

**AGENDA**  
**BOARD OF ADJUSTMENT**  
*City Commissioner's Room*  
**118 S. Cage Blvd. April 17, 2024 - 3:30 PM**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

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:**

- A) Roll call and possible action on the excusing of any absent member.

**2. APPROVAL OF MINUTES:**

- A) Minutes for November 15, 2023 - Regular Meeting

**3. PUBLIC HEARINGS:** *(Ordinance No. O-2019-31): A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding 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) Michael Rios representing LGL Furniture LLC, owner, is requesting a variance to the City of Pharr to allow an off-premise billboard sign in a General Business District (C). The property is legally described as being Lot 2, Bentsen Commercial Plaza Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 927 East Expressway 83, Pharr, Texas. **BOA#240217**

#### **4. ANNOUNCEMENTS/OTHER BUSINESS:**

**5. CLOSED SESSION:** *In accordance with Chapter 551 of the Texas Gov't. Code, the Board 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:*

Pursuant to Section 551.071, the Board may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the Board may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Board may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Board may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Board may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the Board may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

**6. RECONVENE:** *into Regular Session and consider action, if necessary, on any items(s) discussed in closed session.*

**7. 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 12<sup>th</sup> day of April 2024 at 1:00 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 12<sup>th</sup> day of April 2024**

*Hilda Pedraza*  
for HILDA PEDRAZA, TRMC, CMC  
CITY CLERK





## AGENDA MEMORANDUM



**BOARD:** Board of Adjustment

**AGENDA ITEM #:** 2.A.

**DATE SUBMITTED:** April 11, 2024

**MEETING DATE:** April 17, 2024

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Minutes for November 15, 2023 - Regular Meeting

**Classification:** Regular

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

**Issue:** Minutes for November 15, 2023

**Fiscal Consideration:**

**Staff Recommendation:** Development Services recommends approval.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### **ROUTING:**

Kimberly Mendoza

Created/Initiated - 4/11/2024

Kimberly Mendoza

Final Approval - 4/11/2024

**MINUTES  
BOARD OF ADJUSTMENT  
City Commissioner's Room  
118 S. Cage Blvd. November 15, 2023 - 3:00 p.m.**

A meeting of the Board of Adjustment of the City of Pharr was held on Wednesday, November 15, 2023, and following is the record of attendance.

**MEMBERS PRESENT:** Danny Wylie                      Ruben Luna  
   Ramiro Gutierrez                      Charlie Ramirez  
   Andres Zuniga

**STAFF PRESENT:** Ricardo Rodriguez, City Attorney  
David Friedlein, Assistant City Manager  
Kimberly Mendoza, Director of Development Services  
Joe Garza, Asst. Director of Development Services  
Laura Fonseca, Planner II  
Roy Rodriguez, Asst. Director of Building/Code  
Roland Gomez, Director of Building & Code Compliance  
Joanna Villarreal, Planner I  
Nancy Hernandez, Secretary

**ITEM 1.        CALL TO ORDER**

**A)        ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER**

Chairman, Danny Wylie, called the meeting to order at 3:00 p.m. Roll call established a quorum.

**ITEM 2.        APPROVAL OF MINUTES**

**A)        MINUTES OF NOVEMBER 1, 2023**

Chairman, Danny Wylie, introduced the item.

Charlie Ramirez **moved** to approve the minutes as submitted. Ruben Luna seconded the motion and when put to a vote it carried unanimously.

**ITEM 3. PUBLIC HEARING:**

**A) CRAIG L. JENKINS REPRESENTING LGL FURNITURE LLC, OWNER, IS REQUESTING A VARIANCE TO THE CITY OF PHARR TO ALLOW AN OFF-PREMISE BILLBOARD SIGN. THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 2, BENTSEN COMMERCIAL PLAZA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 927 EAST EXPRESSWAY 83, PHARR, HIDALGO COUNTY, TEXAS. BOA#230926**

Joe Garza, Assistant Director of Development Services, introduced the item and stated the property was currently zoned General Business District (C) and the surrounding areas were zoned Single-Family Residential District (R-1) to the north, General Business district (C) to the south and east, and Heavy Commercial District (H-C) to the west. He further stated the area was generally designated for General Business use in the Land Use Plan.

Joe Garza, Assistant Director of Development Services, reported eleven (11) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on October 24, 2023. He stated a legal notice was published in the McAllen Monitor on October 20, 21, and 22, 2023 and stated staff received no responses to the letters or the legal notice.

Joe Garza, Assistant Director of Development Services, further stated the applicant was proposing to construct a forty-five foot (45') by sixteen feet (16') by eighty foot (80') tall off premise advertising billboard along the front of the property.

Chairman, Danny Wylie, asked if applicant had any comments. Craig L. Jenkins, Representing LGL Furniture LLC., stated this would help the city with sales tax revenue and they had seven additional billboard throughout the area.

At this time, Board member Charlie Ramirez stated they would deviate from the agenda and go into closed session. There was no objection.

**ITEM 5. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF ADJUSTMENTS HERBY 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 3:11 p.m., Chairman Danny Wylie stated the Board 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.

**ITEM 6. RECONVENE:**

The time being 3:24 p.m., Chairman Danny Wylie stated the Board would be resuming the open meeting.

**ITEM 3. PUBLIC HEARING:**

- A) CRAIG L. JENKINS REPRESENTING LGL FURNITURE LLC, OWNER, IS REQUESTING A VARIANCE TO THE CITY OF PHARR TO ALLOW AN OFF PREMISEE BILLBOARD SIGN.THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 2, BENTSEN COMMERCIAL PLAZA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 927 EAST EXPRESSWAY 83, PHARR, HIDALGO COUNTY, TEXAS. BOA#230926**

Chairman, Danny Wylie reintroduced the item.

Board member Charlie Ramirez **moved** to deny the Variance to the City of Pharr to allow an Off-Premise Billboard sign. Board member Andres Zuniga seconded the motion and when put to a vote, it carried unanimously.

**ITEM 4. ANNOUNCEMENTS/OTHER BUSINESS**

None.

**ITEM 7. ADJOURNMENT**

There being no further business, Board member Charlie Ramirez **moved** to adjourn. Ruben Luna seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 3:26 p.m.

BOARD OF ADJUSTMENT

\_\_\_\_\_  
Chairman, Danny Wylie

ATTEST:

\_\_\_\_\_  
Rafael Munguia, Secretary

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



## AGENDA MEMORANDUM



**BOARD:** Board of Adjustment

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

**DATE SUBMITTED:** April 11, 2024

**MEETING DATE:** April 17, 2024

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Michael Rios representing LGL Furniture LLC, owner, is requesting a variance to the City of Pharr to allow an off-premise billboard sign in a General Business District (C). The property is legally described as being Lot 2, Bentsen Commercial Plaza Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 927 East Expressway 83, Pharr, Texas. **BOA#240217**

**Classification:** Public Hearing

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

**Issue:** Michael Rios representing LGL Furniture LLC, owner, is requesting a variance to the City of Pharr to allow an off-premise billboard sign in a General Business District (C).

**Fiscal Consideration:**

**Staff Recommendation:**

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### **ROUTING:**

Kimberly Mendoza  
Ricardo Rodriguez  
Kimberly Mendoza

Created/Initiated - 4/11/2024  
Approved - 4/11/2024  
Final Approval - 4/12/2024



# Pharr

Development Services



## MEMORANDUM

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**DATE** WEDNESDAY, APRIL 17, 2024

**TO:** BOARD OF ADJUSTMENT

**FROM:** DEVELOPMENT SERVICES

**SUBJECT:** VARIANCE TO THE CITY OF PHARR - A request for a variance to the City of Pharr to allow an off-premise billboard sign in a General Business District (C). The property is legally described as being Lot 2, Bentsen Commercial Plaza Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 927 East Expressway 83, Pharr, Texas.  
**BOA#240217**

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### GENERAL INFORMATION:

**APPLICANT:** Michael Rios representing LGL Furniture LLC, owner, is requesting a variance to the City of Pharr to allow an off-premise billboard sign.

**LEGAL DESCRIPTION:** The property is legally described as being Lot 2, Bentsen Commercial Plaza Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 927 East Expressway 83, Pharr, Texas.

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

**NOTIFICATION  
OF PUBLIC:**

Eleven (11) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 26, 2024.

A legal notice was published in the Advance News Journal on March 20, 2024, March 27, 2024 and April 03, 2024. Staff has received no responses to the letters or the legal notice.

**FOR YOUR  
INFORMATION:**

The variance request is for the following:

**Proposed:**

- 1) The applicant is proposing to construct a forty-five foot (45') by sixteen feet (16') by eighty foot (80') tall off premise advertising billboard along the front of the property.
- 2) The same request was considered by the Board on November 15, 2023, for the installation of an off-premise billboard sign at this location. The Board denied the request due to no more billboard signs inside the City Limits. The applicant is requesting reconsideration by the Board.

Subsequently, the applicant met with city staff and discussed an alternative. The applicant, in exchange for the variance, agrees to remove an existing off-premise billboard. Such billboard is located at 1214 West IH 2, just east of the Pappadeaux Restaurant.

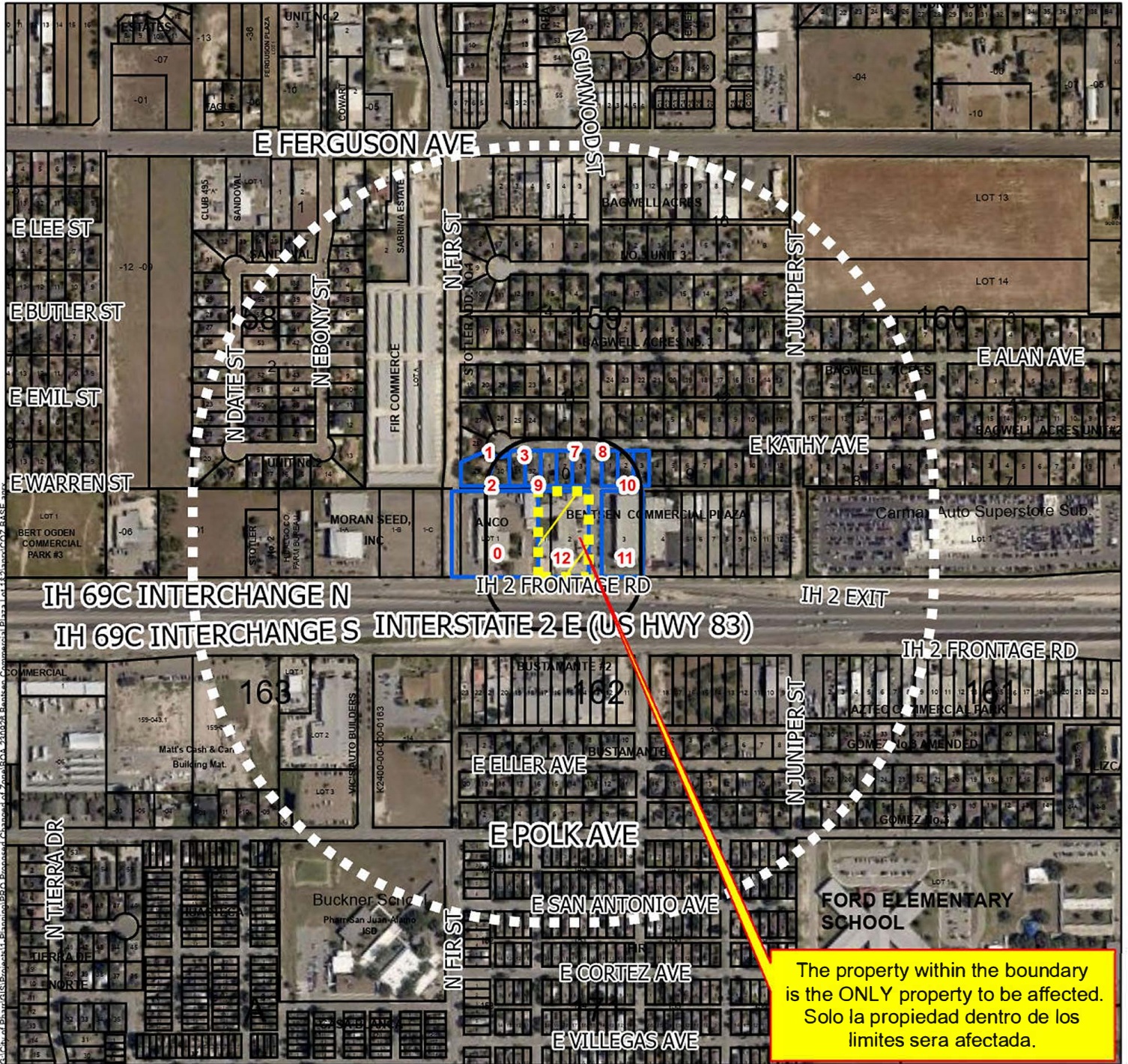
Should this variance request be approved, staff recommends that the applicant obtain a demolition permit from the City's Building Department for the removal of the existing off-premise billboard sign located at 1214 West IH 2 prior to issuance of the Sign Permit at 927 East Expressway 83. Staff also recommends that the existing off-premise billboard sign at 1214 West IH 2 be removed within 30 days of issuance of the demolition permit.

If approved with the above-mentioned conditions, there will not be an increase in the number of off-premise billboard signs located inside city limits. The City will

remain in compliance with the Certified City designation with the Texas Department of Transportation (TXDOT).

**City Requirements:**

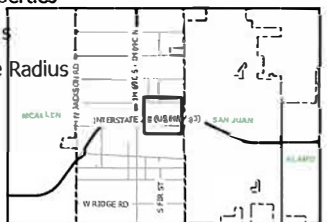
- 1) City of Pharr is a Certified City with Texas Department of Transportation (TXDOT) since 2014. The City of Pharr works together with TXDOT to regulate commercial signs, otherwise referred to as outdoor advertising sign, along with the federally designated National Highway System.
- 2) Scenic City – City of Pharr currently has a Silver designation. The mission of the Scenic City Certification Program is to support and recognize Texas municipalities that implement high-quality scenic standards for public roadways and open spaces. The Scenic City Certification Program provides a proven, highly-regarded tool to Texas cities for assessment, evaluation, and recognition of infrastructure standards.

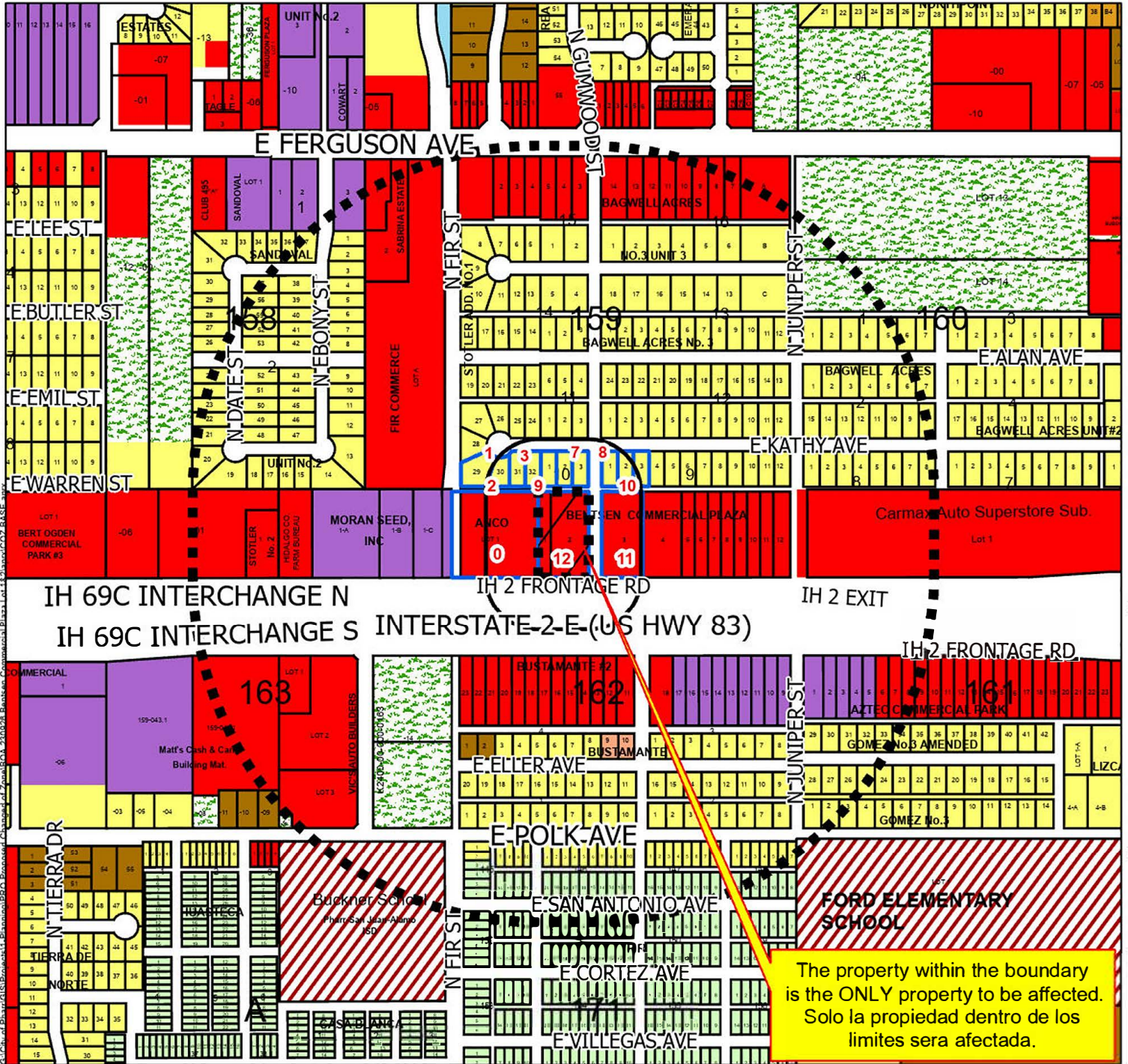


The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.

<b>Zoning</b>	Mobile Home	Drainage Easement	Hidalgo ISD
<b>ZONE</b>	Townhouse	Heavy Commercial	Valley View ISD
Agricultural Open Space	HUD Code	Heavy Industrial	Planned Unit Development
Single Family	Rail Road R.O.W	Limited Industrial	Subject Property
Single Family Small Lot	Government Owned	Neighborhood Commercial	Notified Properties
Residential Multi-Family	General Business	Office Professional	200 ft Radius
Residential Multi-Family High Density	Business District	PSJA ISD	Quarter Mile Radius

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

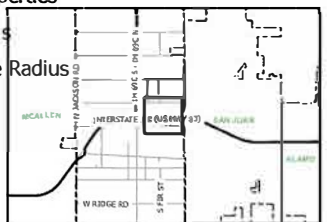
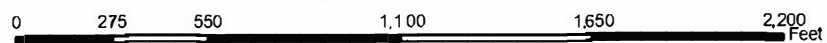


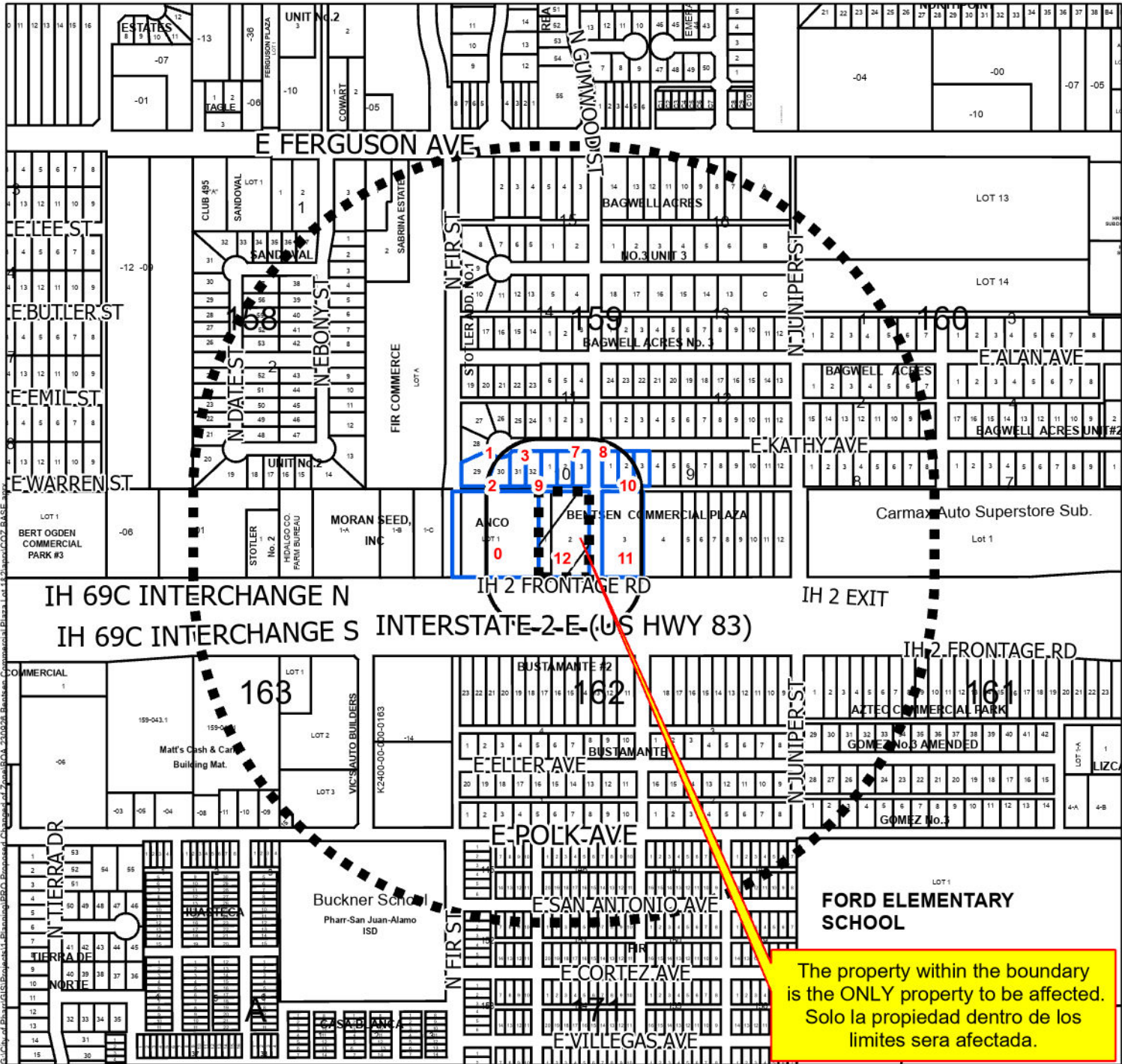


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<b>Zoning</b>	Mobile Home	Drainage Easement	Hidalgo ISD
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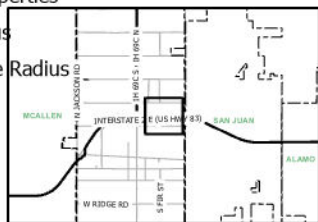
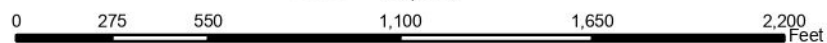
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<b>Zoning</b>	Mobile Home	Drainage Easement	Hidalgo ISD
<b>ZONE</b>	Townhouse	Heavy Commercial	Valley View ISD
Agricultural Open Space	HUD Code	Heavy Industrial	Planned Unit Development
Single Family	Rail Road R.O.W	Limited Industrial	Subject Property
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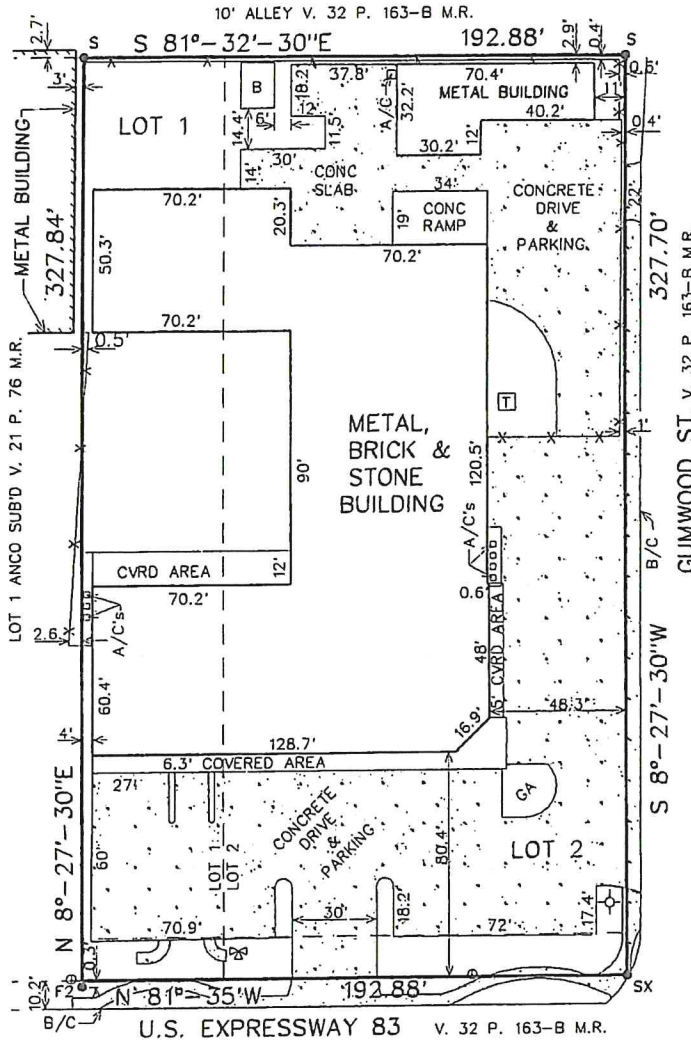


# PEÑA ENGINEERING

1001 WHITEWING • P.O. BOX 4320  
(956) 682-8812 • McALLEN, TEXAS 78502 • FAX (956) 631-PENA



SCALE: 1"=50'  
CAD: BENTSENCOMM1-2



NOTE: BASIS OF BEARING,  
IS THE NORTH LINE OF LOTS  
1-12, BENTSEN COMMERCIAL  
PLAZA V. 32 P. 163-B M.R.

- LEGEND
- F2 - FOUND 5/8" DIAMETER IRON ROD
  - S - SET 1/2" DIAMETER IRON ROD
  - SX - SET "X" CUT IN CONCRETE
  - B/C - BACK OF CONCRETE CURB AND GUTTER
  - R.O.W. - RIGHT OF WAY
  - \*-\* - 6' CHAINLINK FENCE
  - [T] - ELEC. PEDESTAL
  - B - 12'X16' METAL STORAGE ROOM ON CONCRETE BLOCKS
  - e - POWER POLE
  - ⊗ - FIRE HYDRANT
  - GA - GREEN AREA
  - ⊙ - LIGHT POLE

NOTE: SURVEY PREPARED  
WITHOUT THE BENEFIT OF  
A TITLE COMMITMENT WHICH  
MAY SHOW EASEMENTS OF  
RECORD THAT MAY AFFECT  
THE PROPERTY.

BUYER'S NAME: LGL FURNITURE L.L.C.

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel Number 480347 0005 C  
Map Revised: October 19, 1982

- Zone "A" - This is to certify that this property is in a flood prone area.
- Zone "B" - This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with average depths less than one foot.
- Zone "C" - This is to certify that this property is not in a flood prone area.

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements except as shown on this plat. © copyright 2011 PENA ENGINEERING this survey was provided in multiple originals safely for the barrower named hereon, in conjunction with the original transaction which shall take place within 6 months after the survey was provided. No license has been created or implied to copy this survey. Survey valid only if print has original seal and signature.

ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: All of Lots 1 and 2, BENTSEN COMMERCIAL PLAZA, on addition to the City of Pharr, Hidalgo County, Texas,

ACCORDING TO THE MAP RECORDED IN VOLUME 32 PAGE 163-B  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.

PABLO PEÑA III

03-24-2011

DATE

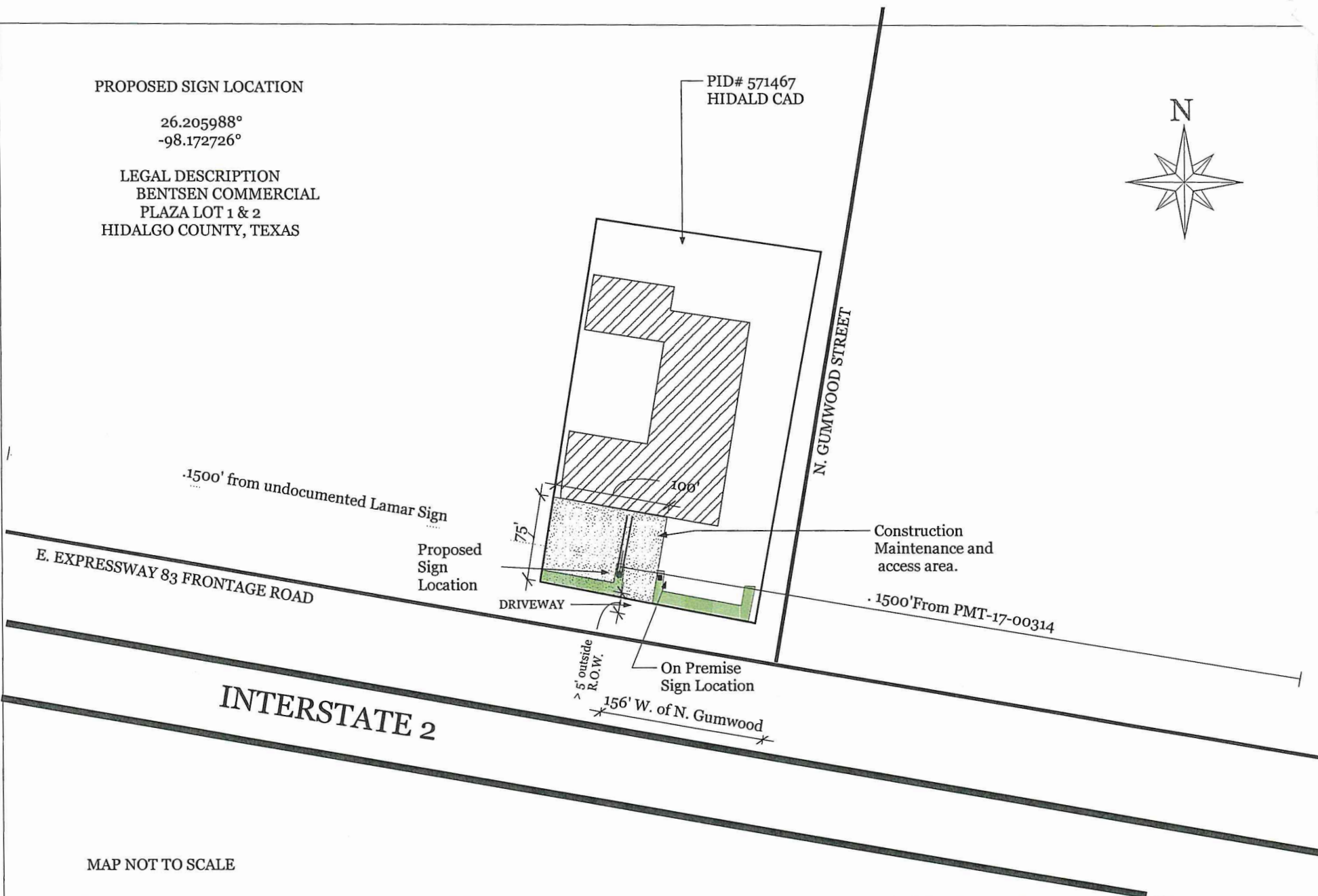
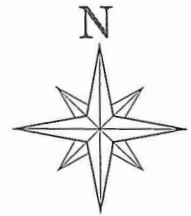
REG. PROFESSIONAL LAND SURVEYOR No. 5242

PROPOSED SIGN LOCATION

26.205988°  
-98.172726°

LEGAL DESCRIPTION  
BENTSEN COMMERCIAL  
PLAZA LOT 1 & 2  
HIDALGO COUNTY, TEXAS

PID# 571467  
HIDALD CAD



MAP NOT TO SCALE

SITE PLAN  
LGL FURNITURE LLC  
011-927 E. INTERSTATE 2  
PHARR, TEXAS



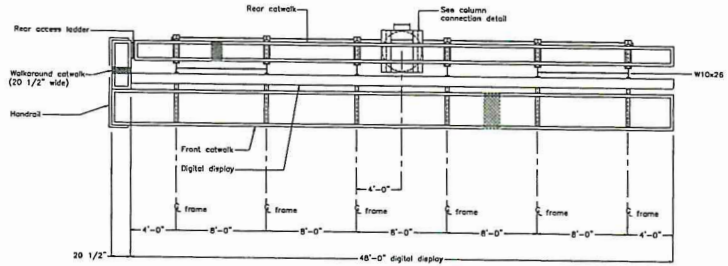
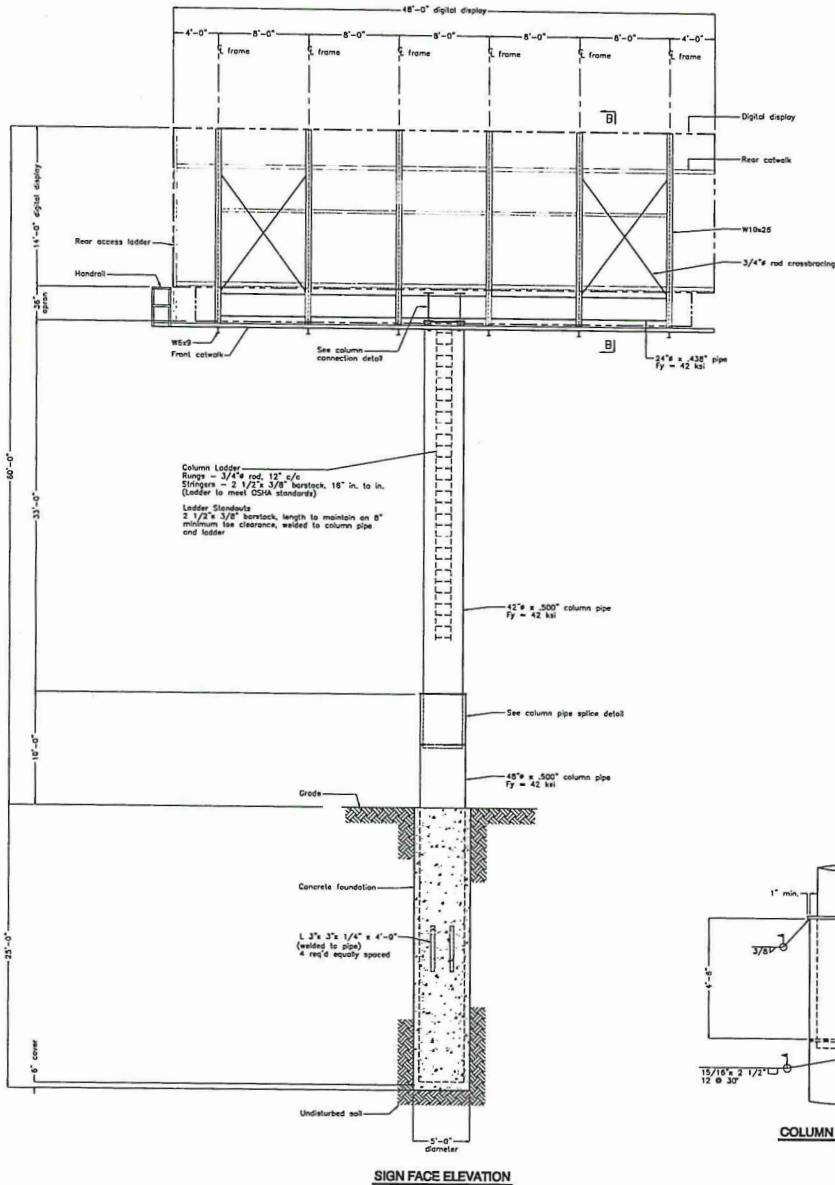
MediaChoice

PROPOSED BILLBOARD PHARR

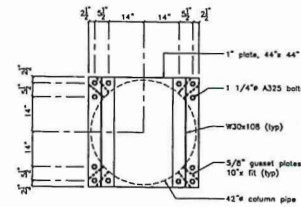
REVISIONS

	MM/DD/YY	REMARKS
1	06/23/2022	SITE PLAN FOR BILLBOARD, ACCESS AND MAINTENANCE.
2	---/---/---	...
3	---/---/---	...
4	---/---/---	...
5	/ /	...

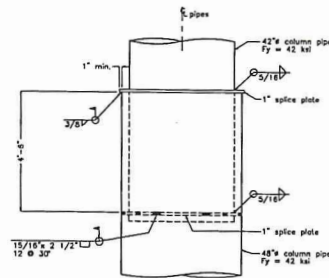
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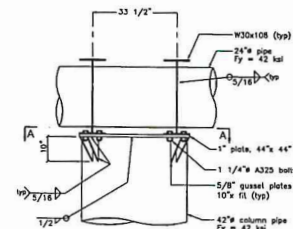
**PLAN VIEW SIGN STRUCTURE**



**SECTION A-A**



**COLUMN PIPE SPLICE DETAIL**



**COLUMN CONNECTION DETAIL**

- NOTES**
- Structural design conforms to the 2016 International Building Code.
  - Design standard is ASCE 7-16.
  - Superstructure can accommodate face weighing up to 8,000 pounds.
- WIND**
- Design winds - 125 mph. (3 sec. gust) Exposure C.
  - Structure is classified risk category 1.
  - Wind importance factor - Iw = 1.0
  - Design wind pressure is 35.5 p.s.f.

- SEISMIC**
- Seismic load importance factor: Ie = 1.0
  - Structure is classified occupancy category 1.
  - Mapped spectral response accelerations:
    - SS = 0.041 g
    - SI = 0.014 g
  - Site class: D
  - Spectral response coefficients:
    - Sw = 0.043
    - Srs = 0.023
  - Seismic design category is A.
  - Seismic basic force resisting system:
    - Non-building structure not similar to building - sign and billboards.
  - Design base shear: V = 37 kips
  - Seismic response coefficient: Ca = 0.03
  - Response modification factor: R = 2.
  - Analysis procedure used: Equivalent lateral force method.

- STEEL**
- Structural steel pipe shall conform to ASTM A252 or API 5L, with grade that corresponds to the specified yield stress.
  - Structural steel plate, rods, angles, and channels shall conform to ASTM A36.
  - Structural steel wide flange shapes shall conform to ASTM A992.
  - High strength bolts shall conform to ASTM A325 (unless noted otherwise).
  - Nuts shall conform to ASTM A309.
  - A325 bolts and nuts to be cadmium plated or galvanized.
  - High strength A325 bolts shall be installed according to the latest AISC specifications.
  - Bolt holes shall be the AISC standard size (unless noted otherwise).
  - All high strength bolts shall be fully pretensioned (unless noted otherwise).
  - Steel shall be primed and painted, except for the embedded portions of members.
  - Steel welding shall be in accordance with AWS standards.
  - Steel members and elements of the structure shall be fabricated and erected according to the latest AISC specifications and standard practice.
- FOUNDATION & CONCRETE**
- Concrete shall attain a 28-day compressive strength of Fc = 3000 p.s.f.
  - Allowable lateral bearing of the soil profile is an assumed 150 p.s.f./ft.
  - Type and structural character of the soil profile to be confirmed with an investigation by others.

- GENERAL**
- The contractor shall verify all dimensions and conditions in the field and notify the engineer of any discrepancies.
  - This structural drawing has been created for a proposed project-the location of which has not been established-and use of this design is to be approved by the building official of the jurisdiction of the location where this structure is to be installed/erected.
  - GRC Engineering, Inc. will not be supervising or monitoring the erection/installation of this structure.
  - This is an unprinted drawing; it is not to be reproduced, copied, or exhibited in any fashion without written permission of Sign Company.



GRC Engineering, Inc.  
Texas Registered  
Engineering Firm  
F-16643



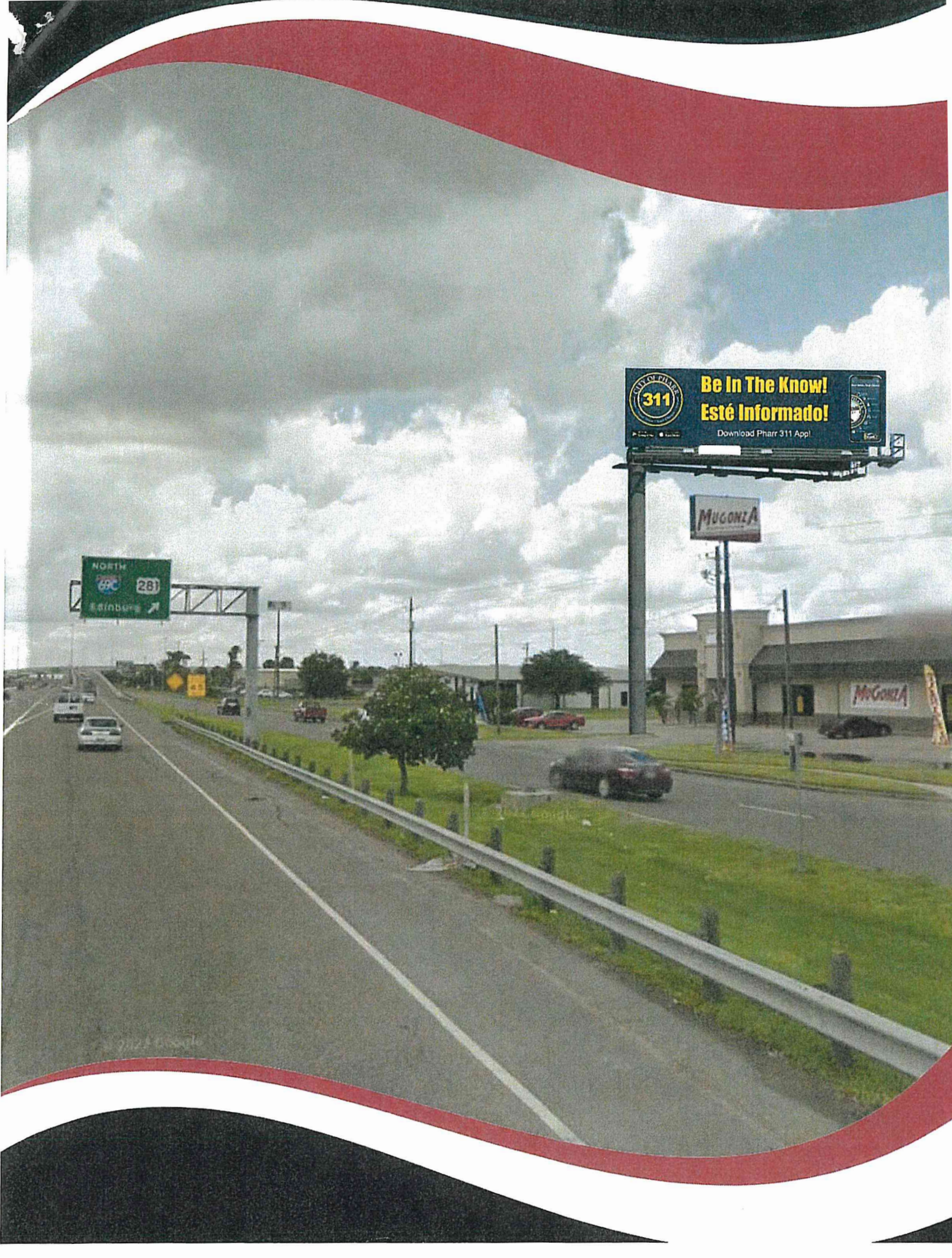
NO.	DATE	BY	CHKD	DESCRIPTION

NO.	DATE	BY	CHKD	DESCRIPTION

**SIGN COMPANY**

14'-0" x 48'-0" MONOPOLE SIGN STRUCTURE CENTERMOUNT SINGLE FACE 60'-0" OVERALL HEIGHT TEXAS

GRC NO. 21-041-120  
DRAWING NO. 17716  
SHEET 1 of 2



NORTH  
281  
Eadsburg

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311  
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MUGONZA

MUGONZA

February 27, 2024

City of Pharr Board of Adjustments

118 S. Cage Blvd.

2nd Floor

Pharr, TX 78577

Re: Request for Variance - MediaChoice, Acme Partnership, LP

3701 Bee Cave Rd Ste 101

Austin, TX 78746

Dear Board of Adjustments:

MediaChoice, Acme Partnership, LP is requesting a variance to construct a new double-sided digital, off-premise billboard at the following location:

Legal Description: Lot 2, Bentsen Commercial Plaza Subdivision

Physical Address: 927 E Expressway 83, Pharr, TX

In exchange for the variance, MediaChoice, Acme Partnership, LP agrees to the removal of the existing off-premise billboard located at:

Legal Description: KELLY PHARR TRACT .05AC SWCOR N EXP.W1/2OF LOT 169

Parcel ID: 202683

Please let me know if you need any additional information or have any questions. We appreciate your consideration of this variance request.

Sincerely,



Michael Rios

Site Acquisition

MediaChoice, Acme Partnership, LP

# APPLICATION FOR VARIANCE/SPECIAL EXEPTION

Application Date: 02 / 27 / 2024

Company Name or Business Entity: ACME PARTNERSHIP, LP

Applicant: Michael Rios Phone No.: 512.550.5981/956.309.7078  
(First) (Middle) (Last)

Mailing Address: 3701 BEE CAVE ROAD #101 AUSTIN, TEXAS, 78746  
(Address) (City) (State) (Zip)

Email: mrios@MEDIACHOICE.COM

Property Owner: LGL FURNITURE LLC Phone No.: 956.535.6558  
(First) (Middle) (Last)

Owner Mailing Address: 927 E Expressway 83, Pharr, TX 78577  
(Address) (City) (State) (Zip)

Present Property Zoning: GENERAL BUSINESS Nature of Request: PROPOSED OFF PREMISE BILLBOARD

Property Address: 927 E Expressway 83, Pharr, TX 78577

Property Legal Description: BENTSEN COMMERCIAL PLAZA LOTS 1&2  
(Subdivision) (Block) (Lot)

Current use of Property: GENERAL BUSINESS Proposed use of Property: GENERAL BUSINESS

I hereby certify that the information provided above is true and correct to the best of my knowledge. By signing this application I hereby grant the City of Pharr authorization to do the background and information check(s) necessary to process this application. I also hereby grant employees of the City of Pharr to enter the premises and conduct any inspections necessary to process this application. Alterations, changes or deviations from the plans authorized by this permit are unlawful without written authorization. The applicant hereby agrees to comply with all City Ordinances, Code, Subdivision Regulations, Restrictions, Local, State and Federal Laws and assumes all responsibility for such compliance. I understand that the City of Pharr does not enforce any private restriction, covenant rule, or regulation that may be imposed. If permit becomes invalid for any reason no refunds will be issued.

I hereby request a hearing before the Board of Adjustment and I acknowledge receiving the Guidelines / Restrictions as they will apply to the proposed use.

As agent, appointed by the owner, I am authorized to act on his/her behalf in regards to the above information.

[Signature] 2/27/24  
(Agent Signature) (Date)

Michael Rios 2/27/24  
(Agent Print Name) (Date)

As owner of the above described property, I hereby request a hearing before the Board of Adjustment in reference to the above information.

[Signature] 2/27/24  
(Property Owner Signature) (Date)

Luis Gonzalez 2-27-24  
(Property Owner Print Name) (Date)

## CONDITIONS NECESSARY FOR GRANTING A VARIANCE

Below are the conditions that are required to exist in order for the Board of Adjustment to grant a variance request. Describe in detail how the requested variance meets these conditions. (*Attach additional pages if necessary.*)

### **1. The variance is not contrary to the public interest.**

The addition of a double sided digital board in the city of Pharr will be in the public interest as per Chapter 34 Article II, Emergency Management Subsection 34-32. This board will serve as a vital tool for disseminating important information to the community in times of emergency, such as natural disasters, public safety alerts, and traffic updates. The double sided nature of the board will increase its visibility and accessibility, ensuring that more people are able to receive the information they need to stay safe. This project aligns with the city's commitment to public safety and emergency preparedness, and will benefit residents, visitors, and businesses alike. Overall, the installation of this digital board is a step towards creating a more informed and resilient community.

Sec. 34-32. - [Effect of emergency orders, rules, and regulations.]

At all times when the orders, rules, and regulations made and promulgated pursuant to this article shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith. This article also supersedes Ordinances O-2009-38 and successor ordinances to O-2009-38 as may be amended from time to time to the extent that off-premises advertising shall be allowed should the City of Pharr, at its discretion, deems it necessary due to emergency uses and advertising for approved locations that further the health, safety, and general welfare of the community, inhabitants, and property without charge or expense to the City of Pharr.

(Ord. No. O-2012-23, § 7, 6-19-12)

### **2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.**

A restrictive ordinance that prohibits new billboards can have negative consequences for various stakeholders. For property owners, the lack of new billboard opportunities can result in undue hardship, as they may have invested in the property with the expectation of being able to rent out space for billboard advertising. This could reduce the value of their property and limit their ability to generate income from it. The general public may also be affected, as the restriction may reduce the availability of advertising for local businesses, making it harder for these businesses to reach potential customers and generate revenue. This in turn can impact the ad valorem tax, which is based on the value of real property, as reduced property values could result in lower tax revenue for schools and other public entities. The ban on new billboards may also limit the ability of local businesses to use digital advertising for marketing purposes, further reducing their ability to reach customers and generate revenue.

**3. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.**

Per the City of Pharr Ordinance Section 106-146 General Business..Subsection 4, off-premise signs are prohibited in residential areas. However, the property where the sign is being built is located in a General Business district along the Expressway Corridor, which is clearly not a residential area. There are digital signs through out the expressway corridor in Pharr in General Business areas. We are not proposing to put a off-premise sign in a residential area.

**4. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.**

The addition of a double-sided digital sign on the proposed property will bring multiple benefits to the citizens, the landowner, and the city. The sign will provide timely and efficient information to the citizens, increase the visibility of businesses and services, and boost the economic activity in the area. Furthermore, the sign will not harm the essential character of the district as there are many other signs along the Expressway Corridor, making it a well-established commercial area. The new digital sign will blend in with the existing signage and maintain the cohesive look of the district, while providing modern and effective communication methods.

**5. The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.**

The digital sign will provide a unique advantage to the existing landowner, drawing interest and attention to their property. With the ongoing construction along the Expressway Corridor, many businesses are losing visibility, but the addition of a digital sign will set the landowner's property apart and make it more noticeable to passing traffic. The dynamic and eye-catching nature of the digital sign will attract attention and help increase the visibility of not only the landowner's property, but also other businesses in the city. This will drive more foot traffic and potential customers to the area, boosting the local economy and benefiting the city as a whole.