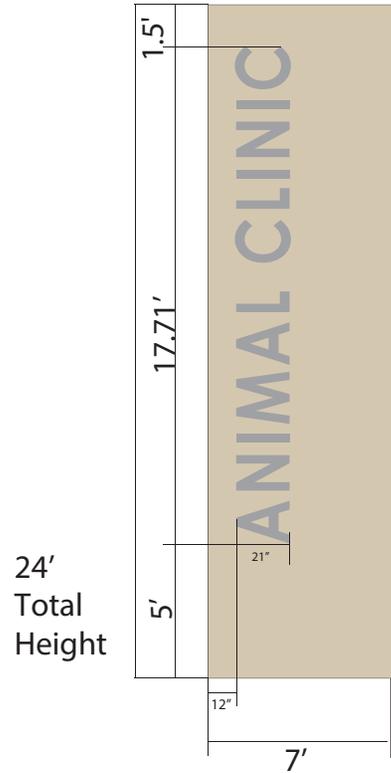
Mill finish direct mounted reverse channel letters with 1-1/2" stand offs. Letters are 5" deep + 1-1/2" stand off for a total projection of 7"

Copy is turned 90 degrees and spelled from bottom to top. Typical Height of the sign in a normal orientation would be 21" with the width 18'.

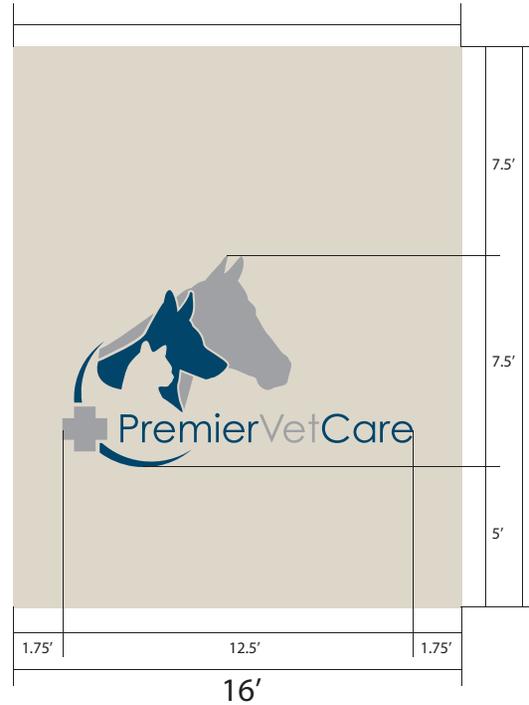
1. .080 ALUMINUM FACE
2. WHITE LED STRIP LIGHTING
3. CLEAR LEXAN BACK
4. .063" ALUMINUM SIDE WALLS
6. SEAL TIGHT PASS-THROUGH WIRING KIT
7. LED POWER SUPPLY
8. WALL ANCHORS AS REQUIRED



Sign being applied for:



Previously approved sign:



Client: **Premier Vet Care** Date: **2/17/2015**  
 Project: Due Date: **TBD**  
 Ext Signs: **TBD**  
 Filename:  
 Invoice Number: **34734** Drawn By: **EV**

## PROOF

Size: Quantity:

Production:

Cut  Print  Routed

Banners:

Wind Slits  Grommets  Pockets  
 Sewing  Brackets

Application:

D/S Tape  Holes  Velcro  
 No Tape  Laminated  RTA

Hardware:

Stakes  Frames  Posts  
 Stand  Trim Caps  Sled

Finishing:

Package  Install  Deliver

Font & Color Notes:

Shipping Notes:

Install Date & Notes:

SALES/DESIGN: \_\_\_\_\_ PRINTER: \_\_\_\_\_ FABRICATION: \_\_\_\_\_ INSTALL/SHIP: \_\_\_\_\_ INSPECTOR: \_\_\_\_\_

## SCALED RENDERING

## PRODUCT APPROVAL

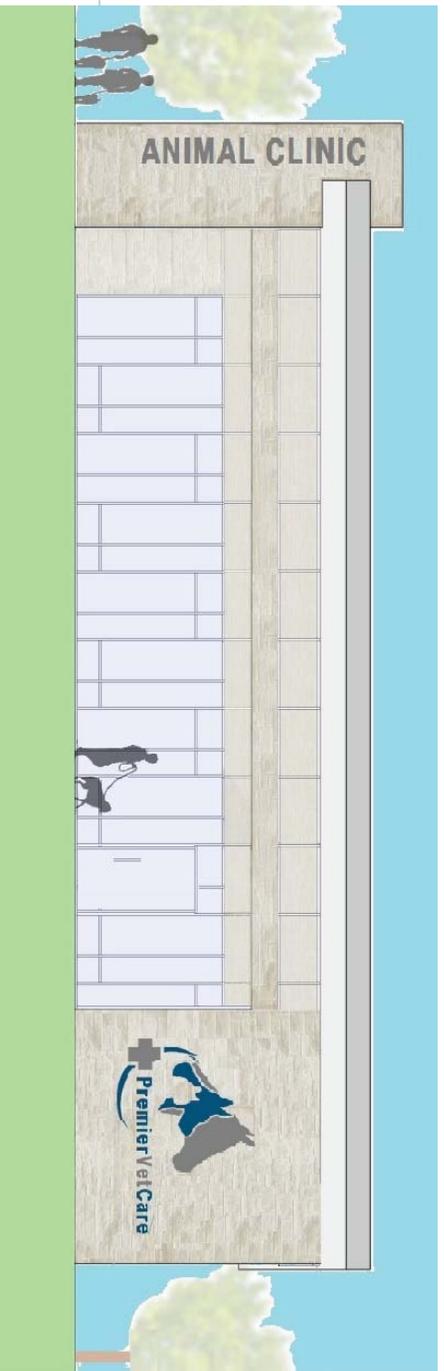
·Please review the artwork for spelling and content. Once the artwork is approved, we are not liable for any mistakes or errors in the final product. Product will be manufactured as indicated on this sheet, please review CAREFULLY.  
 ·First 3 revisions of the proof are free of charge, additional proofs will cost \$25.00 per proof.  
 ·Due to differences in individual monitors and color printers, electronic proof colors may vary from the final output color.

Approved  See Changes

Signed \_\_\_\_\_

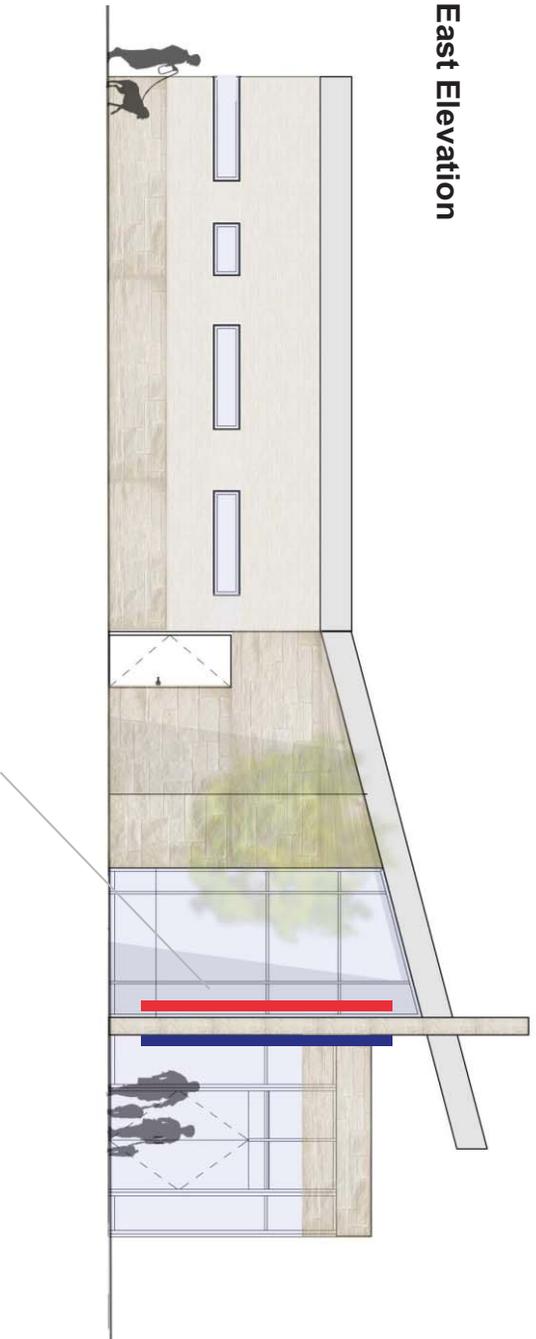
Date \_\_\_\_\_

North Elevation



■ Front of Sign  
■ Rear of Sign

East Elevation



West Elevation

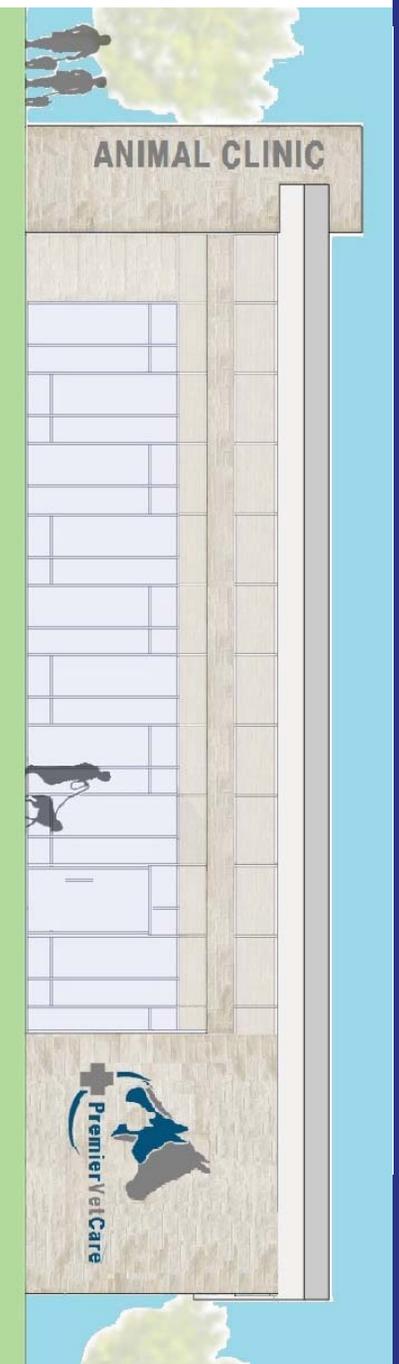


77' Overall Elevation Width

24' Overall Height

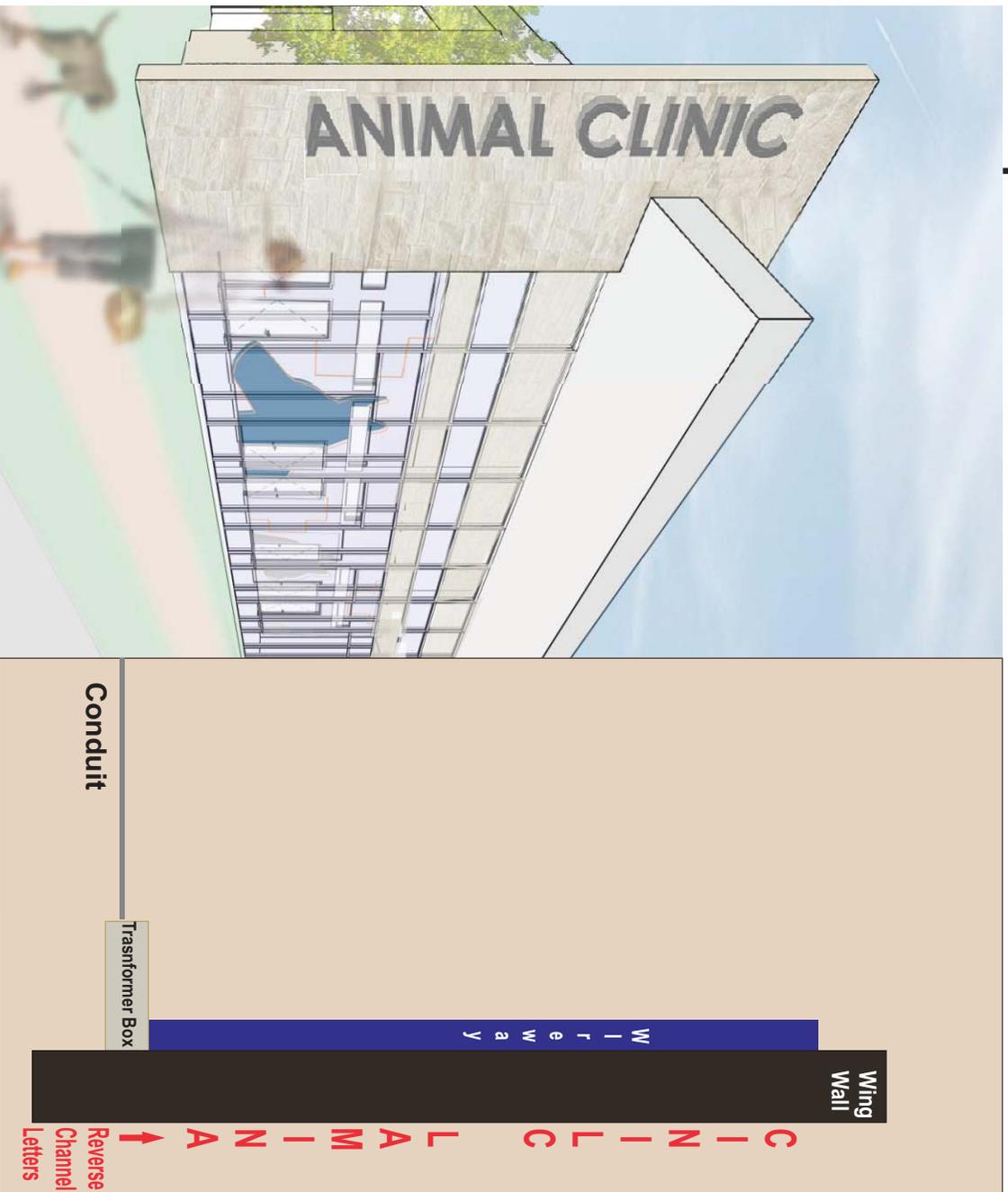
ANIMAL CLINIC





**Proposed Front of Wall**

**Proposed Rear of Wall**



*A Vertical wireway 4" wide surface will be mounted on the rear of the wall and painted to match the wall. It will contain the low voltage leads from each letter. Those leads will feed down into a 7"x7"x24" transformer box which will contain the power supplies that light the letters. The 20A 120V electrical circuit powering the sign will come from within the building via surface mounted conduit connecting to the transformer box.*

**APPLICATION FOR VARIANCE**

To Whom It May Concern:

Premier Vet Care Animal Clinic, currently completing construction on Lakeview Parkway, is seeking a variance from the letter of the law regarding the “height” of our proposed clinic signage. Specifically, we would like a permit to place letters spelling “ANIMAL CLINIC” on the facade of the building, which overall stand 21 inches tall and spread 17.7 feet wide—but per our architectural designs, we would like to place this lettering vertically on a limestone pillar. Because of the vertical placement, we seek your permission because the lettering is now technically 17.7 feet “tall,” beyond the default provisions of city regulations.

Therefore, Premier Vet Care seeks a special exception, and in support, asks consideration of the following:

The proposed sign is high-quality, tasteful lettering that will only add to the appearance of and preserve the integrity of the business community. Indeed, this signage was portrayed on various building applications we have previously submitted to the City, and while we know the signage itself was not being analyzed at that time, city officials indicated the signage looked nice and would likely not pose any problems for approval. The signage is an expensive, brushed aluminum material with LED backlighting, which will look professional and clean in both daylight and darkness. For your convenience, the application along with pictures and diagrams of the sign and its proposed size and location on the building are attached.

If approved, the sign (individually and considered along with the recently approved sign) would still be far below the overall size contemplated and allowed under Rowlett city regulations. Under Section 77-512, “Wall Signs” like this one are subject to limitations for Maximum Area, Maximum Height, and Maximum Width.” Our building facade is 77 feet across and 24 feet tall at its highest point. The square footage of the facade is 1560 square feet, and therefore the “10%” limit is 156 total square feet. The logo sign previously approved contains only 59.25 square feet, and the proposed signage at issue here would only be 31.5 square feet total – which means that the total square footage envisioned is still only about 60% of the allowed sign size.

Similarly, if the “Animal Clinic” lettering – in its proposed dimensions – were placed on the building horizontally, they would be only 21 inches tall, and 17.7 feet wide, while they are allowed to be up to 10 feet tall and 58 feet wide. The signage is not large and garish, which is the spirit of the rule. There is no harm to public safety or neighboring properties, nor any risk of creating an exception that will create issues in the future. Conversely, the hardship and injustice involved are great, as we have actually designed the entire building’s unique architecture to serve this purpose—the limestone pillar shown in the photos was created with this sign specifically in mind. Moreover, the signage was revealed to the city months ago, and we were given no reason to suspect it would be disallowed. Therefore, we respectfully request a special exception to allow installation of the “Animal Clinic” lettering, as shown in the diagrams attached.

We are happy to discuss our request and answer any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Justin Cope". The signature is written in a cursive, flowing style.