



**AGENDA**  
**BOARD OF ADJUSTMENT**  
**City Commissioner's Room**  
**118 S. Cage Blvd. May 2, 2018 - 6:00 PM**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

If during the course of the meeting, the BOARD OF ADJUSTMENT should determine that a closed, or executive session of the BOARD is required, then such closed or executive session or meeting is authorized by Sections 551.071 et seq. of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision, or vote be required in the opinion of the Commission with regard to any item during the meeting, then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting.

In compliance with Section 551.041 et seq. of the Texas Government Codes, VTCS (Open Meetings Act), notice is given that the Board of Adjustments Commission will meet to consider and act upon the following:

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVAL OF MINUTES:

A) Minutes of April 18, 2018

4. PUBLIC COMMENTS: (Ordinance No. O-2015-28): *A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered*

speaker to address the governing body.

5. PUBLIC HEARINGS: (Ordinance No. O-2015-28): *A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

A) Walter A. Clint, representing Lamar Advertising, has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The applicant is requesting a variance to rebuild a non-conforming/abandoned off-premise billboard sign. The property is legally described as being all of Lots 7 thru 12, Lone Star Subdivision, Pharr, Hidalgo County, Texas. The property's physical 601 IH 2 West. **BOA#180317**

6. ANNOUCEMENTS/OTHER BUSINESS:

7. ABSENTEE REPORT:

8. ADJOURNMENT:

I, the undersigned authority, do hereby certify that the above notice of said Meeting of the Board of Adjustment of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 27th day of April, 2018 at 12:00 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

**WITNESS MY HAND AND SEAL, this 27th day of April, 2018.**



  
HILDA PEDRAZA, TRMC, CMC  
CITY CLERK



## AGENDA MEMORANDUM

**BOARD:** Board of Adjustment

**AGENDA ITEM #:** 3.A.

**DATE SUBMITTED:** April 26, 2018

**MEETING DATE:** May 2, 2018

**FROM:** Angie Resio, Secretary

**DEPARTMENT:** Development Services

**DIRECTOR:**

Agenda Item: Minutes of April 18, 2018

**Classification:** Regular

(\* If closed session, City Attorney must review and approve.)

**Exclude Material from Public Packet?** No

**Reason:**

**Issue:**

**Financial Consideration:**

**Staff Recommendation:**

**Alternatives:**

---

### **ROUTING:**

Angie Resio

Created/Initiated - 04/26/2018

Roland Gomez

Approved - 04/26/2018

Melanie Cano

Final Approval - 04/27/2018

**MINUTES**  
**BOARD OF ADJUSTMENT**  
*City Commissioner's Room*  
*118 S. Cage Blvd. April 18, 2018 - 6:00 p.m.*

A meeting of the Board of Adjustment of the City of Pharr was held on Monday, April 18, 2018 and following is the record of attendance.

**MEMBERS PRESENT:** Danny Wylie                      Ramiro Gutierrez  
                                 Rogelio Torres                      Guadalupe Cano  
                                 Ruben Luna

**ABSENT:**                      Rafael Munguia                      Hector Guerra

**OTHERS PRESENT:**    See attached list

**STAFF PRESENT:**        Melanie Cano, Director  
                                 Roland Gomez, Assistant Director  
                                 Patricia Rigney, City Attorney  
                                 Cristina Garcia, Senior Planner  
                                 George Martinez, Building Official  
                                 Rita Galvan, Administrative Assistant  
                                 Angie Resio, Secretary

**ITEM 1.        CALL TO ORDER**

Vice Chairman, Danny Wylie called the meeting to order at 6:00 p.m.

**ITEM 2.        ROLL CALL:**

Roll call established a quorum.

**ITEM 3.        APPROVAL OF MINUTES**

**A)        MINUTES OF August 16, 2017**

Vice Chairman, Danny Wylie introduced the item.

There being no discussion, Guadalupe Cano **moved** to approve the minutes of August 16, 2017. Ramiro Gutierrez seconded the motion and when put to a vote it carried unanimously.

**ITEM 4.        PUBLIC COMMENTS**

Kenneth C. Fletcher, residing at 504 South Diplomat, stated he signed up for public

hearing and felt it should have the right to speak as a tax payer. Dr. Fletcher stated the City should increase the permit rate on the LED signs because more advertisements are displayed. He further stated that BOA meetings should be advertised in the official newspaper, the Advance News Journal, not the Monitor according to ordinance 84-13. Dr. Fletcher stated he was once a member of the Planning and Zoning Commission and he believed the agenda item to be presented should be a special exception and not a variance. Dr. Fletcher stated that none of the signs in the City of Pharr have a permit posted on them as they should according to Ordinance 2014-21. He further stated he would like to see his taxes decrease and have the people who owned signs pay more taxes.

There being no one else wishing to speak, Vice Chairman, Danny Wylie closed the Public Comments and proceeded to the next item.

#### **ITEM 5. PUBLIC HEARING**

- A. CRAIG L. JENKINS, ACME PARTNERSHIP LP, IS REQUESTING A VARIANCE TO IMPROVE AN EXISTING LEGAL NON-CONFORMING OFF-PREMISE ONE-FACE L.E.D. BILLBOARD SIGN TO A DOUBLE – FACED L.E.D. BILLBOARD SIGN. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.182 ACRE OUT OF LOT 148, KELLY PHARR TRACT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY’S PHYSICAL ADDRESS IS 5808 SOUTH CAGE BOULEVARD. CUP#180210**

Cristina Garcia, Senior Planner, introduced the item and stated the property was currently zoned General Business District (C). The surrounding area was zoned General Business District (C) to the north, south and west and Heavy Commercial District (H-C) to the east. The area is generally designated for commercial use in the Land Use Plan. She further reported sixteen (16) surrounding property owners were notified of the request by letter and a legal notice was published in the McAllen Monitor. She stated staff received no response to the letters or the legal notice.

Vice Chairman, Danny Wylie opened the public hearing and asked if anyone signed up to speak. There being no one who signed up, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

Guadalupe Cano asked staff what the city ordinance stated regarding a double-faced sign and if was off-premise

Melanie Cano, Director of Development Services, stated the city ordinance does not have specification for a two-faced billboard sign, however it specifies off premises billboard signs are prohibited. She further stated in the reference to the agenda item it is an existing one-faced digital billboard and confirmed the sign was off-premise.

Vice Chairman, Danny Wylie mentioned he has seen a double-face LED sign at RGV careers. Melanie Cano stated that sign was an on premise sign.

Rogelio Torres, asked staff to clarify if this sign was already a one sided digital sign and if the other side of the billboard would be reconstructed. Melanie Cano, Director of Development Services, stated that was correct and the applicant was in the audience and could answer the Board's questions regarding that.

A gentleman approached the podium and introduced himself as Craig Jenkins. with Media ACME Partnership. Mr. Jenkins stated all their billboards are built to IBC code and to be double-faced. Mr. Jenkins further stated all they would need to do is bolt the LED screen on the board currently in place.

Roy Torres asked applicant if he would be building something different then what was there before and if he would be submitting drawing to City staff.

Mr. Jenkins stated the new sign would be identical to the one on the other side and he would submit plans from the original permit that was done two years ago.

At this time, Ramiro Gutierrez recommended the item be discussed in closed session. There was no objection.

**CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PLANNING AND ZONING COMMISSION HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW**

The time being 6:11 p.m., Vice Chairman Wylie stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087

**RECONVENE:**

The time being 6:44 p.m., Vice Chairman Wylie stated the commission would be resuming the open meeting.

- A. CRAIG L. JENKINS, ACME PARTNERSHIP LP, IS REQUESTING A VARIANCE TO IMPROVE AN EXISTING LEGAL NON-CONFORMING OFF-PREMISE ONE-FACE L.E.D. BILLBOARD SIGN TO A DOUBLE – FACED L.E.D. BILLBOARD SIGN. THE PROPERTY IS LEGALLY**

**DESCRIBED AS BEING 1.182 ACRE OUT OF LOT 148, KELLY PHARR TRACT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5808 SOUTH CAGE BOULEVARD. CUP#180210**

Rogelio Torres asked Mr. Jenkins if his company owned any other signs in the City limits and if he was aware that these signs were illegal.

Mr. Jenkins confirmed both questions

Mr. Torres asked if he would inform Staff the location of existing sign and if he would be willing to remove twice the amount of square footage of the new sign.

Mr. Jenkins stated he would be adding 672 square feet so he would remove double the square footage which would be one double-sided billboard sign.

Guadalupe Cano asked what time frame they would you need to remove the signs.

Mr. Jenkins stated the process to receive a TxDOT permit takes approximately 90 days and once he receives that he would apply for a permit to remove the sign the City has agreed on.

Vice Chairman, Danny Wylie clarified that they would be removing twice the square footage as what is being applied for and Mr. Jenkins confirmed.

Patricia Rigney, City Attorney asked if any of the signs were under any leases.

Mr. Jenkins stated some of them are on an easement owned by the company and he can work on getting out of leases on the others if necessary.

Ramiro Gutierrez moved to approve with the condition that double the square footage of the new sign size would be removed prior to the new sign being installed. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

**ITEM 6. ANNOUNCEMENTS/OTHER BUSINESS**

None.

**ITEM 7. ABSENTEE REPORT**

Hector Guerra, Sr., and Rafael Munguia, were the absent members. Ramiro Gutierrez moved to excuse the absence of the members. Guadalupe Cano second the motion and when put to a vote, it carried unanimously.

**ITEM 8. AJOURNMENT**

There being no further business, Rogelio Torres moved to adjourn. Ruben Luna second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:50 p.m.

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Danny Wylie, Vice Chairman

ATTEST:

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Rafael Munguia, Secretary

APPROVED: \_\_\_\_\_



## AGENDA MEMORANDUM

**BOARD:** Board of Adjustment

**AGENDA ITEM #:** 5.A.

**DATE SUBMITTED:** April 25, 2018

**MEETING DATE:** May 2, 2018

**FROM:** Angie Resio, Secretary

**DEPARTMENT:** Development Services

**DIRECTOR:** Melanie Cano

**Agenda Item:** Walter A. Clint, representing Lamar Advertising, has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The applicant is requesting a variance to rebuild a non-conforming/abandoned off-premise billboard sign. The property is legally described as being all of Lots 7 thru 12, Lone Star Subdivision, Pharr, Hidalgo County, Texas. The property's physical 601 IH 2 West. **BOA#180317**

**Classification:** Regular

(\* If closed session, City Attorney must review and approve.)

**Exclude Material from Public Packet?** No

**Reason:**

**Issue:** Walter A. Clint, representing Lamar Advertising, has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance.

**BOA#180317**

**Financial Consideration:**

**Staff Recommendation:**

**Alternatives:**

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### ROUTING:

Angie Resio

Created/Initiated - 04/25/2018

Roland Gomez

Approved - 04/26/2018

Melanie Cano

Final Approval - 04/27/2018



# Pharr

Development Services



## MEMORANDUM

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**DATE** WEDNESDAY, MAY 2, 2018

**TO:** BOARD OF ADJUSTMENT

**FROM:** DEVELOPMENT SERVICES

**SUBJECT:** VARIANCE TO THE CITY OF PHARR SIGN ORDINANCE  
FILE NO. BOA#180317

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### GENERAL INFORMATION:

**APPLICANT:** Walter A. Clint, representing Lamar Advertising, has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The variance request is to rebuild a non-conforming/abandoned off-premise billboard sign.

**LEGAL DESCRIPTION:** The property is legally described as being all of Lots 7 thru 12, Lone Star Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 601 IH 2 West.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, east and west and Single Family Residential District (R-1) to the south. The area is generally designated for commercial use in the Land Use Plan.

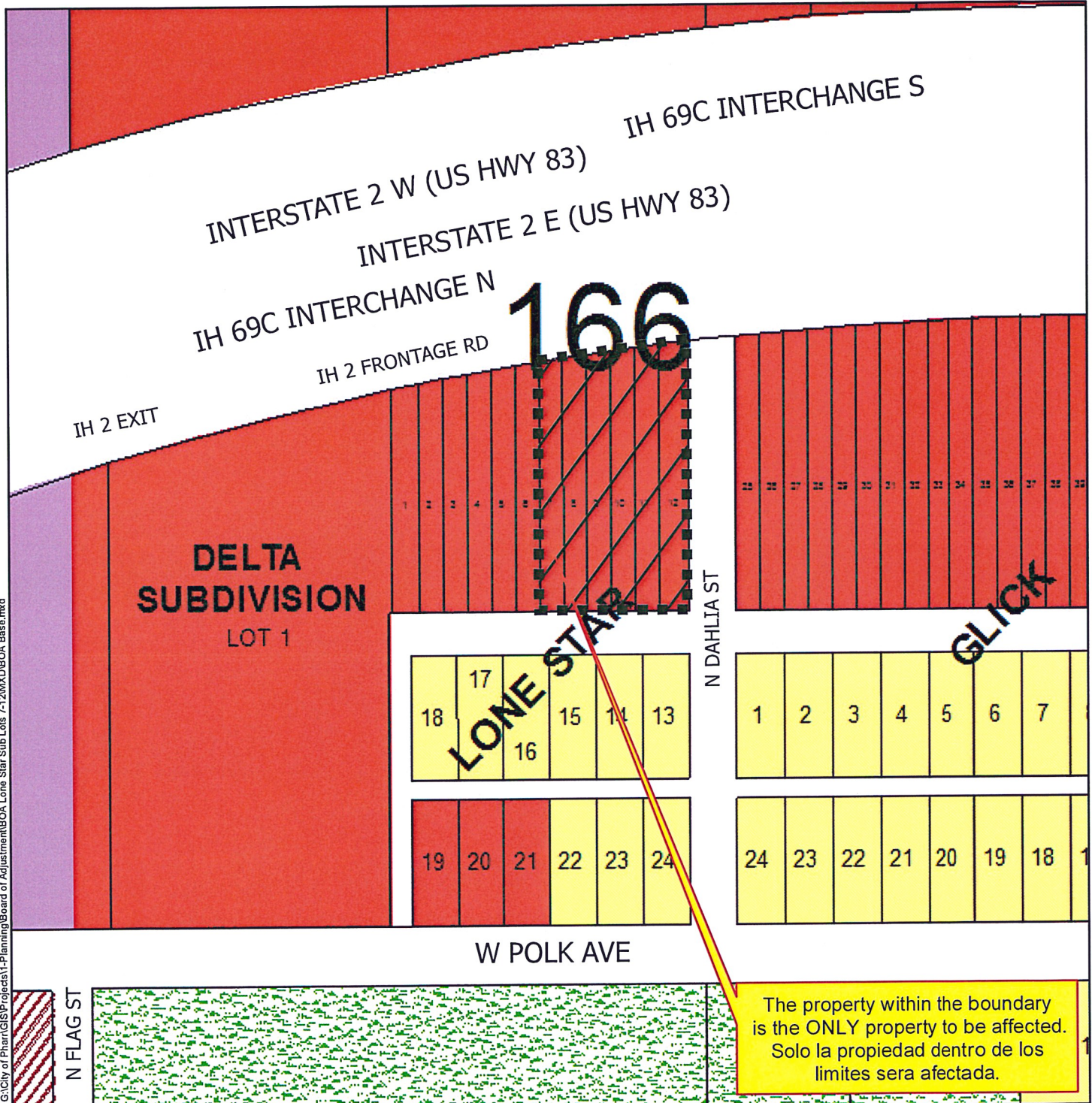
**NOTIFICATION OF PUBLIC:** Thirteen (13) surrounding property owners were notified of the request by letter and a legal notice was published in the McAllen Monitor. Staff received no response to the letters or the legal notice.

**FOR YOUR  
INFORMATION:**

The applicant has indicated that a literal enforcement of the current city sign ordinance would not allow a new billboard to be erected within the City of Pharr.

The sign was previously classified as an off-premise billboard sign; however, the sign has been vacant and unoccupied, therefore is considered an abandoned sign. Under the City of Pharr's Sign Ordinance (O-2014-21), Section 106-62, Sign Classification (E), Abandoned signs means: any sign that is located on property which becomes vacant and is unoccupied for a period of three months or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned.

An abandoned sign is prohibited and shall be removed by the owner of the sign, owner of the premises, or the city manager after written notice has been served.



The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.

G:\City of Pharr\GIS\Projects\1-Planning\Board of Adjustment\BOA Lone Star Sub Lots 7-12\MXD\BOA Base.mxd

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

Scale: 1 inch = 150 feet

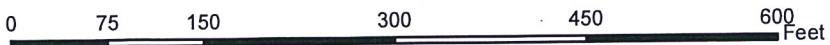


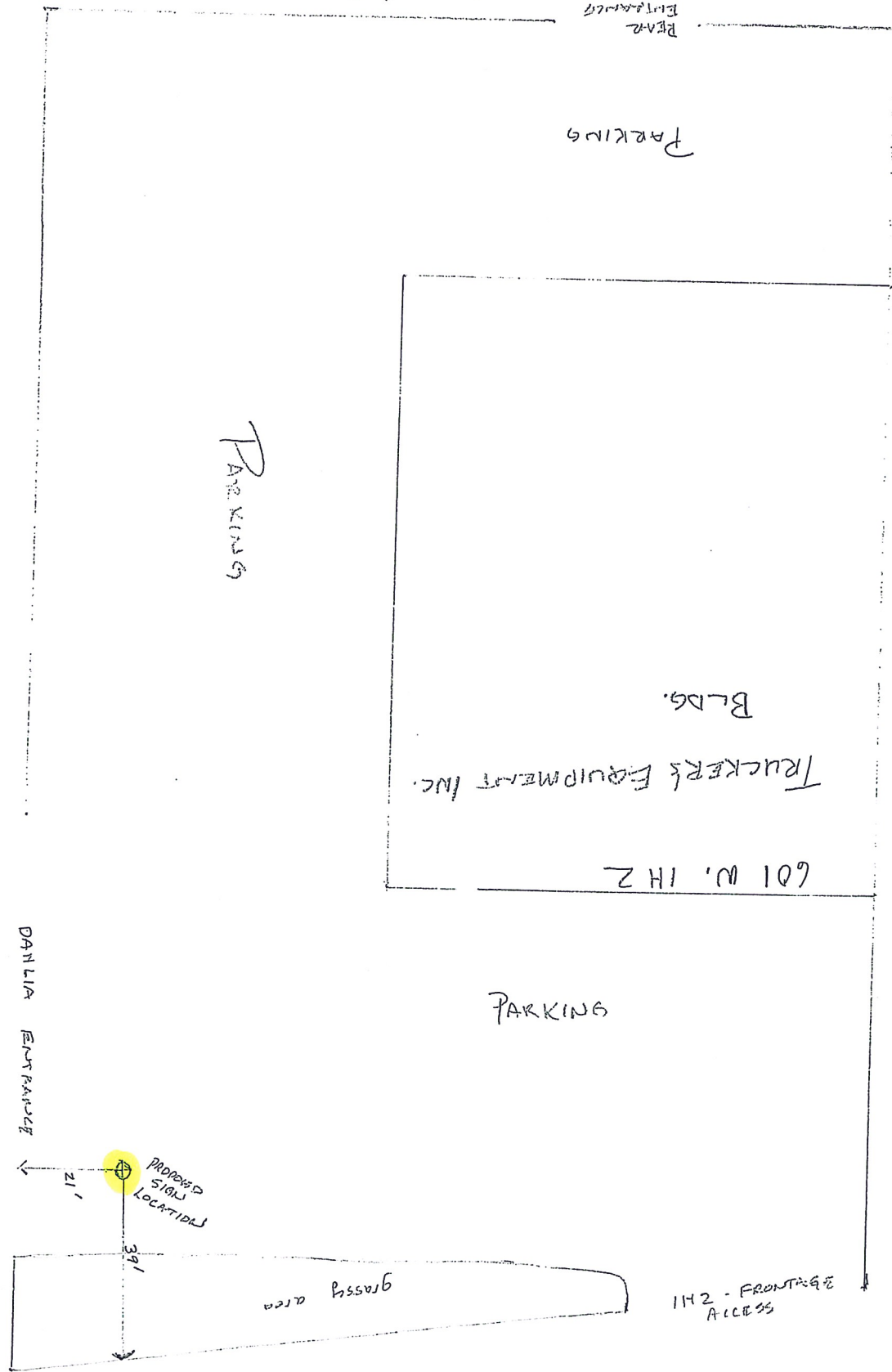


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- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

Scale: 1 inch = 150 feet



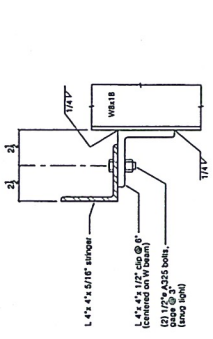


I-H 2 FRONTAGE RD.

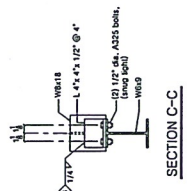




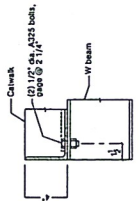
NO.	DATE	BY	CHKD	APP'D
00	3-1-18	for approval		
REVISIONS				



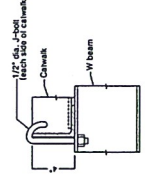
**STRINGER MOUNTING DETAIL**



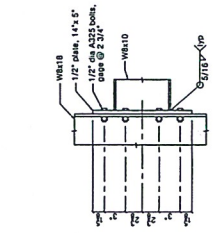
**SECTION C-C**



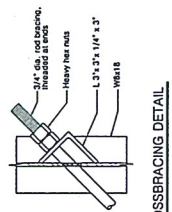
**CATWALK MOUNTING DETAIL**  
Front catwalk



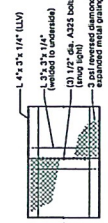
**CATWALK MOUNTING DETAIL**  
Rear catwalk



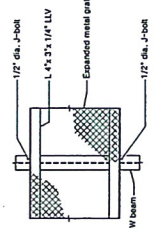
**DETAIL G**



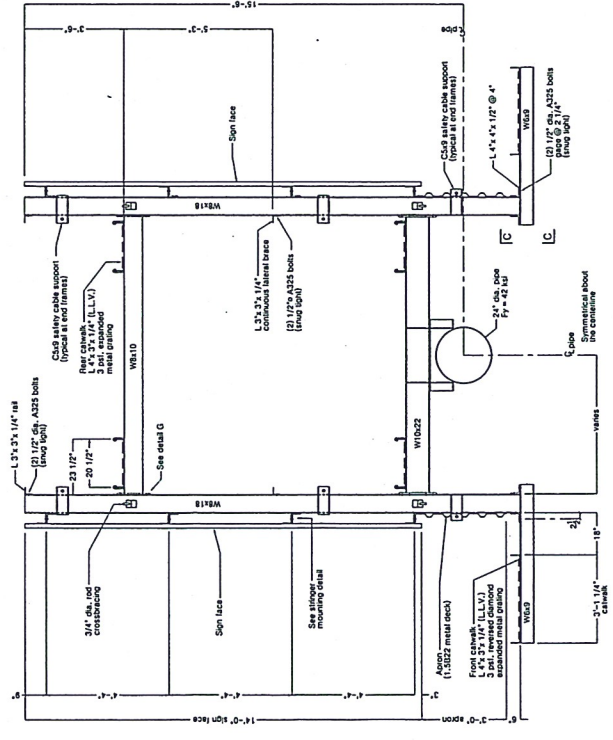
**CROSSBRACING DETAIL**



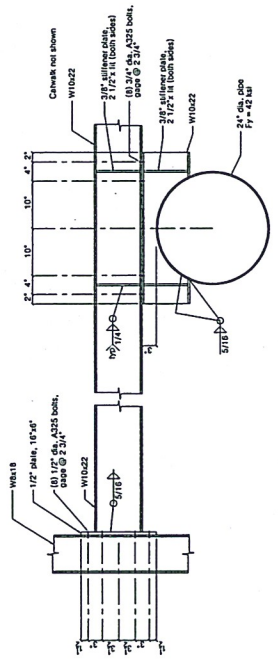
**CATWALK SPlice DETAIL**



**CATWALK DETAIL**  
Rear catwalk



**FRAME DETAIL**



**FRAME MOUNTING DETAIL**



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