

REGULAR SESSION

February 14, 2017

The Zoning Board of Adjustments of the City of Athens, Texas met in Regular Session on Tuesday, February 14, 2017, 4:00 p.m. in the Development Service Conference Room, 622 S. Prairieville, Athens, Texas with the following members present, to-wit:

Jack Bateman, Chairman  
Mamie Stafford, Vice Chairman  
Thomas Faulk  
Bryan Barker, Alternate  
Alex Withers, Alternate

Barbara Holly, Managing Director of Development Services  
Yadira Chairez, Development Coordinator

Following members absent: Morgan Jones, Todd Fowler

constituting a quorum at which time the following proceedings were enacted, to-wit:

Chair Bateman called the meeting to Order.

CONSIDER APPROVING THE MINUTES OF THE SEPTEMBER 13, 2016

A motion was made by Member Mamie Stafford, seconded by Member Alex Withers to approve the minutes of the September 13, 2016 meeting. The motion carried unanimously.

**Public hearing concerning a request by Petersburg Baptist Church for a lighted sign within 150' of a residential subdivision at 1008 Mill Run Road ZBA-02-17-001**

Barbara Holly AICP, Managing Director of Development Services, explained the Zoning Ordinances for LED signs. The ordinance does not allow lighted signs within 150' of residentially zoned property. No lighted sign shall be erected with one hundred and fifty feet of a residential district unless the lighting is shielded from view of the residential district. In this case, the church has light directly adjacent to the northern residence. Ms. Holly presented the brightness of the sign and the distance to the residential properties. Ms. Holly stated that the LED sign measured eight feet tall and seven feet wide. Her recommendation was that it be denied due to the fact that is commercializing a residential area. The brightness of the sign is also a concern, the brightness is .29 foot-candles and the zoning limits the brightness to be .25 foot-candles. Ms. Holly went on to explain that notifications were mailed out and four came back with responses, three against and one in favor which was the Petersburg Baptist Church.

Member Barker asked if the City had taken a closer observation of how many LED signs we have inside of residential districts. Member Barker discussed the LED signs he has seen including the Methodist Church on Lovers Lane and The Gates Church on West Tyler. Ms. Holly explained that the Methodist Church sign is over 150' from the adjacent residential district, with streets surrounding it and it is shielded from the adjacent residences. Ms. Holly explained that she was unaware of The Gates Church sign and needed to see if it had gone through the Zoning Commissions for approval.

Member Bateman open the hearing to the public.

Larry West church member for Petersburg Baptist Church explained that the church had already purchased the LED sign before applying for a permit. The church was not aware of zoning requirements for LED signs. The church now wants to receive a variance from the Zoning Board of Adjustments to be able to use the LED sign in a Residential District. Petersburg is willing to shut off the LED sign at night to accommodate the lighting concerns of the neighbors. The church is able to program the LED sign to turn down or dim during evening hours and shut off completely at night. Mr. West stated that the measurements for the sign that Ms. Holly gave were incorrect as the sign was smaller in size.

Resident Travis Edwards explained that he had received the notification and wanted to know the brightness of the LED sign. His question had already been answered by the presentation Ms. Holly had made. Mr. Edwards was not against the LED sign but knew it did not impact his residence because his home is further from the church.

The resident to the north of the Petersburg Baptist Church, Kay Sanders, explained that if this was allowed, the LED sign will be directed to her bedroom window. She went on to explain that it was already bright with the security light that the church has on site.

Discussion continued among members.

Chair Bateman closed the public hearing.

Member Faulk explained that it was difficult to make a decision if the correct measurements were not available for the members.

After a discussion by the Zoning Board of Adjustment a motion was made by Member Stafford and second by Member Barker to table the decision until next month due to the fact that there is a discrepancy on the measurement of the LED sign. Member Stafford asked that Petersburg Baptist Church submit a detail sketch with exact dimensions and light levels for the LED sign. The motion passed unanimously.

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ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS 14<sup>TH</sup> DAY OF MARCH, 2017.

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Jack Bateman, Chairman

ATTEST:

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Yadira Chairez Development Coordinator