

**CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, FEBRUARY 6, 2014
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Robert Brockman, Bob Moore, Buddy Jacobs and Terrica Stowell. Dan McLemore was absent. City Manager Lonny Cluck, Building Inspector Dwight Lancaster, and Assistant City Secretary Debra Johnson were also in attendance.

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Robert Brockman called the meeting to order and announced a quorum present at 12:30 p.m.
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF DECEMBER 12, 2013, MEETING – The minutes of the December 12, 2013, meeting were unanimously approved upon motion by Bob Moore and second by Buddy Jacobs.
3. DISCUSS AND CONSIDER REQUEST FROM HENRY LEWIS FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AND IN THE ETJ OF CANTON, AT THE PROPERTY LOCATED ON THE EAST SIDE OF HWY. 19 APPROXIMATELY ONE MILE NORTH OF THE JUNCTION OF HWYS. 64 AND 19 (BY FARMER'S MARKET) WITHIN THE EXTRATERRITORIAL JURISDICTION OF CANTON, TEXAS – Debra Johnson reported fourteen letters were sent to adjoining property owners. One response was received in opposition. Dwight Lancaster said a request was made by Mr. Lewis for dirt work under the sign. He could not issue the permit because it was a non-conforming sign. Mr. Lewis asked for the definition of non-conforming. Ms. Johnson read the definition from the ordinance. Mr. Lancaster said if the Board granted a variance, he could issue a permit. Terrica Stowell said the sign was falling apart and made a bad first impression. She felt it would benefit the City to replace the sign. Bob Moore stated the law said if a tornado tore down the sign, it could not be rebuilt. Mr. Brockman said the ordinance did not give the board much leeway for granting a variance. Mr. Lancaster said the sign had been there a number of years. No permits had been pulled for any alterations or improvements. Mr. Lewis said a new sign would help the City and the advertisers did not want to give up the sign. He was trying to do a good job out there on this property. They could not finish it to grade with the sign where it was. They would have to do it with picks and shovels. The land where the sign sat needed to be at the same grade as the rest of the property. He said it would cost very little to take the sign down, move the dirt, and put up a sign. The County would get more taxes from a newer sign. A new first-class sign would help advertisers and would bring in more money for the City and look better. Bob Moore said from an economic development standpoint, the highest and best use of the land was probably not agricultural. He said the sign variance would stay with the property. It could be a disadvantage to others as that area developed. That was why the grandfather clause was in the ordinance. Buddy Jacobs said if the Board granted a variance and the sign went back up, it would still be a non-conforming sign. Mr. Lewis said he did not think it was a good deal to have 500 signs in Canton. He did not see the argument that this sign would affect other businesses in the area. Tyler had signs where there were other businesses, but they just made them higher.

Bob Moore made a motion to deny the request for a variance. Buddy Jacobs seconded. Bob Brockman, Buddy Jacobs and Bob Moore voted in favor of denying the request.

Terrica Stowell voted against. Mr. Lewis said if the sign was changed in the future, he would get a permit.

4. ADJOURN – There being no further business to discuss, the meeting was adjourned at 12:48 p.m.

ATTEST:


Debra Johnson
Assistant City Secretary


Robert Brockman, Chairman

**CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, MARCH 13, 2014
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Robert Brockman, Bob Moore, Buddy Jacobs, Dan McLemore and Terrica Stowell. City Manager Lonny Cluck, Building Inspector Dwight Lancaster, and Assistant City Secretary Debra Johnson were also in attendance.

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Robert Brockman called the meeting to order at 12:30 p.m.
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF FEBRUARY 6, 2014 MEETING – The minutes of the February 6, 2014 meeting were unanimously approved upon motion by Dan McLemore and second by Buddy Jacobs.
3. DISCUSS AND CONSIDER REQUEST FROM HENRY LEWIS FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AND IN THE ETJ OF CANTON, AT THE PROPERTY LOCATED ON THE EAST SIDE OF HWY. 19 APPROXIMATELY ONE MILE NORTH OF THE JUNCTION OF HWYS. 64 AND 19 (BY FARMER'S MARKET) WITHIN THE EXTRATERRITORIAL JURISDICTION OF CANTON, TEXAS – Debra Johnson reported she sent four letters to area property owners and received no responses. Mr. Cluck said he felt this was a different request than the first one from Mr. Lewis because this one was to reinstall the existing sign rather than replacing it. Mr. Lewis said he needed to put the property on grade and could not do it unless they dropped the level of dirt three feet. If they went under the sign and removed three feet, it could de-stabilize the sign. The contractor said he would not do it. He was requesting permission to take down the sign, move it, take out the three feet of dirt, and put the same sign back in the same location. They could do the job in a couple days. He did not see that this would cause a hardship. He said he was not moving the sign, just putting it back where it was now. He did not see how this could hurt. Dwight Lancaster read the definition of non-conforming. Mr. Lewis said he did not think the Board was to interpret the sign ordinance. He thought they were just there to decide if they could grant a variance to the ordinance. Mr. Brockman said they were pretty limited by state law on what they could grant. Ms. Stowell asked if they could reclassify it as a billboard. Mr. Lancaster said the State did not allow a variance. Mr. Brockman said there were certain things on which you could not grant a variance. Mr. Lewis asked if the City could rewrite the ordinance. He did not understand why the sign ordinance did not provide for instances like this. He did not think the State would have a problem with this type variance for non-conforming uses. Mr. Brockman said the State had guidelines they had to go by to grant the variance. Bob Moore said if an act of God moved that sign, it could not be restored. He had not changed his opinion. He did not see a whole lot of difference from the first request. He did not see a hardship here. Mr. Brockman said the hardship could not be a result of the applicant's own actions. Mr. Lewis asked Mr. Cluck if the committee did not have the authority to grant a variance. Mr. Cluck said if the owner caused the hardship, it was not a hardship. Mr. McLemore felt if the sign were taken down, it could not be put back up. Mr. Brockman felt the ordinance should be changed. Buddy Jacobs made a motion to deny the request for the variance. Bob Moore seconded. All voted in favor of denying the request.

4. DISCUSS AND CONSIDER REQUEST FROM WALMART FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 603 HWY. 243 EAST, CANTON, TEXAS - Gretchen Gause said they were updating the WalMart building. The sign on the building now was technically larger than what was allowed. There was discussion on waiting to grant the ordinance in time for a new sign ordinance to be passed. Mr. Cluck said it was not optimistic from a time standpoint. Terrica Stowell made a motion to grant the variance from four feet to eight feet high on its new sign. Buddy Jacobs seconded. All voted in favor.

4. ADJOURN – There being no further business to discuss, the meeting was adjourned at 12:50 p.m.

ATTEST:



Debra Johnson
Assistant City Secretary



Robert Brockman, Chairman

**CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, APRIL 17, 2014
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Bob Moore, Buddy Jacobs, Dan McLemore and Terrica Stowell. Members Robert Brockman and Gerald Reed were absent. City Manager Lonny Cluck, Building Inspector Dwight Lancaster, and Assistant City Secretary Debra Johnson were also in attendance.

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Terrica Stowell called the meeting to order at 12:30 p.m.
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF MARCH 13, 2014, MEETING – The minutes of the March 13, 2014, meeting were unanimously approved upon motion by Buddy Jacobs and second by Dan McLemore.
3. DISCUSS AND CONSIDER REQUEST FROM PAUL MICHAEL CO. FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 1900 N. TRADE DAYS BLVD., CANTON, TEXAS – Ms. Johnson reported five letters were sent to neighboring property owners and one response was received in favor. Dan McLemore made a motion to grant the height variance from 4 feet to 8 feet. Buddy Jacobs seconded. All voted in favor.
4. There being no further business to discuss, the meeting was adjourned at 12:32 p.m.

ATTEST:

Chairman

Debra Johnson
City Secretary

CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, AUGUST 28, 2014
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 Bob Moore, Buddy Jacobs, Dan McLemore, Terrica Stowell and Jerry Yarbrough. Building Inspector Dwight Lancaster, and City Secretary Debra Johnson were also in attendance.

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Terrica Stowell called the meeting to order and declared a quorum present.
2. CONSIDER APPOINTMENT OF CHAIRPERSON OF BOARD OF ADJUSTMENT – Bob Moore made a motion to appoint Terrica Stowell chairperson of the Board. Dan McLemore seconded. All voted in favor.
3. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF APRIL 17, 2014, MEETING – The minutes of the April 17, 2014, meeting were unanimously approved upon motion by Buddy Jacobs and second by Dan McLemore.
4. DISCUSS AND CONSIDER REQUEST FROM GAS & SUPPLY FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 17899 I-20, CANTON, TEXAS – Vicky Cuthbertson said they proposed a sign 26 feet long and 13 feet high. The sign on the front was four feet. The building was sixty feet long in front and 96' 6" on the back. The sign would be less than 75% of the width of the building. Dan McLemore made a motion to grant the request for a variance from four feet high to 13 feet high. Jerry Yarbrough seconded. All voted in favor.
5. ADJOURN – There being no further business to discuss, the meeting was adjourned at 12:44 p.m.

ATTEST:


Debra Johnson
City Secretary


Terrica Stowell, Chairman

**CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, OCTOBER 16, 2014
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

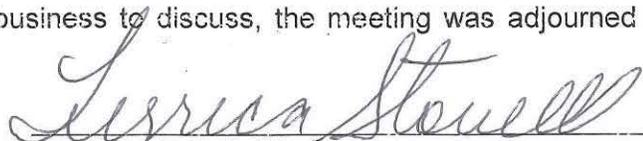
The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Bob Moore, Buddy Jacobs, Dan McLemore, Gerald Reed and Terrica Stowell. Building Inspector Dwight Lancaster, and City Secretary Debra Johnson were also in attendance.

MINUTES

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Terrica Stowell called the meeting to order and declared a quorum present at 12:30 p.m.
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF AUGUST 28, 2014, MEETING – The minutes of the August 28, 2014, meeting were unanimously approved upon motion by Buddy Jacobs and second by Bob Moore.
3. DISCUSS AND CONSIDER REQUEST FROM TERRICA STOWELL OF 2HOTCHICS ON BEHALF OF SAM DEEN (CROSSFIT) FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 988 OLD KAUFMAN ROAD, CANTON, TEXAS – Terrica Stowell left the room at 12:35 p.m. after declaring a conflict of interest. Christin Miller of 2HotChics explained the visibility of the sign on the building was not good from Hwy. 64. It needed to go higher up so it could be seen from the road. She said the land to the left of the building was for sale. Mr. Jacobs pointed out if someone built a building on the other property, the back of the building would not be seen from Hwy. 64. Buddy Jacobs made a motion to approve a variance for a wall sign up to eight feet in height. Dan McLemore seconded. All voted in favor. Terrica Stowell re-entered the room at 12:38 p.m.
4. DISCUSS AND CONSIDER REQUEST FROM DEBBIE ROBERTSON OF GLOBAL SIGNS INC. ON BEHALF OF RLS (CHICKEN EXPRESS) FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 2356 N. TRADE DAYS BLVD., CANTON, TEXAS – Rick Robertson of Global Signs explained they had requested a variance up to 482 square feet per side. They had dropped the option of adding a “drive thru” sign. Now they only needed a variance to 478 square feet per side. Ms. Johnson said five letters were sent to neighboring property owners. No responses were received. Dan McLemore said as long as TxDOT had no objection, he had no problem. Dan McLemore made a motion to grant a variance to 478 square feet per sign side. Buddy Jacobs seconded. All voted in favor.
5. ADJOURN – There being no further business to discuss, the meeting was adjourned at 12:40 p.m.

ATTEST:


Debra Johnson
City Secretary


Terrica Stowell, Chairperson

**CANTON BOARD OF ADJUSTMENT
12:30 P.M., THURSDAY, DECEMBER 11, 2014
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

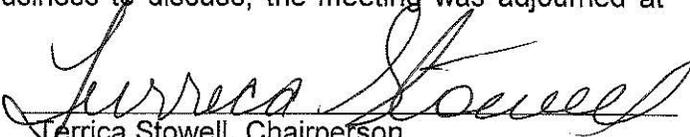
The Canton Board of Adjustment met at the above-named time and date in the City Hall Council Chambers. Members present were Bob Moore, Buddy Jacobs, Dan McLemore, Gerald Reed and Terrica Stowell. Building Inspector Dwight Lancaster, and City Secretary Debra Johnson were also in attendance.

MINUTES

1. CALL MEETING TO ORDER AND DECLARE QUORUM – Terrica Stowell called the meeting to order and declared a quorum present at 12:30 p.m.
2. DISCUSS AND CONSIDER APPROVAL OF MINUTES OF OCTOBER 16, 2014, MEETING – The minutes of the October 16, 2014, meeting were unanimously approved upon motion by Buddy Jacobs and second by Bob Moore.
3. DISCUSS AND CONSIDER REQUEST FROM MARK FOWLER OF SIGN MART ON BEHALF OF CJK PROPERTIES FOR A VARIANCE TO ORDINANCE 2010-03 REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE CITY LIMITS AT 2001 N. TRADE DAYS BLVD., CANTON, TEXAS – Kevin Deibert explained the channel letters only required a height of 36", but Subway required a green background, which exceeded the four foot height limit. Ms. Johnson explained seven letters had been sent to neighboring property owners. No responses were received. Mr. Moore felt it would be a safety hazard for those trying to find the restaurant on Highway 19 if the sign were not visible. He made a motion to approve the variance from four feet to 4.67 feet. Mr. McLemore seconded. All voted in favor.
4. ADJOURN – There being no further business to discuss, the meeting was adjourned at 12:35 p.m.

ATTEST:


Debra Johnson
City Secretary


Terrica Stowell, Chairperson