

Board of Adjustment and Municipal Sign Review Board Meeting Minutes

The City of Bastrop Board of Adjustment met Wednesday, March 1, 2017 at 6:00 p. m. in the Bastrop City Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Dan Hays-Clark called to order at 6:06PM.

2. Roll call and confirmation of a quorum of Board members.

Blas Coy	PRESENT
Dan Hays-Clark	PRESENT
Matthew Lassen	PRESENT- arrived at 6:35PM
Herb Goldsmith	PRESENT
Bob Rogers	PRESENT
Alyssa Halle-Schramm	ABSENT DUE TO ILLNESS

3. Citizen comments.

No citizen comments.

4. Consideration and approval of the December 7, 2016, Board of Adjustment and Municipal Sign Review Board meeting minutes.

Motion to approve minutes by Herb Goldsmith, seconded by Blas Coy. Motion approved 4-0 (Matthew Lassen absent for discussion and vote).

5. Workshop Session: The Board of Adjustment will adjourn from the Regular Session and convene into a Workshop Session to discuss the following:

a) Amendments to the Sign Ordinance.

The Board had concerns with several items within the proposed amendment.

- Speeds between main lanes of Highway 71 and the service road should not factor into sign height and sign area.
- Additional height allowances should only reflect the actual difference between the current elevation and new elevated roadway.
- Members expressed interest in exploring other city codes that address similar situations.
- What was the basis for these specific recommendations.
- More specific examination of actual properties that could be impacted or able to utilize the new amendments as written.
- Postpone City Council action for 90 days, in which the BOA and staff will review and then present possible alternative recommendations.
- Find more about property impact and comparable cities sign codes.

Dan Hays-Clark tabled this item until Board reconvened meeting outside of workshop session.

b) Various pending issues related to both the Board of Adjustment and the Municipal Sign Review Board.

- Board of Adjustment is a state authorized/ created board with a specific authority regarding zoning. Appeals of decisions made by the Board of Adjustment must be taken to a district court appeal process. The district court judges whether the Board acted within the Boards authority.
- The MSRB is a parallel review board created by city ordinance. Appeals of decisions go before City Council.
- It is of the opinion of the Interim City Manager, Marvin Townsend that the sign variances should go before the BOA because they are a function of zoning.
- The Board feels that an experienced land use attorney would be beneficial for providing an opinion on this matter.
- Agreed that the minutes should include the variances granted by the Board and a Findings of Fact should be signed off by the Board at the next meeting to ensure accuracy. A copy of the approved variance should also go to the property owner.

6. The Board of Adjustment adjourned the Workshop Session and reconvened into Regular Session to discuss, consider and take any necessary action(s) related to the Workshop Session item posted above.

Workshop Item A: A motion to have a 90-day period to review with staff before making a recommendation to City Council, regarding the proposed amendments to the Sign Ordinance. After review, the Board will present Council with new draft language. Motion was made by Blas Coy and seconded by Herb Goldsmith with a 4-0 vote. Matt Lassen abstained from the vote due to his absence during the Item A discussion.

Workshop Item B: A motion to recommend moving the Sign Ordinance into the Zoning Ordinance section of the Municipal Code; motion was made by Herb Goldsmith and seconded by Blas Coy and passed unanimously. A second motion to remove timelines in the Code of Ordinances for automatic approval of an appeal after four (4) weeks and the one (1) year expiration date of variances granted through the Board of Adjustments; motion was made by Bob Rogers and seconded by Blas Coy and passed unanimously.

7. Director of Planning and Development report.
 - a) Direction from the Board of Adjustment on any items to be included on any future agendas.

Direction was given for a future meeting to discuss the proposed Sign Ordinance amendments and recommendations for changes to be made and sent to the City Council.

Board would like to wait until a new City Manager is in place to have a workshop, discuss policy issues and would ask for an attorney that they can call on that is separate from the City Attorney.

8. Adjourn.

At 7:45p.m. Blas Coy made a motion to adjourn. The motion was seconded by Matthew Lassen and the meeting adjourned.