

CANTON BOARD OF ADJUSTMENT

**1:30 P.M., THURSDAY, MARCH 13, 2003
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 Clemments, Tina Ingram, Harry Minton, and Kirk Wilkerson. Alternate Dan McLemore was not present.

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 16, 2002 BOARD OF ADJUSTMENT MEETING – Harry Minton moved to approve the minutes of the December 16, 2002 Board of Adjustment Meeting. Kirk Wilkerson seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM NORMA CORRY TO ERECT A 300 SQUARE FOOT COMMON SIGN FOR THE SHOPS LOCATED AT 566 EAST WEST DALLAS, CANTON, TEXAS – Rick Malone stated the sign under consideration was to be located on the existing poles next to the new wooden fence east of Old Mill Marketplace's eastern-most entrance. He said the request was for a variance from the 100 square foot maximum to 300 square feet—12' tall x 25' wide, and to advertise more than one business on the same sign. Rick Malone said the sign would not affect traffic visibility. Norma Corry said that Pappy and Flo's Mountainside Garden and Art Village had thirteen shops and they didn't want to put up individual signs all over the property. The proposed sign is to be vinyl with ½-inch painted plywood backing, with 1.5-foot wooden painted signs for the individual shops. Walter Clemments moved to approve the variance for a 300-foot common sign for the shops located at 566 East Dallas, Canton, Texas. Tina Ingram seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:59 p.m. on a motion made by Kirk Wilkerson and seconded by Walter Clemments.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., MONDAY, APRIL 9, 2003
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 Clemments, Tina Ingram, and Harry Minton. Kirk Wilkerson and alternate Dan McLemore were not present.

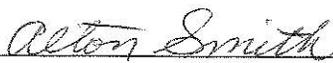
CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:30 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF MARCH 13, 2003 BOARD OF ADJUSTMENT MEETING – Walter Clemments moved to approve the minutes of the March 13, 2003 Board of Adjustment Meeting. Harry Minton seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM CAROLYN HAIR TO REDUCE THE FRONT AND BACK SETBACKS AT 1470 FORREST DRIVE, CANTON, TEXAS - Julie Jackson reported receiving no responses from adjoining property owners. Rick Malone explained that Ms. Hair wanted to replace the carport and patio cover, currently a non-conforming use, with a new carport and patio cover of the same size. Tina Ingram moved to approve Ms. Hair's request to reduce the front setback from 30' to 24.6' and the rear setback from 20' to 10' at 1470 Forrest Drive. Harry Minton seconded, and all voted in favor.

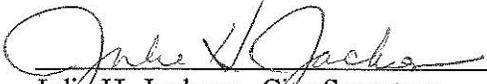
DISCUSS AND CONSIDER REQUEST FROM SANDRA BULLARD FOR VARIANCE TO SIGN ORDINANCE NO. 97-03 TO REDUCE SETBACK REQUIREMENTS FOR A SIGN AT 1023 S. HWY. 19, CANTON, TEXAS – Julie Jackson reported that only one adjoining property owner responded to the survey and she was in favor of granting Ms. Bullard's request. Rick Malone explained the request was two-fold: 1) reducing the setback for signs from 5' to 2' from the right-of-way; and 2) reducing the setback for signs from residentially-zoned property. Bob Alexander represented Ms. Bullard in this request and explained they planned to install an internally-lit, two-faced, lucite sign between the first two brick columns of the wooden fence on the south property line for a real estate office. He said he didn't believe the light would be a nuisance because of the dense vegetation between the properties. Walter Clemments moved to approve Sandra Bullard's request for a variance to sign ordinance No. 97-03 reducing the front setback to 2' and eliminating the setback requirements from a residentially-zoned property. 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 Walter Clemments and seconded by Harry Minton.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, MAY 1, 2003
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

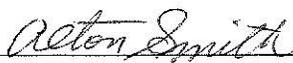
The Canton Board of Adjustment met at the above-named time and date in the City Hall Main Street Office. Members present were Alton Smith, Walter Clemments, Tina Ingram, Harry Minton, and Kirk Wilkerson. Alternate Dan McLemore was not present.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:34 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF APRIL 9, 2003 BOARD OF ADJUSTMENT MEETING – Tina Ingram made the motion to approve the minutes of the April 9, 2003 Board of Adjustment Meeting. Walter Clemments seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM MIKE ALLMAN TO REDUCE SIDE SETBACK AT 1472 AVENUE C, CANTON, TEXAS – Julie Jackson reported one response out of four neighboring property owners notified, and it was in favor of granting the requested variance. Rick Malone stated the Mr. Allman intended to build a carport extending no further than the front of the house on the north side. Harry Minton made the motion to grant a 4' variance to the side setback requirements at 1472 Avenue C, Canton, Texas. Walter Clemments seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:36 p.m. on a motion by Walter Clemments and second by Tina Ingram.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, JUNE 26, 2003
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 Clemments, Harry Minton, and Dan McLemore.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:40 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF MAY 1, 2003 BOARD OF ADJUSTMENT MEETING – Walter Clemments made the motion to approve the minutes of the May 1, 2003 Board of Adjustment Meeting. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM CONCEPT ENTERTAINMENT, LLC TO REDUCE PARKING REQUIREMENTS FOR A MOVIE THEATER AT 421 HWY. 243 EAST, CANTON, TEXAS – Rick Malone reported three responses, one in favor and two opposed. Mr. Chastaine informed the Board there would be 1100 seats in the theater and movies would be run on a staggered schedule. He requested a variance from one parking space per seat to one parking space per three seats. Rick Malone said his research showed no city within a hundred mile radius required one parking space per seat, but most required one parking space per three seats or forty-eight inches. He said the ordinance was drafted by ETCOG in 1985 and this issue had not been addressed since the ordinance was passed.

Mack Rudzenske, representing Traders Square Shopping Center, confirmed finding that most cities require a one to three ratio and added that the City of Dallas had stricter requirements of one parking space per twenty-eight square feet. Rick Malone said that equated to about one parking space per 2.5 seats. Mr. Rudzenske raised several other questions, namely how the theater would be accessed and what affects the new business would have on the Traders Square Shopping Center parking lot and property. Rick Malone said the entrance would be off Hwy. 243 before the bridge. In response to further questions, he also stated that the Texas Department of Transportation was studying the possibility of expanding Hwy. 243.

Mr. Malone also told the board that Ed Crawford's (the property owner behind the theater) opposition stemmed from a misconception about the possibility of road access his direction. Jim Stephens was present since Mr. Crawford was unable to be here. Harry Minton made the motion to grant the variance from requiring one parking space per seat to requiring one parking space per three seats. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM ROBERT DIXON TO REDUCE REAR AND SIDE SETBACKS AT 106 E. MULBERRY, CANTON, TEXAS – Rick Malone reported two property owners out of five notified responded in opposition to the variance. He noted neighbors Mr. and Mrs. Bledsoe's attendance at the meeting. The Board discussed the property's location and the fact that it was not fenced. Mrs. Bledsoe voiced concerns about a water problem. Harry Minton stated the water problem had to be dealt with before a variance could go into affect. He then made the motion to table the item until the water problem could be addressed and to consider the variance at a future meeting. Walter Clemments seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 2:15 p.m. on a motion by Walter Clemments and second by Harry Minton.

Alton Smith
Alton Smith, Chairman

ATTEST:

Julie H. Jackson
Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, JULY 24, 2003
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, Tina Ingram, Harry Minton, and Dan McLemore. Walter Clemments was absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:45 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JUNE 26, 2003 BOARD OF ADJUSTMENT MEETING – Tina Ingram made a motion to approve the minutes of the June 26, 2003 Board of Adjustment Meeting with the following amendments: removing Tina Ingram from the list of those present and reducing the number of people notified of Mr. Dixon's request for a variance from six to five. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM ROBERT DIXON TO REDUCE REAR AND SIDE SETBACKS AT 106 E. MULBERRY, CANTON, TEXAS – Rick Malone reported that one of the neighboring property owners was still not in favor of the requested variance. He stated the Bledsoe's only concern was the water issue and they didn't have a problem with building a wall to direct water toward the street. Harry Minton made a motion to grant a variance in the side and rear setback requirements from eight to two feet for the construction of an accessory structure at 106 E. Mulberry. Dan McLemore seconded, and all voted in favor.

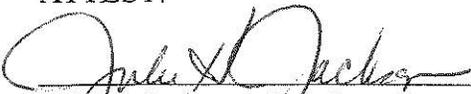
DISCUSS AND CONSIDER REQUEST FROM JOHN LOGSDON FOR VARIANCE TO ORDINANCE NO. 2003-03 REGULATING MINIMUM EXTERIOR STANDARDS FOR STRUCTURES INSIDE THE CITY LIMITS AT 1455 NORTH TRADE DAYS BLVD. – Rick Malone reported receiving no responses from the three neighboring property owners notified. He explained Mr. Logsdon was requesting a variance to the ordinance requiring 35% of the building sides be masonry or approved materials. He said the building would have awnings and overhangs on the sides instead. Dan McLemore made a motion to grant a variance waiving the requirement for 35% of the building sides to be masonry or approved materials at 1455 North Trade Days Blvd. Tina Ingram seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:55 p.m. on a motion by Harry Minton and second by Dan McLemore.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, SEPTEMBER 11, 2003
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 Clemments, Tina Ingram, Harry Minton, and Dan McLemore.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:38 p.m., and announced that a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JULY 24, 2003 BOARD OF ADJUSTMENT MEETING – Tina Ingram made a motion to approve the minutes of the July 24, 2003 Board of Adjustment Meeting. Walter Clemments seconded, and all voted in favor.

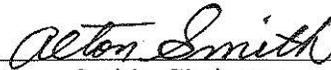
DISCUSS AND CONSIDER REQUEST FROM ANN MAYFIELD TO REDUCE SIDE SETBACK AT 525 PARK STREET, CANTON, TEXAS – Julie Jackson reported one response from neighboring property owners, and it was in favor of granting the request. Alton Smith stated the requested variance was from the required eight-foot side setback to eighteen inches in order to accommodate a carport. Harry Minton asked if it would be too close to the front. Rick Malone answered that it would be where the garage was, partially on the poured concrete. It was also discussed that it would not affect the value of the neighbor's property for sale. Walter Clemments made the motion to grant the variance to an eighteen inch side setback at 525 Park Street. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM GARY NORRELL TO REDUCE PARKING REQUIREMENTS AND FOR VARIANCE TO ORDINANCE NO. 2003-03 REGULATING MINIMUM EXTERIOR STANDARDS FOR STRUCTURES INSIDE THE CITY LIMITS AT 221 EAST HIGHWAY 243, CANTON, TEXAS – Julie Jackson reported no responses from adjoining property owners notified. Rick Malone informed the board the zoning ordinance required thirty parking spaces for 6,000 square feet (1 space per 200 sq. ft.). He relayed that Mr. Norrell said there had never been a need for that many parking spaces, either in this location or its previous location on North Highway 19. Mr. Malone said he had watched the store and confirmed this. He said Mr. Norrell was asking to reduce the parking requirement to fifteen, and he was asking for a variance on the side masonry requirement. He also added this and the next building on the agenda were the last two buildings that had been in the working stages and discussed with him prior to the passing of the exterior standards ordinance. Tina Ingram made the motion to approve a variance to fifteen parking spaces and waive the side masonry requirement on the future auto parts store owned by Gary Norrell at 221 East Highway 243. Harry Minton seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM BILL BLESSING FOR VARIANCE TO ORDINANCE NO. 2003-03 REGULATING MINIMUM EXTERIOR STANDARDS FOR STRUCTURES INSIDE THE CITY LIMITS AT 230 EAST HIGHWAY 243, CANTON, TEXAS – Julie Jackson reported no replies from notices sent to adjoining property owners. Harry Minton stated the building would be located next to a full metal structure. Based on Rick Malone's statement the builders had discussed the project with Rick Malone prior to the passing of the ordinance, Tina Ingram made the motion to approve a variance waiving the side masonry requirement on the structure

at 230 East Highway 243 owned by Bill Blessing. Walter Clemments seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:50 p.m. on a motion by Harry Minton and second by Dan McLemore.



Alton Smith, Chairman

ATTEST:

Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, DECEMBER 18, 2003
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 Clemments, Harry Minton, and Dan McLemore. Dr. Tina Ingram was absent.

CALL MEETING TO ORDER AND DECLARE QUORUM – Board Chairman Alton Smith called the meeting to order at 1:34 p.m. and announced a quorum was present.

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF SEPTEMBER 11, 2003 BOARD OF ADJUSTMENT MEETING – Walter Clemments made a motion to approve the minutes of the September 11, 2003 Board of Adjustment Meeting. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM MARY FINCHER TO REDUCE SIDE SETBACK AT 658 NORTH BUFFALO, CANTON, TEXAS – Julie Jackson explained Ms. Fincher's request to reduce the south side setback at 658 North Buffalo from fifteen to eight feet for the purpose of building a carport. Ms. Jackson reported sending fifteen notices to neighboring property owners and receiving five responses, all in favor of granting the request. Rick Malone noted the existing small carport accessed from Buffalo and the inherent problems with backing out on the highway. He said the new carport would be accessed from Goshen. Walter Clemments made the motion to grant the variance from a fifteen-foot to eight-foot south side setback at 658 North Buffalo requested by Mary Fincher. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM ROGER VEROT FOR VARIANCE TO SIGN ORDINANCE NO. 97-03 TO REDUCE FRONT SETBACK FOR A SIGN AT 1110 S. TRADE DAYS BLVD., CANTON, TEXAS – Roger Verot presented pictures of the proposed site for his sign and explained how the State had moved the highway further to the west, enlarging the right-of-way on the east side of the road and decreasing the right-of-way on the west. He said his location in the curve positioned him further back from the street than neighboring properties even before the road was moved. He requested he be allowed to place the sign up to the property line in line with the telephone poles rather than five feet back. When asked, he estimated the sign to be six-feet by eight-feet, with an eight-foot clearance. Julie Jackson reported sending notices to eight property owners and receiving three in return, all opposed to the variance. Pruitt Ashworth, representing neighboring property owner Mary Ashworth, said he was very much against the variance and pointed out the residential appearance of the properties and the absence of signs on the east side of the highway from Highway 243 to Elm Street. He said a sign on the property line would hurt the area when there was no need for it. Mr. Verot noted that several properties were zoned commercial and would eventually have signs on that side. He said he was just asking to be like the other properties on his side of the street but not situated on the curve. Harry Minton stated a setback variance was granted for the sign across the road. When asked, Mr. Verot described his sign as a lighted cabinet with changeable letters. Alton Smith stated it would set a precedent on that side of the street. Mr. Verot replied that everyone else was closer to the road and he was the only one back in the bend of the road. Walter Clemments noted the sign would not obstruct the view of traffic. It was discussed that the property line was fifteen to twenty feet from the edge of the highway and Mr. Verot said the sign would still be way back from the sidewalk. Rick Malone explained Mr. Verot was granted permission for a sign by right, and the question for the Board was whether or not to allow a five-foot variance for placement

on the front property line. Mr. Ashworth suggested Mr. Verot could reapply for the variance if and when the area becomes more commercial. He noted the sign would be visible either on the property line or five foot behind. He added the purpose of the ordinance was to protect the neighboring homeowners. Harry Minton asked if the sign would be visible five feet back. Mr. Verot said it would be behind the house. He said the hardship occurred due to the moving of the road. Upon suggestion by Rick Malone, the meeting recessed at 2:16 p.m. for Board members to visit the site. The meeting resumed at 2:40 p.m. Dan McLemore made the motion to deny Mr. Verot's request for a variance to Sign Ordinance 97-03. Walter Clemments seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 2:41 p.m. on a motion by Harry Minton and second by Walter Clemments.



Alton Smith, Chairman

ATTEST:



Julie H. Jackson, City Secretary