

CANTON BOARD OF ADJUSTMENT

1:30 P.M., THURSDAY, JANUARY 22, 2004
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 arrived at 1:35 p.m.

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

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF DECEMBER 18, 2003 BOARD OF ADJUSTMENT MEETING – Walter Clemments made a motion to approve the minutes of the December 18, 2003 Board of Adjustment Meeting. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM ECKERD DRUG FOR VARIANCE TO SIGN ORDINANCE NO. 97-03 TO REPLACE EXISTING CHANNEL LETTERS ON EACH FACE OF THE BUILDING WITH LARGER CABINET SIGNS AT 1215 S. TRADE DAYS BLVD., CANTON, TEXAS – Julie Jackson reported mailing notices to fifteen neighboring property owners and receiving two in return, both in favor of the variance. Mike Blake explained the request was to use the nationally-recognized, capsule-shaped logo instead of the cabinet letters on three sides of the building. He said the twenty-eight inch letters would be the same size as the existing letters, but it would be surrounded by the capsule cabinet. Rick Malone reported having no structural or electrical problems with the increased size. Harry Minton made the motion to approve Eckerd Drug's request for a variance to sign ordinance No. 97-03 to replace the existing channel letters on three faces of the building with a larger cabinet sign at the building located at 1215 South Trade Days Blvd., Canton, Texas. Walter Clemments seconded, and all voted in favor.

ADJOURN – Tina Ingram arrived at 1:35 p.m. There being no further business to come before the Board, the meeting was adjourned at 1:35 p.m.



Alton Smith, Chairman

ATTEST:

Julie H. Jackson, City Secretary

**CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, JULY 8, 2004
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, Dan McLemore and Tina Ingram. One position was vacant.

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

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JANUARY 22, 2004 BOARD OF ADJUSTMENT MEETING – Walter Clemments made a motion to approve the minutes of the January 22, 2004 Board of Adjustment Meeting. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM HENRY LEWIS FOR FRONT AND SIDE SETBACK VARIANCE TO ENLARGE OCHOA'S RESTAURANT AT 305 E. DALLAS, CANTON, TEXAS – Julie Jackson reported three of the fourteen neighboring property owners notified responded--all in favor. She explained Mr. Lewis was seeking a three-foot variance to the front setback. Since questions had arisen regarding the duties of the Board, Rick Malone advised the Board the requestor had to prove a hardship, and that hardship could not be self-created. He said in some cases a variance could be granted to make the property more usable for future growth. The owner's representative, Mike Phillips, informed the Board their intent was to enclose the 6' 11" porch without moving further out into the parking lot, allowing Ochoa's to add five more booths. Mr. Malone noted the additional square footage would also increase the parking requirements. Charles Fenner added that the parking spaces would have to be delineated, requiring asphalt and striping. Mr. Malone said they owned enough property and would have to conform to the parking requirements. He noted the building would not infringe upon the State Highway right-of-way. Walter Clemments then made a motion to grant Henry Lewis' request for a three foot variance to the front setback at 305 E. Dallas. Dan McLemore seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM JON WHATOFF FOR FRONT SETBACK VARIANCE TO CONSTRUCT CARPORT AT 1303 FORREST DRIVE, CANTON, TEXAS – Julie Jackson reported notifying fourteen neighboring property owners and receiving three responses in favor and one opposed. Mr. Whatoff explained he was planning to build a new driveway to the carport and the old driveway would service 1301 Forrest. He noted the drainage problems had been corrected and the neighbors to the left were closer to the street. He requested a fourteen foot variance from the required thirty-foot front setback. Dan McLemore asked if it would interfere with drainage. Rick Malone said it would not, that Mr. Whatoff would have to put in a two-inch riser. Tina Ingram and Dan McLemore discussed the neighbor's complaint and asked if the modifications would devalue the property. Mr. Whatoff stated he had spent \$25,000 to date increasing the value of the property. He said the carport was not metal, it would have the same gable and shingles as the existing roof, would conform with the house. Mr. Whatoff said he was planning to build a new house on the lot next door and as a neighbor would also be concerned how it would look. Upon motion by Walter Clemments and second by Tina Ingram,

the Board granted Jon Whatoff's request for a fourteen foot variance to the required front setback at 1303 Forrest Drive.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 2:03 p.m. upon 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, NOVEMBER 11, 2004
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 Alton Smith, Walter Clemments, Dan McLemore and Tina Ingram. One position was vacant.

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

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JULY 8, 2004 BOARD OF ADJUSTMENT MEETING – The minutes of the July 8, 2004 Board of Adjustment meeting were unanimously approved upon motion by Tina Ingram and second by Walter Clemments.

DISCUSS AND CONSIDER REQUEST FOR VARIANCE TO SIGN ORDINANCE 97-03 TO ALLOW A SECOND POLE SIGN AT HALLMARK INN & SUITES, 2406 NORTH TRADE DAYS BLVD., CANTON, TEXAS – On behalf of Hallmark Inn & Suites, Mrs. Hale stated the existing entrance sign was not visible from the intersection of Interstate 20 North Service Road and State Highway 19. She said they wanted to raise the existing entrance sign so that it was not blocked by Texaco's awning. Tina Ingram stated she didn't have a problem seeing it. Walter Clemments agreed with Mrs. Hale that it couldn't be seen from Highway 19 north until you drove over the hill. Rick Malone advised the Board they needed to determine whether this was truly a hardship. He added that the business had been there six to seven years. Julie Jackson reported notifying four neighboring property owners and receiving one response from Luxury Suites in favor of granting the variance. Mrs. Hale stated they were in the process of becoming a Comfort Inn. Alton Smith said he would think it was necessary for business. Walter Clemments added that in comparison to other businesses on the corner, the sign was not as tall. He then made a motion to grant the variance allowing a second sign pole (maximum 25' height) for the entrance at 2406 North Trade Days Blvd. Dan McLemore seconded. Tina Ingram voted against the variance. Dan McLemore, Walter Clemments and Alton Smith voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:37 p.m. upon motion by Tina Ingram and second by Walter Clemments.

Alton Smith, Chairman

ATTEST:

Julie H. Jackson, City Secretary

CANTON BOARD OF ADJUSTMENT
1:30 P.M., THURSDAY, DECEMBER 16, 2004
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 Alton Smith, Walter Clemments, Dan McLemore and Tina Ingram. One position was vacant.

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

DISCUSS AND CONSIDER APPROVAL OF MINUTES OF NOVEMBER 11, 2004 BOARD OF ADJUSTMENT MEETING – The minutes of the November 11, 2004 Board of Adjustment meeting were unanimously approved upon motion by Tina Ingram and second by Dan McLemore.

DISCUSS AND CONSIDER REQUEST FROM HARRIS SELECT, LLC FOR FRONT AND REAR SETBACK VARIANCES TO CONSTRUCT A SINGLE FAMILY RESIDENCE AT 520 E. GOSHEN, CANTON, TEXAS – Julie Jackson reported nineteen neighboring property owners had been notified, of which one responded in favor and one opposed. Alton Smith referenced a similar situation on Granada Square in which the property owner had to redesign the house to fit an odd-sized lot which was not deep enough to meet the front and back setbacks. The Board discussed potential drainage problems and Rick Malone said Mr. Harris would have to address the problems in his site plan, and they could be alleviated with gutters directing water to the front of the house, a curb on the east side of the driveway and a berm on the back side wrapping around the east side redirecting water to the street. It was also determined the house would sit back about the same distance as the new brick home across the street. Mr. Malone added that a 15-foot drainage easement would probably appease the neighbors concerned about drainage. Judy Cunningham said they were concerned about the aesthetics of the neighborhood—cars parked on the road, upkeep of rental property and the safety of small children. Mr. Malone explained the property owner was required to have off-street parking for two vehicles. Mr. Harris said he was building a three bedroom-two bath home with hardiboard siding and a roof with a six in twelve pitch, and that it would fit nicely in the neighborhood. Rick Malone added that Mr. Harris would do whatever was necessary to control the water. Bennett Mahaffey Jr. pointed out problems with water on the street and asked if the city planned to redo the street. Mr. Malone referred him to the operations director for more information. Jere McCann asked what the process was for an individual to put a curb and gutter on the front of his property. Mr. Malone said he would first meet with Lonny Cluck and himself. Mr. Harris asked for clarification on who would stipulate what needed to be done to solve the drainage problems. Mr. Malone said he would have final approval and they could work together. Mr. McCann said he looked at the lot and the house would be set in line with the houses on the corner, and the family (sending in the opposing vote) would be glad to have the house on the lot if the drainage could be taken care of to the building inspector's satisfaction. Walter Clemments made the motion to grant a variance reducing the front and back setbacks to 20 feet and 15 feet, respectively, contingent upon solving the drainage issue. Tina Ingram seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FROM CANTON ATHLETIC BOOSTER CLUB FOR A VARIANCE FROM THE 2000 INTERNATIONAL MECHANICAL CODE, ELIMINATING THE REQUIREMENT FOR A VENT-A-HOOD IN THE CONCESSION STAND AT THE CISD BASEBALL AND SOFTBALL FIELDS – Rick Malone explained the Athletic Booster Club was requesting relief from the requirement for a vent-a-hood in their concession stand at the CISD baseball fields, and that the same relief had been granted for the concession stand at the football field. He noted they planned to have one deep fryer and one griddle in an all brick and steel building, which would be used approximately twelve times per year. It was determined the structure would have an open front providing ventilation, they would have fire extinguishers on hand, and it was not located near the stands. Walter Clemments made a motion to grant the variance. Dan McLemore seconded, and all voted in favor.

ADJOURN – There being no further business to come before the Board, the meeting was adjourned at 1:56 p.m. upon motion by Walter Clemments and second by Dan McLemore.

Alton Smith, Chairman

ATTEST:

Julie H. Jackson, City Secretary