

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

A meeting of the Board of Adjustment of the City of Pharr was held on Wednesday, April 17, 2024, and following is the record of attendance.

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

ABSENT: Rafael Munguia Rogelio Torres

STAFF PRESENT: Ricardo Rodriguez III, City Attorney
 Kimberly Mendoza, Director of Development Services
 Joe Garza, Asst. Director of Development Services
 Julia Rios, Administrative Assistant
 Roland Gomez, Director of Building & Code Compliance
 Roy Rodriguez, Asst. Director of Building & Code Compliance
 Alyn Cervantes, Plans Examiner

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 3:30 p.m. Roll call established a quorum.

Board Member Charlie Ramirez moved to excuse the absent members. Board Member Ruben Luna seconded the motion and when put to a vote it carried unanimously.

ITEM 2. APPROVAL OF MINUTES

A) MINUTES OF NOVEMBER 15, 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) 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

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 (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 March 26, 2024. He stated a legal notice was published in the Advance News Journal on March 20, 2024, March 27, 2024, and April 03, 2024. He further 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.

Joe Garza, Assistant Director of Development Services, continued to state the same request was considered by the Board on November 15, 2023, for the installation of an off-premise billboard sign at this location. He stated the Board denied the request due to no more billboard signs inside the City Limits but stated the applicant was requesting reconsideration by the board. Mr. Garza stated the applicant met with city staff and discussed an alternative in exchange for the variance, agreed to remove an existing off-premise billboard located at 1214 West IH 2, just east of the Pappadeaux Restaurant. Mr. Garza stated should this variance request be approved, staff recommended 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. He went on to state staff recommended that the existing off-premise billboard sign at 1214 West IH 2 be removed within 30 days of issuance of the demolition permit. Mr. Garza stated if approved with the above-mentioned conditions, there would not be an increase in the number of off-premise billboard signs located inside city limits. The City would remain in compliance with the Certified City designation with the Texas Department of Transportation (TXDOT).

Joe Garza, Assistant Director of Development Services, stated City Requirements being the City of Pharr was a Certified City with Texas Department of Transportation (TXDOT) since 2014. The City of Pharr worked together with TXDOT to regulate commercial signs, otherwise referred to as outdoor advertising sign, along with the federally designated National Highway System. Joe Garza also stated the City of Pharr had a Silver designation with Scenic City. Mr. Garza stated the mission of the Scenic City Certification Program was to support and recognize Texas municipalities that implement high-quality scenic standards for public roadways and open spaces. Finally, Mr. Garza stated that the Scenic City Certification Program provided a proven, highly-regarding tool to Texas cities for assessment, evaluation, and recognition of infrastructure standards.

Chairman, Danny Wylie, asked if the applicant had any comments. Micheal Rios, Representing LGL Furniture LLC., stated the construction dimensions for the proposed sign would be changed to forty-eight foot (48') by fourteen feet (14') by seventy foot (70') tall which would abide by industry standard. Mr. Rios also stated the removal of the sign would take approximately a day to be demolished.

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 3:37 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 3:44 p.m., Chairman Danny Wylie stated the Board would be resuming the open meeting.

ITEM 3. PUBLIC HEARING:

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**THE PROPERTY'S PHYSICAL ADDRESS IS 927 EAST EXPRESSWAY 83,
PHARR, TEXAS. BOA#240217**

Chairman, Danny Wylie reintroduced the item. Chairman Danny Wylie asked if anyone signed up to speak. Julia Rios, Administrative Assistant, stated there was no one who signed up to speak.

Board member Ramiro Gutierrez moved to approve the Variance to the City of Pharr to allow an off-premise billboard sign with revised forty-eight foot (48') by fourteen feet (14') by seventy foot (70') tall dimensions. Mr. Gutierrez also added the conditions of applying for a demolition permit and demolishing billboard sign within 30 of issuance of permit at 1214 West IH 2 being met before construction of billboard sign at 927 East Expressway 83. Board member Charlie Ramirez 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 3:45 p.m.

BOARD OF ADJUSTMENT



Chairman, Danny Wylie

ATTEST:



Rafael Munguia, Secretary

APPROVED:

9/18/24