

AGENDA

CITY OF TAYLOR, TEXAS

ZONING BOARD OF ADJUSTMENT

Taylor City Hall, 400 Porter Street

City Hall Council Chambers

June 1, 2021 6:00 P.M.

In order to assist in maintaining the health of Planning and Zoning Commissioners, staff and the public, this meeting will be conducted via *video conference*.

You may view this meeting live through the City's web site at:

<http://www.taylortx.gov/660/Taylor-Videos>

For Citizens Communication and to speak during the public hearings, please contact the Development Services office at 512-745-6874 prior to 5:30 p.m. on Tuesday, June 01, 2021 in order to receive video conferencing instructions.

The agenda packet is available on the City's web site at:

<http://www.taylortx.gov/18/Agendas-and-Minutes>

CALL TO ORDER AND DECLARE A QUORUM

CITIZENS COMMUNICATION

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Board may act on with one single vote. The Chairman or a Board member may pull any item from the Consent Agenda in order to discuss and act upon it individually as part of the Regular agenda.)

1. Review and approve minutes for the December 1, 2020 meeting.

REGULAR AGENDA

2. Receive report on City Council appointment of members and elect officers.

VARIANCES

3. **PZ-2021-1309 – Conduct Public Hearing and Take Action** on a request for a variance to the City of Taylor Sign Ordinance, Chapter 24. The subject property is Taylor Sporting Goods located at 305 N. Main Street, Taylor, Williamson County, Texas.
4. **PZ-2021-1308 – Conduct Public Hearing and Take Action** on a request for a variance to the City of Taylor Sign Ordinance, Chapter 24. The subject property is Frills located at 100 E. 2nd Street, Taylor, Williamson County, Texas.
5. **PZ-2021-1311 – Conduct Public Hearing and Take Action** on a request for a variance to the City of Taylor Sign Ordinance, Chapter 24. The subject property is Texas Beer Company located at 201 N. Main Street, Taylor, Williamson County, Texas.
6. **PZ-2021-1310 – Conduct Public Hearing and Take Action** on a request for a variance to the City of Taylor Sign Ordinance, Chapter 24. The subject property is Bland's Jewelers located at 304 N. Main Street, Taylor, Williamson County, Texas.

7. **PZ-2021-1312 – Conduct Public Hearing and Take Action** on a request for a variance to the City of Taylor Sign Ordinance, Chapter 24. The subject property is Xchange located at 115 W. 2nd Street, Taylor, Williamson County, Texas.

ADJOURN

Next Meeting Date: Tuesday, July 6, 2021

The Board may vote and/or act upon each of the items listed in this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of meeting was posted in the **Taylor City Hall Lobby before 6:00 P.M. on May 28, 2021** and remained posted for at least 72 continuous hours before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

Posted By: Carrie Orts Date: 5.24.2021
Carrie Orts, Administrative Assistant Development Services

**MINUTES
CITY OF TAYLOR, TEXAS
ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
City Hall Council Chambers
Taylor City Hall, 400 Porter Street
Tuesday, December 1, 2020
6:00 P.M.**

PRESENT:

Suzanne Bice
Nancy Talley
Craig Eulenfeld
David Paul
Michael Prillaman
April Young

ABSENT:

OTHERS PRESENT:

Tom Yantis, Director Development Services
Carrie Orts, Assistant to Development Services
Shelly Shelton, Senior Planner, Development Services
McKenzi Hicks, Planning Tech, Development Services

CALL TO ORDER AND DECLARE A QUORUM

The meeting was called to order and a quorum declared at 6:08 p.m.

CITIZENS COMMUNICATION

None

Review and approve Minutes from June 4, 2019

Mr. Paul made a motion to approve the minutes as amended by Mr. Prillaman. Second by Mr. Eulenfeld. All voted Aye.

PZ-2020-1264 – Conduct Public Hearing on a request for a variance to the City of Taylor Zoning Ordinance relating to setbacks for dumpster enclosures: formerly West End School, addressed as 1301 W. 4th Street, Taylor, Williamson County, Texas.

Hearing opened. Ms. Hicks gave presentation including Staff recommendation for approval of the Variance request since unnecessary hardships have been identified and the proposed changes would not seriously affect any adjoining property or the general welfare of Taylor residents. Mr. Berger, LSCC, Mr. Quiring, Clayton Korte, Mr. Davcar, Davcar Engineering, and Ms. Meave, Clayton Korte were present to answer questions. There was discussion between Board, Staff, and representatives. Hearing closed.

PZ-2020-1264 – Take Action on a request for a variance to the City of Taylor Zoning Ordinance relating to setbacks for dumpster enclosures: formerly West End School, addressed as 1301 W. 4th Street, Taylor, Williamson County, Texas.

Mr. Paul made motion to approve variance. Second by Mr. Eulenfeld. All voted aye.

Adjourn

Ms. Bice made motion to adjourn meeting. Second by Mr. Prillaman. Meeting adjourned at 6:29 PM

Carrie Orts
Administrative Assistant, Development Services

Nancy Talley
Vice Chair

Staff Report

Variance request to Downtown Sign District Designation

1. **Location:** 305 North Main Street, Taylor
2. **Business Name:** Taylor Sporting Goods
3. **Case Number:** 2020 8406 & PZ 2021 1309
4. **Current Zoning:** Downtown Sign District Designation
5. **Most relevant ordinance:**

Section 24.3 (t) (1) (primary size calculation)

Section 24.5 (variances)

Section 24.7 (penalty)

6. Elements of the sign proposal requiring variance:

- (i) Retention of painted signage at the top of the front façade

7. Notifications:

7.1 Public Notice was advertised in the local newspaper on May 2, 2021. Seventy one letters were sent to property owners within 200 feet of this location on April 28, 2021. No formal responses have been received.

8. Considerations:

8.1 The purpose of the sign ordinance is to balance different competing interests. In summary, the sign ordinance recognizes the balance between (1) a business being able to identify themselves, (2) for customers to locate the goods and services they seek, (3) the rights of the public to be protected from a visual proliferation of signs and (4) not to distract motorists or cause a traffic hazard. The sign ordinance seeks to provide a reasonable balance between all the above competing interests and to preserve and improve the character and appearance of the Downtown area. The full description of the purpose of the sign ordinance is given at Section 24.1 of the City of Taylor Code of Ordinances.

8.2 305 North Main Street was recently formally subdivided into two business units, with Taylor Office Products in one unit and Taylor Sporting Good in the other unit. This new formal arrangement and a new ownership also brought a new appearance and new signage to the front of the building. No sign permit was submitted until after some of the new signs were displayed including, the main painted sign at the top of the building.

8.3 Section 24.3 (t) (1) states the primary size calculation is: "The square footage is calculated based on the width of the front building façade: one square foot of sign area per one horizontal linear foot and subject to the following maximum sizes".

8.4 The width of the front building façade is 42 feet. The maximum permitted allowance for the main sign would be 42 square feet.

8.5 The existing main painted sign at the top of the building are split into two sections. Both sections are 18 feet long. The lettering on the Taylor Office Products main sign is 14 inches high. The lettering on the Taylor Sporting Goods main sign is 24 inches high. There is also an additional central sign which reads "Est 1982 Family Owned" which is approximately 12 sq ft. The total square footage of the main signage is approximately 65 sq ft which exceeds the permitted 42 sq ft allowance by approximately 23 sq ft. This element of the sign permit 2020 8406 was denied and the applicants are seeking a variance.

8.6 Section 24.5 on variances states that "the Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this chapter....The board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

That the strict enforcement of this section would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the city, and

(1) That the granting of the variance would preserve the spirit and intent of the ordinance, and would serve the general interests of the public and the applicant."

Sign variances requested for proposed signs in the downtown sign district may also be submitted ...to the main street advisory board for review and recommendation to the zoning board of adjustment."

8.7 There is no evidence that there are unique special conditions or substantial hardship in this case.

8.8 As the main painted sign is being displayed without a sign permit. If the Zoning Board of Adjustment do not grant the variance, the sign would need to be removed or it would be subject to enforcement proceedings.

9. Applicant's Points:

A very brief summary of the applicants three page letter (letter attached) would be:

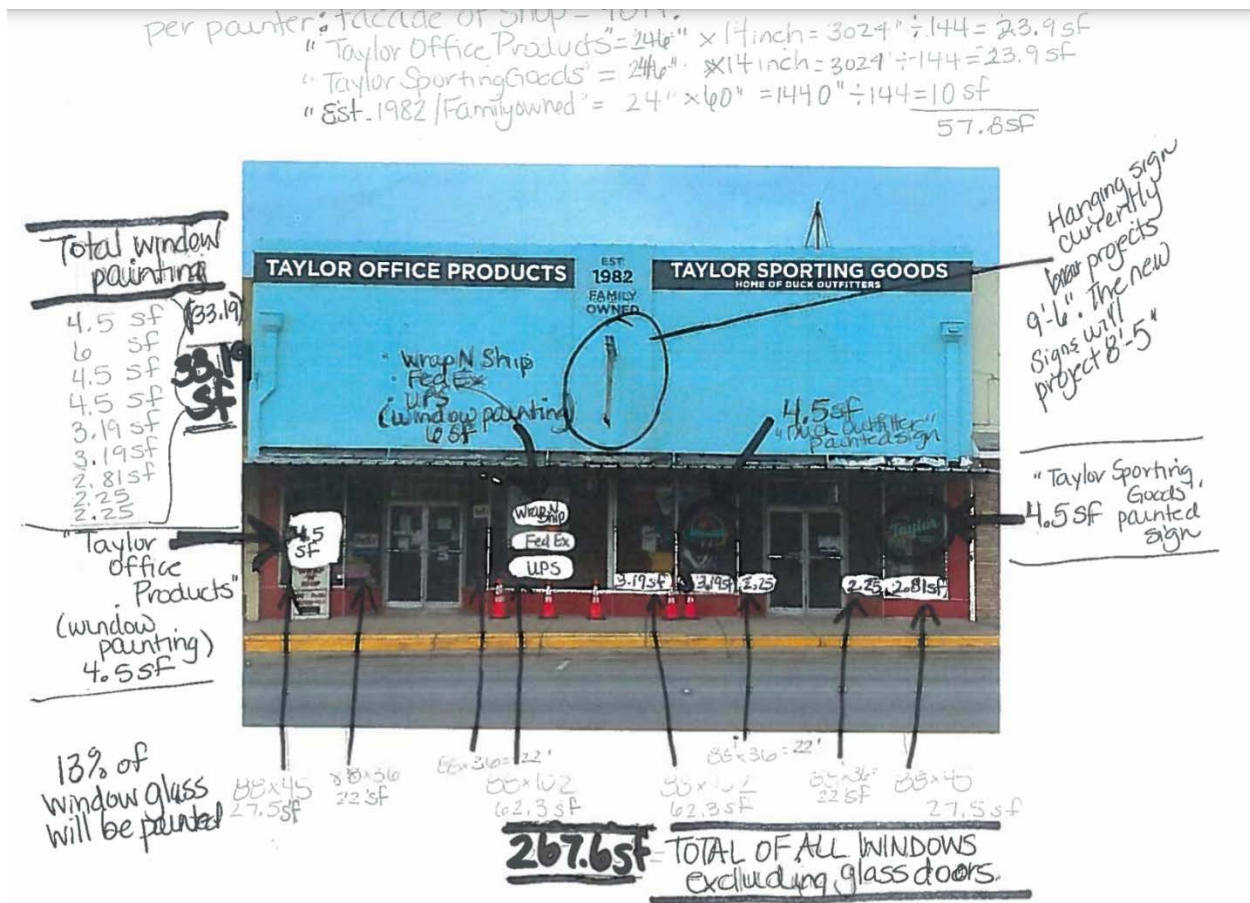
- We trusted the advice of our sign contractor and did not check with City Officials about signs.
- We agree that the main sign exceeds the permitted size
- Seeking clean and professional storefront which harkens back to earlier era
- Any further delays or costs will delay finalizing the rebranding of the local businesses.

10. Main Street Advisory Board recommendation: GRANT the variance as (i) the primary sign preserves the spirit and intent of the Ordinance and (ii) because to change the current sign would present a financial hardship to the owners.

11. Action: Zoning Board of Adjustment to consider this variance and determine this variance

12. Attachments:

A. Applicant's letter



Sign permit 2020 8406 as submitted by the applicant



Revised measurements for the main signage as submitted by applicant

Taylor Sporting Goods &
Taylor Office Products/Wrap n' Ship
305 & 307 N. Main St.
Taylor, TX 76574

August 24, 2020

Zoning Board of Adjustment
City of Taylor, Texas
400 Porter St.
Taylor, TX 76574

Dear Zoning Board of Adjustment,

I would like to start by thanking you for considering our application for the variance for our building signage while simultaneously apologizing for the circumstances under which we are doing so. I assure you, the efforts of Stacy and I as owners of Taylor Sporting Goods, as well as Dean Threadgill, owner of Taylor Office Products and Wrap n' Ship, are very well meaning and were made in the spirit of, and with compliance to, the downtown changes, ordinances and requirements. Any apparent departure from that effort was unintended and largely unknown to us at the time they occurred.

As new business owners and returning to our hometown of Taylor, Texas, Stacy and I were excited about the prospect of moving back home and taking over a family business that has served Taylor continuously since 1982. We were also very excited to join with, what we saw as being, a tremendous renewal and revitalization of downtown Taylor. We very much wanted to incorporate and enhance downtown Taylor and the efforts already in place with a business model and storefront that complemented and furthered the current and ongoing changes downtown. Stacy and I both believed, and still believe, our efforts at continuing the strong business my uncle, Dean Threadgill, had long established will do exactly that. We believe by enhancing and focusing on resurrecting the retail aspect of Taylor Sporting Goods to serve the individuals and families of Taylor, along with the teams, schools and organizations of the Taylor area, Taylor Sporting Goods will become another one of the destination shops in our town. Also, by our taking over and focusing on Taylor Sporting Goods, Dean would be allowed the time and opportunity to focus more of his efforts and attention to his other businesses, including Wrap n' Ship that he acquired and has operated the last several years, and Taylor Office Products, another local institutional business that he acquired just prior to them closing for good in Taylor. It is important to note that Taylor Office Products, established in 1972, pre-dates Taylor Sporting Goods by a decade and was going to be closed for good by the Leschber family prior to Dean's acquisition several years ago. It is also important to note Taylor Office Products is currently going strong and will celebrate its 50 year anniversary in Taylor, Texas, in less than a year and a half. What a legacy. While none of this 'story' directly affects the technical aspects of the codes and ordinances being discussed in this request, I believe it is an important 'backdrop' to such and conveys the history and efforts of this family and these businesses in supporting our hometown

and are very important in considering such, as well as providing long-standing examples of how we, and our family and friends before us, wanted nothing but the very best for Taylor.

Given the efforts and history noted above and consistent with these efforts, when we decided to undergo this venture we also chose a local contractor who has done other work in the downtown area and came highly recommended to us. After negotiating the work and ultimately planning the “rebranding” and new look for Taylor Sporting Goods, as well as Taylor Office Products and Wrap n Ship, we were assured by our general contractor, Norma Jean Maloney of Red Rider Construction, that plans had been approved, ordinances were in compliance and all permits had been obtained. As new business owners, and despite the incredible support and guidance provided by Mr. Threadgill, Stacy and I have made a few mistakes and missteps along the way. However, trusting our general contractor to have done what she told us was done and not verifying this with the city, in retrospect, is the one mistake that has been the most difficult to manage and, when trying to develop a new brand and establish a growing retail presence, has been the most costly to us and our efforts in terms of time and resource allocation. Our only ‘saving grace’ has been the assurance by a number of construction and remodel industry professionals and local public officials that it is not typical, nor necessarily expected, to have to follow up after your general contractor to verify such. However, again, I have learned a valuable lesson in this and that same mistake will not happen ever again. We have also been appreciative of the time, effort and understanding the city, city officials and downtown organizations have given us thus far, including the help and guidance provided us after we were notified by the same of the inadvertent issues our efforts and plans had resulted in. Thankfully, through a number of communications and efforts, most of these issues have been resolved either through providing more information and data to these entities and/or our better understanding of these requirements and going back and correcting or modifying work to meet with these requirements. These additional efforts, modifications and changes have not come without additional and unexpected costs in terms of time and capital, but given the circumstances and our intentions, we have been happy to do so.

That said, and again as referenced earlier, part of our remodeling of the storefront involves the actual painted ‘sign’ that stretches the length of the physical store front and identifies our businesses within a black border stating “Taylor Office Products” on one side of the store front and “Taylor Sporting Goods Home of Duck Outfitters” on the other. These signs are separated by a pillar, and on that pillar (but without a border) it reads “Est. 1982 Family Owned”. Dean, Stacy and I are not disputing the measurement of this sign and readily now understand and agree this to be outside the currently allowed calculated area for a store front sign on Main Street in Taylor, Texas. This fact is why we are requesting the variance to allow us to keep this ‘sign’ exactly as it currently is displayed/painted and to resume and complete the remainder of the planned remodel under the guidance and compliance of the local ordinances and requirements and with the original local contractor. While it’s an understatement to say we’ve had our problems with this remodel from the onset, we also believe the work we have had done thus far is very professional, very attractive and provides something simple, stylish and vintage that can easily, and cost effectively, be maintainable over time. Furthermore, our current signage does not extend out from the face of the building front where birds, nests, bats and weather can

compromise and deteriorate the sign material and appearance. Also, our current 'sign' is not an exotic or extreme look that cheapens or otherwise compromises the look and feel of the other store fronts downtown, and it's not a 'busy' or unprofessional look that could also negatively affect the look and consistency of the downtown as a whole. Instead, as noted, and in our opinion, provides a 'clean', professional storefront that harkens back to an earlier era where local 'shops' and 'storekeepers' were simple and honest in their approach which drew people to a bustling downtown Taylor where they could enjoy such simple pleasures and leisurely shopping experiences. Old photos of downtown Taylor portray much of this and with storefront signage very similar to that we now have displayed.

Finally, we would also like to remind this committee that we are requesting this lone variance for the reasons we just mentioned but also because this work has been paid for and, as described, was done by us in good faith. To be required to 'undo' and 'redo' this work would result in additional delays for finalizing our 'rebrand' and would result in additional costs for our new business of thousands of dollars in both remodeling and possible litigation. These are costs and obstacles that will be difficult to overcome as a new business and especially considering the current pandemic our world and local economy are currently facing.

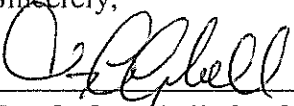
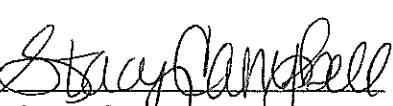
We appreciate your consideration of the variance we are requesting, and we fully assure and make this commitment to this body, and the city and citizenry of Taylor, that, if given this variance, the remainder of the project will be completed with the utmost diligence, attention and compliance to the ordinances and requirements therein. We further commit to the same that our ongoing efforts and commerce as the locally owned and long-standing businesses of Taylor Sporting Goods and Taylor Office Products/Wrap n' Ship, will serve to provide a quality, valuable and exceptional shopping experience as well as a professional "destination" and value-added enterprise that will continue to support, serve and complement the downtown Taylor market and economy for another 50 years.

Thank you again for your time, efforts and consideration of our request, and should you have any further questions or require anything further from any of us, please feel free to come down to the shop in-person or contact us using the information below.

Taylor Sporting Goods
Tay or Stacy Campbell
512.352.8964
info@taylorsportinggoods.com

Taylor Office Products
Dean Threadgill
512.352.5528
Tayloroffice305@gmail.com

Sincerely,

  
Tay C. Campbell, Co-Owner Stacy Campbell, Co-Owner Dean Threadgill, Owner
Taylor Sporting Goods Taylor Sporting Goods Taylor Office Products/Wrap n' Ship

Staff Report

Variance request to Downtown Sign District Designation

1. **Location:** 100 East Second Street, Taylor
2. **Business Name:** Frills
3. **Case Number:** 2020 8432 & PZ 2021 1308
4. **Current Zoning:** Downtown Sign District Designation
5. **Most relevant ordinance:**

Section 24.3 (t) (4) e (window signs)

Section 24.3 (5) c (internally illuminated signs)

Ordinance 2021 -01 (amendment to section 24-3)

Section 24.5 (variances)

Section 24.7 (penalty)

6. **Elements of the sign proposal requiring variance:**

(i) Display of two pink LED neon signs inside the windows.

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7. **Notifications:**

7.1 Public Notice was advertised in the local newspaper on May 2, 2021. Seventy one letters were sent to property owners within 200 feet of this location on April 28, 2021. No formal responses have been received.

8. **Considerations:**

8.1 The purpose of the sign ordinance is to balance different competing interests. In summary, the sign ordinance recognizes the balance between (1) a business being able to identify themselves, (2) for customers to locate the goods and services they seek, (3) the rights of the public to be protected from a visual proliferation of signs and (4) not to distract motorists or cause a traffic hazard. The sign ordinance seeks to provide a reasonable balance between all the above competing interests and to preserve and improve the character and appearance of the Downtown area. The full description of the purpose of the sign ordinance is given at Section 24.1 of the City of Taylor Code of Ordinances.

8.2 The two existing pink LED neon signs are positioned within three feet of the window and constitute a window sign as defined by Ordinance 2021 -01. The two signs are the only signage in the two window displays for this business. Each sign measures 38 inches wide and 12 inches high. These two signs comply with the 30 per cent window coverage requirement.

8.3 Section 24.3 (5) (c) states that internally illuminated signs are no permitted. The two signs do not comply with this ordinance.

8.4 Section 24.5 on variances states that “the Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this chapter....The board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

- (1) That the strict enforcement of this section would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the city, and
- (2) That the granting of the variance would preserve the spirit and intent of the ordinance, and would serve the general interests of the public and the applicant.”

Sign variances requested for proposed signs in the downtown sign district may also be submitted ...to the main street advisory board for review and recommendation to the zoning board of adjustment.”

8.5 There is no evidence that there are unique special conditions or substantial hardship in this case.

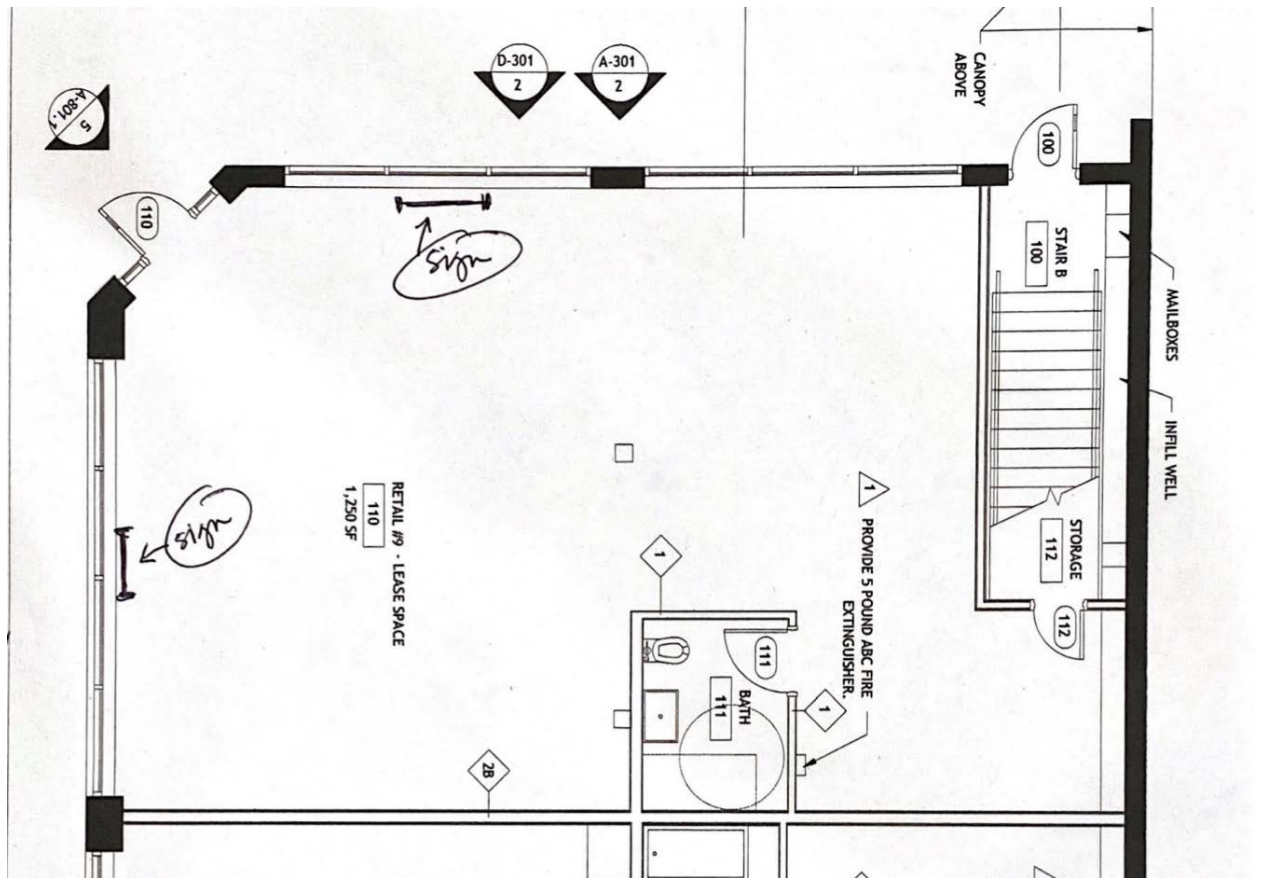
8.6 As the internally illuminated signs are displayed without a sign permit. If the Zoning Board of Adjustment do not grant the variance, the signs would need to be removed or it would be subject to enforcement proceedings.

9. Applicant’s Points:

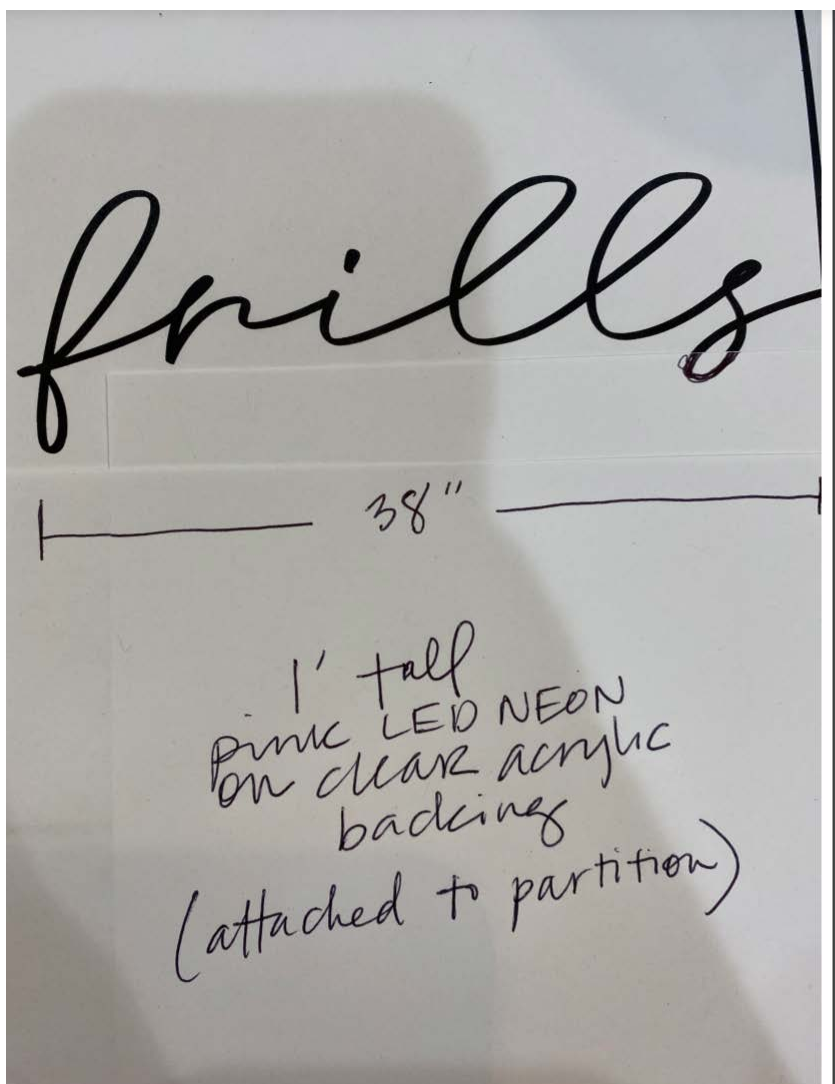
10. **Main Street Advisory Board recommendation: GRANT** the variance as the neon signs are small, respectful and enhance the Downtown area.

11. **Action:** Zoning Board of Adjustment to consider this variance and determine this variance

12. Attachments:



Floor plan showing position of the two internally illuminated signs



Dimensions of sign submitted by the applicant



View from East Second Street



East Second Street shop window



North Main Street shop window

Staff Report

Variance request to Downtown Sign District Designation

1. **Location:** 201 North Main Street, Taylor
2. **Business Name:** Texas Beer Company
3. **Case Number:** 2020 8443 & PZ 2021 1311
4. **Current Zoning:** Downtown Sign District Designation
5. **Most relevant ordinance:**

Section 24.3 (t) (4) e (window signs)

Section 24.3 (5) c (internally illuminated signs)

Ordinance 2021 -01 (amendment to section 24-3)

Section 24.5 (variances)

Section 24.7 (penalty)

6. Elements of the sign proposal requiring variance:

- (i) Display of two internally illuminated inside the window facing Second Street.

7. Notifications:

7.1 Public Notice was advertised in the local newspaper on May 2, 2021. Seventy one letters were sent to property owners within 200 feet of this location on April 28, 2021. No formal responses have been received.

8. Considerations:

8.1 The purpose of the sign ordinance is to balance different competing interests. In summary, the sign ordinance recognizes the balance between (1) a business being able to identify themselves, (2) for customers to locate the goods and services they seek, (3) the rights of the public to be protected from a visual proliferation of signs and (4) not to distract motorists or cause a traffic hazard. The sign ordinance seeks to provide a reasonable balance between all the above competing interests and to preserve and improve the character and appearance of the Downtown area. The full description of the purpose of the sign ordinance is given at Section 24.1 of the City of Taylor Code of Ordinances.

8.2 There are two existing internally illuminated sign inside the long window facing Second Street. Both signs are positioned within three feet of the window and constitute a window sign as defined by Ordinance 2021 -01. The Texas Beer Company illuminated sign measures 2 feet by 2 feet. The Shiner illuminates sign measures 3 feet by 2 feet. The current signs comply with the 30 per cent window coverage requirement.

8.3 Section 24.3 (5) (c) states that internally illuminated signs are no permitted. These signs do not comply with this ordinance.

8.4 Section 24.5 on variances states that “the Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this chapter....The board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

- (1) That the strict enforcement of this section would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the city, and
- (2) That the granting of the variance would preserve the spirit and intent of the ordinance and would serve the general interests of the public and the applicant.”

Sign variances requested for proposed signs in the downtown sign district may also be submitted ...to the main street advisory board for review and recommendation to the zoning board of adjustment.”

8.5 There is no evidence that there are unique special conditions or substantial hardship in this case.

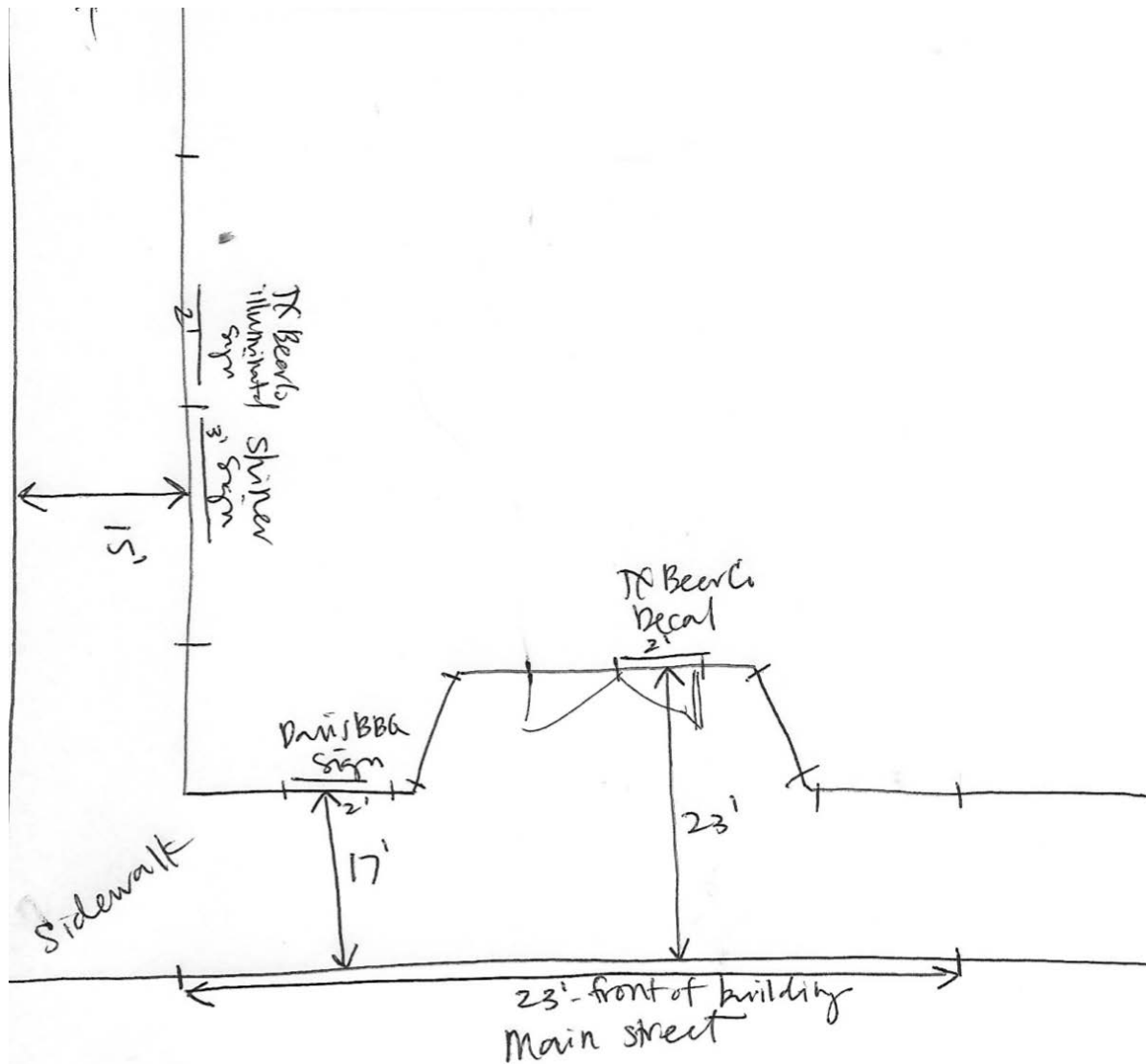
8.6 As the internally illuminated signs are displayed without a sign permit. If the Zoning Board of Adjustment do not grant the variance, the signs would need to be removed or it would be subject to enforcement proceedings.

9. Applicant’s Points: N/A

9 **Main Street Advisory Board recommendation: GRANT** the variance for the two internally illuminated signs inside the window providing (i) both signs are hung higher up each window and (ii) each sign is centrally positioned in each window pane. These signs were considered by the Main Street Advisory Board to be financially beneficial to the business.

10 **Action:** Zoning Board of Adjustment to consider this variance and determine this variance

11 Attachments:



Floor plan to show position of the two internally illuminated signs



View of the two internally illuminated signs from West Second Street, as originally submitted.



View of the two internally illuminated signs, as currently displayed, following the Main Street Advisory Board meeting.

Staff Report

Variance request to Downtown Sign District Designation

1. **Location:** 304 North Main Street, Taylor
2. **Business Name:** Blands Jewelry
3. **Case Number:** 2020 8629
4. **Current Zoning:** Downtown Sign District Designation
5. **Most relevant ordinance:**

Section 24.3 (t) (4) e (window signs)

Section 24.3 (t) (5) c (internally illuminated signs)

Ordinance 2021 -01 (amendment to section 24-3)

Section 24.3 (t) 4 d (sidewalk sign)

Section 24.5 (variances)

Section 24.7 (penalty)

6. Elements of the sign proposal requiring variance:

- (i) Display of three internally illuminated signs inside the windows.
- (ii) Sidewalk sign

7. Notifications:

7.1 Public Notice was advertised in the local newspaper on May 2, 2021. Seventy One letters were sent to property owners within 200 feet of this location on April 28, 2021. No formal responses have been received.

8. Considerations:

8.1 The purpose of the sign ordinance is to balance different competing interests. In summary, the sign ordinance recognizes the balance between (1) a business being able to identify themselves, (2) for customers to locate the goods and services they seek, (3) the rights of the public to be protected from a visual proliferation of signs and (4) not to distract motorists or cause a traffic hazard. The sign ordinance seeks to provide a reasonable balance between all the above competing interests and to preserve and improve the character and appearance of the Downtown area. The full description of the purpose of the sign ordinance is given at Section 24.1 of the City of Taylor Code of Ordinances.

(i) Illuminated signs

8.2 This variance seeks three internally illuminated signs in this shop front. The applicant has removed two of the internally illuminated signs and one internally illuminated 'open' sign remains. The variance proposal is for two illuminated signs in the northern window. One of the signs is a flashing 'open sign'

which measures 1 foot 5 inches by 6 inches. The second illuminated sign which reads 'on site jewelry repair' and measures 2 feet 7 inches by 1 foot 7 inches. The third illuminated sign would be positioned in the southern window. This sign reads 'custom jewelry' and measures 2 feet 5 inches by 1 foot 10 inches. The total size of the illuminated signs are approximately 10 sq ft.

8.3 The three signs are positioned within three feet of the window and constitute a window sign as defined by Ordinance 2021 -01. These three signs plus the other signs comply with the 30 per cent window coverage requirement.

8.4 Section 24.3 (5) (c) states that internally illuminated signs are no permitted. These three signs do not comply with this ordinance.

(ii) sign

8.5. Section 24.3 (t) 4 d 3 requires that sidewalk signs must be properly anchored (temporarily) or weighted against the wind. The sign is currently positioned on the sidewalk when the shop is open and removed at the end of each business day. However, the sidewalk sign is not currently anchored or weighted down. The applicant has not submitted any anchoring solutions to protect the sidewalk sign from being blown away in the wind. This sidewalk sign does not comply with this ordinance.

8.6 Section 24.5 on variances states that "the Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this chapter....The board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

- (1) That the strict enforcement of this section would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the city, and
- (2) That the granting of the variance would preserve the spirit and intent of the ordinance and would serve the general interests of the public and the applicant."

Sign variances requested for proposed signs in the downtown sign district may also be submitted ...to the main street advisory board for review and recommendation to the zoning board of adjustment."

8.7 There is no evidence that there are unique special conditions or substantial hardship in this case.

8.8 As the internally illuminated signs and sidewalk sign are displayed without a sign permit. If the Zoning Board of Adjustment do not grant the variance, the signs would need to be removed or it would be subject to enforcement proceedings.

9. Applicant's Points:

A summary of the applicant's main points are as follows:

- The internally illuminated open sign is critical to my business
- There are other illuminated signs in the Downtown area (Staff response: The only permitted internally illuminated sign is the Curbside Coffee sign at 114 West Second Street. This sign (2016 1103) was granted a variance by the Zoning Board of Adjustment in 2016. There are

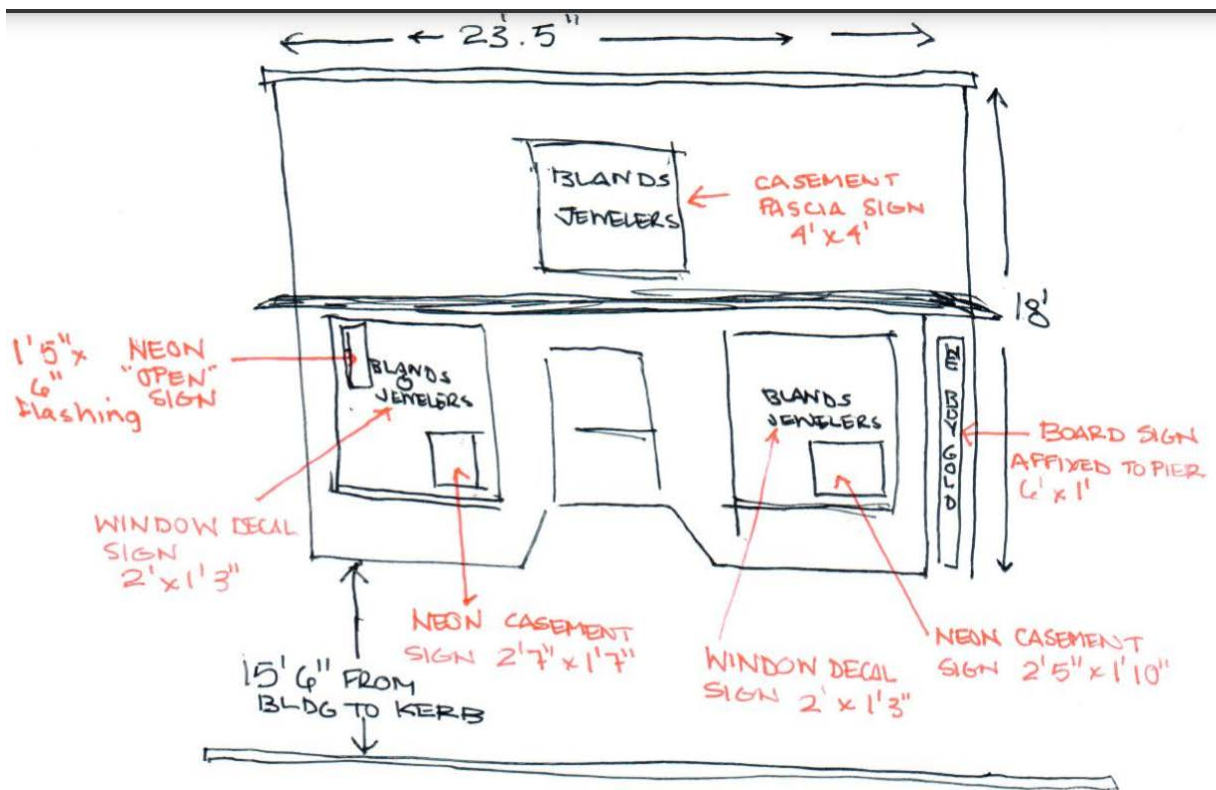
other illuminated open signs in the Downtown area which are subject to code enforcement investigations).

- Taylor is a small town and does not want all these changes
- Leave us alone and let us try to survive

10. Main Street Advisory Board recommendation: GRANT the variance for (i) the single remaining illuminated open sign providing the open sign is constantly illuminated and not flashing or the letters moving and (ii) to grant the sidewalk sign providing the sign is weighted.

11. Action: Zoning Board of Adjustment to consider this variance and determine this variance

12. Attachments:



Sign permit 2020 8629 as submitted



Internally illuminated signs when sign permit was submitted – northern window



Internally illuminated sign when sign permit was submitted – southern window



As existing, showing one internally illuminated sign in the northern window. Other two signs are currently removed.

Staff Report

Variance request to Downtown Sign District Designation

1. **Location:** 115 West Second Street, Taylor
2. **Business Name:** Xchange Nightlife Inc
3. **Case Number:** 2021 9183
4. **Current Zoning:** Downtown Sign District Designation
5. **Most relevant ordinance:**

Section 24.3 (t) (2) b (projecting sign)

Ordinance 2021 – 01 (amended parts of section 24.3)

Section 24.3 (t) 3 (b) (hanging sign)

Section 24.3 (t) (5) c (internally illuminated signs)

Section 24.5 (variances)

6. Elements of the sign proposal requiring variance:

- (i) Display of one proposed internally illuminated sign above the front awning

7. Notifications:

7.1 Public Notice was advertised in the local newspaper on May 2, 2021. Seventy one letters were sent to property owners within 200 feet of this location on April 28, 2021. No formal responses have been received.

8. Considerations:

8.1 The purpose of the sign ordinance is to balance different competing interests. In summary, the sign ordinance recognizes the balance between (1) a business being able to identify themselves, (2) for customers to locate the goods and services they seek, (3) the rights of the public to be protected from a visual proliferation of signs and (4) not to distract motorists or cause a traffic hazard. The sign ordinance seeks to provide a reasonable balance between all the above competing interests and to preserve and improve the character and appearance of the Downtown area. The full description of the purpose of the sign ordinance is given at Section 24.1 of the City of Taylor Code of Ordinances.

8.2 In January 2021, some of the Downtown sign ordinance was revised with ordinance 2021 – 01. This revised ordinance now allows a projecting sign in a mid - terrace location.

8.3 The proposed internally illuminated projecting sign would be measure 3 feet by 3 feet. It would be located 10 feet above the ground and project a maximum of 3 feet 6 inches from the front façade of the building.

8.4 The proposed projecting sign complies with all the relevance ordinance except Section 24.3 (t) (5) c. This states that no internally illuminated signs are permitted.

8.5 Section 24.5 on variances states that “the Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this chapter....The board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

- (1) That the strict enforcement of this section would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the city, and
- (2) That the granting of the variance would preserve the spirit and intent of the ordinance and would serve the general interests of the public and the applicant.”

Sign variances requested for proposed signs in the downtown sign district may also be submitted ...to the main street advisory board for review and recommendation to the zoning board of adjustment.”

8.6 There is no evidence that there are unique special conditions or substantial hardship in this case.

9. Applicant's Points:

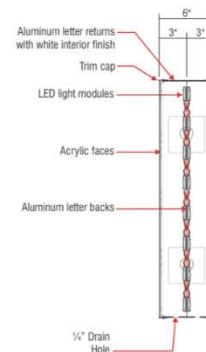
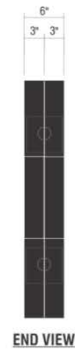
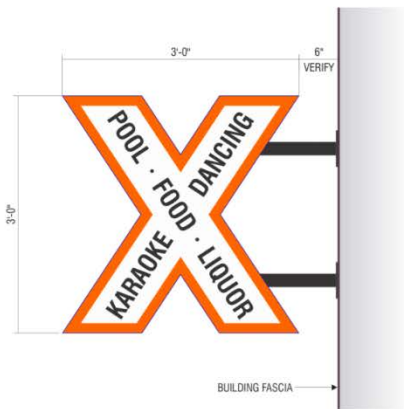
Summary of applicant's main points is as follows:

- Important to see the sign when its dark
- There are many illuminated signs in the Downtown area (Staff response: The only permitted internally illuminated sign is the Curbside Coffee sign at 114 West Second Street. This sign (2016 1103) was granted a variance by the Zoning Board of Adjustment in 2016).

10. Main Street Advisory Board recommendation: DENY the variance. The Main Street Board is not in favor of having internally illuminated acrylic facing projecting signs in the Downtown district.

11. Action: Zoning Board of Adjustment to consider this variance and determine this variance

12. Attachments:



SECTION DETAIL - LED ILLUMINATED CHANNEL LOGO W/ TRIM CAP
 NOTE: SPECIFIC MATERIAL THICKNESSES FOR THIS SIGN TYPE WILL BE DETERMINED
 BASED ON MANUFACTURING STANDARDS
 LOW VOLTAGE L.E.D. LIGHTING SYSTEM
 U.L. LISTED CLASS 2 - CONFORMS TO U.L. 48 & NEC 600 CODE

A D/F INTERNALLY ILLUMINATED BLADE SIGN | ONE (1) REQ'D
 SCALE : 1"= 1'-0" 9.0 SQ. FT.

SCOPE OF WORK:

MANUFACTURE AND INSTALL ONE (1) INTERNALLY ILLUMINATED D/F PROJECTING CHANNEL LOGO SIGN DETAILS TO BE VERIFIED BY THE ENGINEERING PRIOR TO FABRICATION.

MATERIAL FINISH COLORS				
# 7028 WHITE FACES	PAINTED T/M PMS 2602 CP BLUE Trim	T/M PMS 1065 CP ORANGE Vinyl	2100-03 BLACK VINYL 1ST SURFACE Vinyl	PAINTED BLACK MATTE FINISH Support Returns

Proposed internally illuminated projecting sign



Existing view as submitted by applicant



Proposed view as submitted by applicant



Existing front elevation