

**CITY OF LOCKHART  
ZONING BOARD OF ADJUSTMENT  
APRIL 4, 2022**

**MINUTES**

**Members Present:** Wayne Reeder, Mike Annas, Anne Clark, Severo Castillo, Shawn Martinez, Laura Cline, Lori Rangel

**Member Absent:** Kirk Smith

**Staff Present:** Christine Banda, Kevin Waller, Dan Gibson

**Others Present:** Terry Black (Applicant, Agenda Item 4)

1. Call meeting to order. Chair Cline called the meeting to order at 6:30 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the February 7, 2022, meeting.

*Member Clark moved to approve the February 7, 2022, minutes. Member Reeder seconded, and the motion passed by a vote of 7-0.*

4. SV-22-01. Hold a PUBLIC HEARING and consider a request by Terry Black for a Variance to Chapter 46 " Signs", Lockhart Code of Ordinances, Sections 46-10(b)(3) and 46-10(h)(4), to reduce the required sign setback from a property line adjacent to a street from 10 feet to 5 feet, and reduce the required off-premises sign separation distance from a church building from 2,500 feet to approximately 358 feet, on property consisting of 0.414 acre in the Esther Berry Survey, Abstract No. 1, zoned CHB (Commercial Heavy Business District) and located 2230 South Colorado Street (US 183).

Planning Staff Kevin Waller presented the staff report and stated that the proposed off-premises, high-profile sign is located on property owned by Terry Black, currently occupied by the Rodriguez Tire Shop. A previous off-premises sign existed in the same location as the proposed sign, but was removed last summer without the applicant's permission. Staff received a telephone call and letter from the owner of the neighboring funeral home, who explained that he was indifferent to the proposal, but wished to ensure that the sign would not obstruct the funeral home's sign or building. Mr. Waller stated that Staff recommends approval of the Variance request to allow the sign to be located approximately 358 feet from a church building, but recommends denial of the Variance to reduce the sign setback adjacent to a street from 10 feet to 5 feet, as there appears to be no reason why the sign cannot be placed in a location that meets the 10-foot setback requirement.

Chair Cline opened the public hearing and asked the applicant to come forward.

Terry Black stated that he is the applicant and owner. He supports Staff's approval recommendation for the Variance from the church building separation distance.

Chair Cline closed the public hearing, and asked for a motion on the variance request from Section 46-10(h)(4) (church separation).

*Member Martinez moved to approve the Variance to Section 46-10(h)(4), which reduces the required off-premises sign separation distance from a church building from 2,500 feet to approximately 358 feet. Vice-Chair Annas seconded, and the motion passed with a vote of 7-0.*

Mr. Waller came forward to continue discussion of the second Variance request to the setback requirement adjacent to a street for a high-profile sign. The applicant would like to place the new sign five feet from the front property line adjacent to South Colorado Street, which is the same location as the previous sign, instead of the required 10 feet. Waller stated that analysis of the 6 Variance review criteria does not support approval of this variance request, and Staff therefore recommends denial.

Chair Cline opened the public hearing and asked the applicant to come forward to speak on this variance request.

Mr. Black stated that TxDOT does not require permits for signs adjacent to its right-of-way. Black explained that his brother, Kent Black, removed the original sign without his consent once Kent learned that Terry planned to open a restaurant in town, so that Terry could not utilize the sign for the new business. Black explained that the case is currently under review in the District Attorney's Office, and that he only wants to replace what was already there. The sign will be new and look somewhat different from the previous, but will be in the same location and similar in layout to the Black's sign near the animal clinic along West San Antonio Street. Mr. Black stated that he does not have enough room to place the sign 10 feet from the front property line, and that the requested five-foot setback would be sufficient. The new sign will be higher than the original and will not obstruct the neighboring funeral home's sign.

Chair Cline closed the public hearing.

*Member Clark moved to approve the Variance to Section 46-10(b)(3), which reduces the required sign setback from a property line adjacent to a street from 10 feet to 5 feet. Member Reeder seconded, the motion passed with a vote of 7-0.*

5. Discuss the date and agenda of the next meeting.

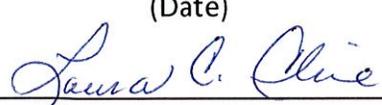
Mr. Waller stated that the next regularly scheduled meeting would be held May 2, 2022, if applications are received by the April 11<sup>th</sup> deadline.

6. Adjourn.

*Member Rangel moved to adjourn the meeting, and Member Martinez seconded. The motion passed with a vote of 7-0, and the meeting adjourned at 7:04 p.m.*

Approved: 5/2/2022  
(Date)

  
Christine Banda, Recording Secretary

  
Laura Cline, Chair