

CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, JANUARY 24, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Walter Clemments, Harry Minton, and Alton Smith. Members Cindy Malouf and Tina Ingram were absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:35 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF AUGUST 9, 2001 BOARD OF ADJUSTMENT MEETING – Walter Clemments moved that the Minutes of the Board's August 9, 2001 meeting be approved as presented. Harry Minton seconded, and all voted in favor

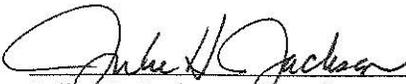
DISCUSS AND CONSIDER REQUEST FROM LLOYD'S LUBE FOR TEMPORARY PERMIT FOR A BANNER FOR OFF-PREMISE ADVERTISING AT 320 EAST HIGHWAY 243, CANTON, TEXAS – Building Inspector Rick Malone explained that the City's sign ordinance prohibited off-premise advertising signs except on Interstate 20, and that this request would require a temporary permit. Wally Cook, Youth Minister at Word of Victory, explained that they would like to hang a temporary banner on the west wall of the car wash advertising a special production at the church on February 10-12, 2002. Mr. Cook and Board Members discussed the time frame for hanging the banner, then Harry Minton moved that a temporary permit be granted for the placement of the off-premise advertising banner on the west wall of the car wash at 320 East Highway 243 from January 28, 2002 through February 14, 2002. Walter Clements seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:40 p.m. on a motion from Harry Minton and second from Walter Clements.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., TUESDAY, APRIL 23, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Walter Clemments, Harry Minton, and Alton Smith. Members Cindy Malouf and Tina Ingram were absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JANUARY 24, 2002 BOARD OF ADJUSTMENT MEETING – Walter Clemments moved that the Minutes of the Board's January 24, 2002 meeting be approved as presented. Harry Minton seconded, and all voted in favor

DISCUSS AND CONSIDER REQUEST FROM ELISA HEARD TO REDUCE FRONT SETBACK AT BLOCK 2, LOTS 2 AND 3, RIVER OAKS ADDN., CANTON, TEXAS – Rick Malone explained Ms. Heard was requesting a three-foot variance on the front setback from twenty-five feet to twenty-two feet in order to include a garage on a new duplex. He said the sewer and water lines were at the back of the property and the power lines were in front. Ms. Heard presented a copy of the floor plan for the duplex. She pointed out that the property had a sixty-foot front yard because the front easement was so large. She said a carport could be built to meet the existing setbacks, but she preferred to build a garage to enhance the home and add storage. The next six lots were hers too, and she said she did not plan to build as large a duplex on those lots and would not be requesting additional variances. Rick Malone indicated that Mr. Tidmore owned lots 7-12 and that those lots had fifty- to one hundred-foot easements. Mr. Minton indicated he had no problem with granting the easement since additional requests would have to come back before the Board. He then moved to grant a three-foot variance on the front setback at Block 2, Lots 2 and 3, River Oaks Addn. Walter Clements seconded, and all voted in favor. Ms. Heard reiterated that she would not be back to request a variance on any of the adjoining lots.

DISCUSS AND CONSIDER REQUEST FROM PAM HEARD AND CRISTY THORN FOR A ZONING VARIANCE AT 999 WEST HIGHWAY 243 TO PERMIT THE OPERATION OF A DAY CARE FACILITY – Rick Malone explained that, like churches, daycares were allowed in any zoning with the granting of a special exception from the Board of Adjustments. Julie Jackson said five letters were mailed to adjoining property owners. Only one response was returned and it was in favor of granting the request. In response to Mr. Minton's question, Rick Malone confirmed the daycare met existing guidelines—two acres for a daycare. Mr. Minton expressed concerns about the traffic in this location and the ingress and egress. It was pointed out that the property was located within the 35 mph school zone. Mr. Malone explained the property would have a cul de sac type drive. Walter Clements moved to grant a special exception for the daycare facility at 999 West Highway 243. Harry Minton seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:50 p.m. on a motion from Alton Smith and second from Walter Clements.

Alton Smith
Alton Smith, Chairman

ATTEST:

Julie H. Jackson
Julie H. Jackson, City Secretary

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, JUNE 6, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Walter Clemments, Cindy Malouf, and Alton Smith. Members Harry Minton and Tina Ingram were absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

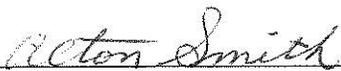
DISCUSS AND CONSIDER APPROVAL OF MINUTES OF APRIL 23, 2002 BOARD OF ADJUSTMENT MEETING – Item tabled until the next meeting.

DISCUSS AND CONSIDER REQUEST FROM ROSS MARIS TO REDUCE FRONT SETBACK FROM 30' TO 6' AT 650 BIG ROCK, CANTON, TEXAS – Rick Malone reported the results of the notices sent to adjoining property owners: four votes returned, one in opposition, three in favor. Ross Maris presented pictures of the house. He pointed out the carport he had enclosed, the 20'x20' steel building he had placed on the side of the property, the site where he intended to build a covered porch, and the area where the new steel open-structure carport would be set 20' back from the street. He said the property line was set back quite a bit from the street, necessitating the request for a variance. Cindy Malouf asked if he had given any thought to coming off Prairieview, to which he replied there was not enough room for the appropriate setbacks. He said the house across the street had a carport there, but it was within 3' of the street. Mr. Ross explained they were fixing the house up because they were living in the house. Board members discussed the opposition. Mr. Ross said the old carport was only one-half a carport, because the other half had been closed in for a utility room. He noted that left him with no covered parking there, and the 20'x20' building wasn't big enough. Rick Malone explained that widening the street shortened many of the yards, and the City's property still went further into the yards. Cindy Malouf made the motion to approve a 24' variance on the front setback at 650 Big Rock. Board members expressed concerns about granting this variance and discussed the placement of other houses on the street. Cindy Malouf said other property owners would have to be considered on a case by case basis. Rick Malone said other property owners had not expressed interest in following suit. Ross Maris said the Roy's house across the street was closer to the street than his carport would be. Walter Clements seconded the motion, and all voted in favor. Mr. Maris thanked the Board and vowed to make a nice looking structure.

DISCUSS AND CONSIDER REQUEST FROM MARGARET WELDON TO REDUCE REAR SETBACK FOR AN ACCESSORY STRUCTURE FROM 8' TO 4' AT 1819 MILL CREEK ROAD – Mrs. Weldon presented her request and a petition signed by R.D. Brookman, Mr. and Mrs. Tom Giles, Ms. Mildred Ward and Ms. Mattie Lou Gullett, requesting the storage building remain in its current position. Rick Malone said he had talked to most people that lived beside Ms. Weldon and no one was opposed to the variance. He mentioned that he had previously informed Atlas Storage about the City's required 8' setback from the side and rear property lines, and they were fully aware of the regulations. He said while talking to Atlas about Mrs. Weldon's storage building, they provided the excuse that they had a new moving crew. They also cited weather conditions as their reason for not getting it moved. Mrs. Weldon pointed out that now there might be a problem with tearing up the yard she had begun to landscape and that Atlas had informed her they would not be

responsible for any damage that occurred while moving the building. Plus, she would have to take up poles that were placed for a privacy fence that was abandoned until this issue was settled. She also noted she was paying storage on a unit on Highway 64 until she could move into her storage building. Mr. Malone said the building was approximately 4' from the property line. Mr. Clements moved that the 4' variance be granted for the accessory structure at 1819 Mill Creek Road. Cindy Malouf seconded, and all voted in favor. Mrs. Weldon said she would finish the privacy fence and thanked the Board for their decision.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:50 p.m. on a motion from Cindy Malouf and second from Walter Clements.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, AUGUST 1, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Walter Clements, Harry Minton and Kirk Wilkerson. Member Tina Ingram was absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JUNE 6, 2002 BOARD OF ADJUSTMENT MEETING – Walter Clements moved to approve the minutes of the June 6, 2002 Board of Adjustment Meeting. Kirk Wilkerson seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM PATRICK AND TERESA FEDOR TO REDUCE REAR SETBACK FROM 30' TO 15' AT 809 GLEN LANE, CANTON, TEXAS – Julie Jackson reported that eight neighboring property owners were notified, of which three responded in favor and none against. After determining that the addition would line up with the existing garage fifteen feet from the property line, Walter Clements moved to grant the 15' variance to the minimum rear setback. Kirk Wilkerson seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:36 p.m. on a motion from Harry Minton and second from Walter Clements.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, SEPTEMBER 26, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Harry Minton, Kirk Wilkerson, Tina Ingram and alternate Dan McLemore. Member Walter Clements was absent.

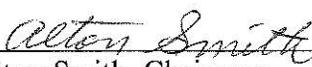
CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF AUGUST 1, 2002 BOARD OF ADJUSTMENT MEETING – Kirk Wilkerson moved to approve the minutes of the August 1, 2002 Board of Adjustment Meeting. Tina Ingram seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM HEIDLE BASKIN TO REDUCE SIDE SETBACK FROM 15 FEET TO 0 FEET AT 150 INDUSTRIAL PARK, CANTON, TEXAS – Julie Jackson reported that only one neighboring property owner responded and he was opposed to the requested variances. Heidle Baskin presented a copy of the plat showing a twenty-foot utility easement situated between his east property line and the western boundary of Mr. Whitaker's property. He informed the Board he planned to build a laundromat sixty-one feet off the north property line and thirty feet off the west property line with driveway access from the north instead of from Industrial Park. He requested the variance not for the current proposed building, but for future expansion to the east. Rick Malone stated he had no objections to the variance as long as Mr. Baskin stayed within his property lines, since the utility line followed along the bottom of the embankment and could be accessed within the easement. Tina Ingram moved to grant a fifteen-foot variance to the east side setback at 150 Industrial Park. Harry Minton seconded, and all voted in favor.

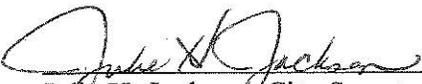
DISCUSS AND CONSIDER REQUEST FROM HEIDLE BASKIN TO REDUCE MINIMUM PARKING REQUIREMENTS FOR A LAUNDROMAT FROM ONE SPACE PER TWO WASHERS TO ONE PARKING SPACE PER FIVE WASHERS AT 150 INDUSTRIAL PARK – Heidle Baskin reported that he had a laundromat in the Brookshire's shopping center and had never seen more than ten cars for the existing thirty-five washing machines. After a discussion of average washer use per person and an explanation of the current ordinance and the conditions under which a variance can be granted, Kirk Wilkerson moved to grant a variance from the required one parking space per two washing machines to one parking space per every five washing machines. Harry Minton seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:54 p.m.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., MONDAY, SEPTEMBER 30, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Harry Minton, Kirk Wilkerson, Tina Ingram, Walter Clements and alternate Dan McLemore.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF SEPTEMBER 26, 2002 BOARD OF ADJUSTMENT MEETING – Walter Clements moved to approve the minutes of the September 26, 2002 Board of Adjustment Meeting. Harry Minton seconded, and all voted in favor.

PUBLIC HEARING ON RECOMMENDED CONDEMNATION OF RESIDENCE LOCATED AT 424 MEADOW LANE, CANTON, TEXAS, OWNED BY JOE GILMER – Alton Smith opened the public hearing at 1:37 p.m. Joe Gilmer presented a lien held by the IRS against this and another building. He informed the Board that he discussed the matter with Mr. Pettersen who was sending a revenue officer from Tyler within fifteen days. He said he planned to sell the building and pay off the lien, then begin work on the house. Mr. Gilmer said he could not do anything to the property until it was cleared by the IRS. City Manager Johnny Mallory informed him he was in violation of City ordinance and had been for months, and that he was notified of such but took no action. Mr. Mallory said he had received numerous complaints and the City Council was ready to take action as soon as possible. He requested the Board of Adjustment issue a recommendation for demolition to the City Council. Rick Malone reported that a representative from the IRS lien department expressed no opposition to a demolition order. They only requested to receive notice of the final determination. Board members agreed the dwelling was irreparable, but Joe Gilmer stated he wanted to fix it back up and he had a \$22,000 bid to do so. Rick Malone stated the building was 60%-70% destroyed, without considering the brick, and he did not feel it could be repaired for \$22,000. Mr. Gilmer said it would be cheaper for him to demolish the building, than to have the City hire a contractor. Mr. Mallory pointed out that Mr. Gilmer had fifteen days prior to the Council meeting to get something done about the property. He also estimated it would cost approximately \$5,000 to tear it down. The public hearing closed at 1:46 p.m. with no further comments.

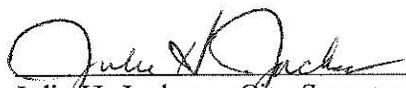
DISCUSS AND CONSIDER RECOMMENDATION TO CITY COUNCIL FOR CONDEMNATION OF RESIDENCE LOCATED AT 424 MEADOW LANE, CANTON, TEXAS, OWNED BY JOE GILMER – Walter Clements moved to recommend demolition of the residence at 424 Meadow Lane to the Canton City Council. Tina Ingram seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:47 p.m. on a motion made by Walter Clements and second by Kirk Wilkerson.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, OCTOBER 24, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Harry Minton, Kirk Wilkerson, Tina Ingram, Walter Clemments and alternate Dan McLemore.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:35 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF SEPTEMBER 30, 2002 BOARD OF ADJUSTMENT MEETING – Tina Ingram moved to approve the minutes of the September 30, 2002 Board of Adjustment Meeting. Kirk Wilkerson seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM MINISTERIAL ALLIANCE FOR TEMPORARY PERMIT FOR OFF-PREMISE BANNER ADVERTISING AT 320 EAST HIGHWAY 243, CANTON, TEXAS – After clarifying the location was to be at the Lloyd's Downtown, Kirk Wilkerson moved to approve the request. Tina Ingram seconded, and all voted in favor.

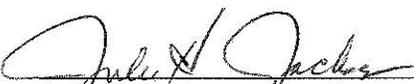
DISCUSS AND CONSIDER REQUEST FROM KIRK WILKERSON FOR A ZONING VARIANCE TO PERMIT THE OPERATION OF A BED & BREAKFAST AT 899 PACIFIC, CANTON, TEXAS - The item was removed from the agenda.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:44 p.m. on a motion made by Harry Minton and second by Walter Clemments.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

**NOTICE OF CALLED MEETING
CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, DECEMBER 5, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

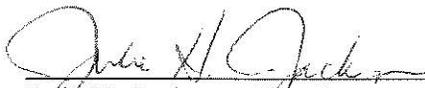
NOTICE IS HEREBY GIVEN THE CANTON BOARD OF ADJUSTMENT WILL HOLD A CALLED MEETING AT THE ABOVE NAMED TIME, DATE, AND LOCATION FOR THE PURPOSE OF TRANSACTING OFFICIAL BUSINESS AS FOLLOWS:

AGENDA

1. CALL MEETING TO ORDER AND DECLARE QUORUM
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF OCTOBER 24, 2002 BOARD OF ADJUSTMENT MEETING
3. DISCUSS AND CONSIDER REQUEST FROM HAROLD YOCKEY TO REDUCE REAR SETBACK FOR AN ACCESSORY STRUCTURE FROM EIGHT FEET TO TWO FEET AT 804 PECAN STREET, CANTON, TEXAS
4. DISCUSS AND CONSIDER REQUEST FROM DIDE MANNING TO REDUCE FRONT SETBACK FROM 25 FEET TO 5 FEET AT 361 HIGHWAY 19 NORTH, CANTON, TEXAS
5. ADJOURN

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (903) 567-2826 two working days prior to the meeting so that appropriate arrangements can be made.

Posted on City Hall window Tuesday, November 26, 2002, at 2:50 p.m.



Julie H. Jackson, City Secretary

Removed by Al Campbell

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, DECEMBER 5, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Harry Minton, Kirk Wilkerson, and Walter Clemments. Tina Ingram was absent.

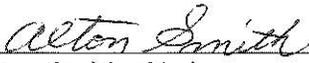
CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:35 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF OCTOBER 24, 2002 BOARD OF ADJUSTMENT MEETING – Harry Minton moved to approve the minutes of the October 24, 2002 Board of Adjustment Meeting. Kirk Wilkerson seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM HAROLD YOCKEY TO REDUCE REAR SETBACK FOR AN ACCESSORY STRUCTURE FROM EIGHT FEET TO TWO FEET AT 804 PECAN STREET, CANTON, TEXAS – Building Inspector Rick Malone explained that Mr. Yockey wanted to add on to the existing accessory structure and he had received permission from neighbor Keith Tucker to remove and replace the old fencing behind it. Julie Jackson reported that two neighboring property owners responded in favor of the variance and none opposed. Walter Clemments moved to approve the request. Harry Minton seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM DYDE MANNING TO REDUCE FRONT SETBACK FROM 25 FEET TO 5 FEET AT 361 HIGHWAY 19 NORTH, CANTON, TEXAS - Rick Malone informed the Board that Mr. Manning was planning to replace the structure on the north side of his property and to add a structure in front of the station, both lining up with the building on the south side. He further explained that the state right-of-way encroached further up into the property than on neighboring properties; that the East Gate Marketplace structures were actually several feet into the right-of-way; and the structures would not obstruct the view for traffic or be in the way of highway sidewalks should they be extended in this area. Kirk Wilkerson moved to approve the request. Walter Clemments seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:45 p.m. on a motion made by Walter Clemments and seconded by Kirk Wilkerson.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT
1:30 P.M., MONDAY, DECEMBER 16, 2002
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Harry Minton, Kirk Wilkerson, and alternate Dan McLemore. Tina Ingram and Walter Clemments were absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF DECEMBER 5, 2002 BOARD OF ADJUSTMENT MEETING – Kirk Wilkerson moved to approve the minutes of the December 5, 2002 Board of Adjustment Meeting. Harry Minton seconded, and all voted in favor.

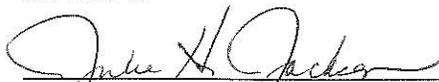
DISCUSS AND CONSIDER REQUEST FROM BILLY JACK AND LUCIA DEEN TO REDUCE EAST SIDE SETBACK FROM TWENTY-FIVE FEET TO FIVE FEET AT 670 WEST DALLAS, CANTON, TEXAS – Julie Jackson reported three adjoining property owners were notified of the variance request. Billy Jack Deen's father, Billy Deen, returned the only response and it was in favor. He owns the property on the east side affected by the variance, which Billy Jack Deen said was deeded to him upon his father's death. Mr. Deen then explained the need for a wider driveway to allow trucks to back into the 30'x 300'warehouse, which would not be possible on the narrow 100'-wide lot without the variance. He said he owned the property behind the lot under consideration and the Rascoes owned the property on the west side that would abut the driveway. Rick Malone informed the Board the property was zoned commercial, he felt the intended use was the best use of the property, and he recommended the five-foot setback as adequate for maintenance and drainage. Kirk Wilkerson moved to grant the twenty-foot variance at 670 West Dallas. Based upon Rick Malone's recommendation, Harry Minton seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:45 p.m. on a motion made by Kirk Wilkerson and seconded by Dan McLemore.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary