CITY OF EAGLE PASS
AGENDA

ZONING BOARD OF ADJUSTMENTS AND APPEAL REGULAR MEETING
Council Chambers, City Hall,
100 S. Monroe Street, Eagle Pass,
Maverick County, Texas
Wednesday, October 2, 2024, at 5:30 p.m. CST

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the July 16, 2024 meeting.

PUBLIC HEARING(S)

2. Public hearing on the petition submitted by Miguel A. Cueto, requesting a variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 12.1* regulating off-street parking requirements. The applicant seeks to reduce the required 6 feet from the back of edge of the right-of-way of an adjacent street and reduce the parking spaces from 10 to 9, to allow the construction of a parking lot on property located at 1693 S. Veterans Boulevard; closing of public hearing and possible action.

3. Public hearing on the petition submitted by William Cavanaugh, requesting a variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 12(d)(5)* governing landscape requirements. The applicant seeks to reduce the required landscaping, to allow for the construction of a miliary facility on property located at 496 County Road 523.

4. Public hearing on the petition submitted by South Texas Neon Sign Co Inc., seeking a variance from *City of Eagle Pass Code* of *Ordinances Appendix A Zoning Ordinance Section 15(h)(d)(1)(a)* regulating placement of signs. Applicant seeks to erect more than the allowed signs on property located at 568 S. Bibb Ave.

5. Public hearing on the petition submitted by South Texas Neon Sign Co Inc., seeking a variance from *City of Eagle Pass Code* of *Ordinances Appendix A Zoning Ordinance Section 15(h)(d)(1)(a)* regulating placement of signs. Applicant seeks to erect more than the allowed signs on property located at 2423 E. Main Street.

ADJOURNMENT

Note: The Board reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda, but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

CERTIFICATION

I, THE UNDERSIGNED COMMUNITY DEVELOPMENT DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board Located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas, on September 27, 2024 at 3:00 p.m.

Placido Madera

Placido Madera
Community Development Director

Item #1

THE STATE OF TEXAS)(
COUNTY OF MAVERICK)(
CITY OF EAGLE PASS)(

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their special meeting on Tuesday, July 16, 2024, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Matthew Gary; Vice- Chairperson, Antonio Elizondo; Alternate Vice-Chairperson, Priscilla Puente-Chacon; Board Member, Maria A. Chio; and Board Member, Julie Mathiwos

Absent: None

Staff present: Community Development Director, Placido Madera; City Attorney, Ana Sophia Garcia; and Records Management Specialist, Sydney Rodriguez

A quorum being present, Chairperson Gary called the meeting to order, and the items were considered as follows:

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item was welcome to speak, keeping in mind that, although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were no citizen communications forms submitted.

MINUTES

1. Approval of the minutes of the June 5, 2024, meeting.

Alternate Vice-Chairperson, Puente-Chacon moved to approve the minutes. Seconded by Vice-Chairperson, Elizondo. **MOTION PASSED**- Unanimously

AYES:	Gary, Elizondo, Puente-Chacon, Chio, and Mathiwos
NAYS:	None
ABSTAINED:	None
ABSENT:	None

EXECUTIVE SESSION

Before the Zoning Board of Adjustments and Appeals adjourned into Executive Session, Mrs. Catrina Longoria, legal representative for the applicant Roberto Zarate, presented information for the Board to reconsider Mr. Zarate's request for variance. Ms. Longoria responded to questions

DRAFT

from the board regarding the hardship Mr. Zarate will face.

Ms. Longoria left the meeting to call the applicant to get more information on the reasons why the applicant continued constructing his structure.

Chairman Gary asked the Community Development Director, Placido Madera, questions on the progress of the applicant's project when the stop order was given.

Ms. Longoria returned to the meeting and gave the board a response from the applicant. Mr. Zarate informed Ms. Longoria that he stopped construction when he received the stop work order.

The Zoning Board of Adjustments and Appeals adjourned into Executive Session at 6:03 p.m. to consider the item below. The Board reconvened in open session at 6:43 p.m.

2. Executive Session pursuant to Section 551.071 of Chapter 551, Texas government Code- Consultation with Attorney- Consideration and possible action on the reconsideration of a public hearing for the petition submitted by Roberto Zarate, requesting a variance from City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 6 (c)(1) regulating front yards for property located at 2208 Beverly Hills Boulevard.

Alternate Vice-Chairperson, Puente-Chacon motioned to place the item on the agenda to rehear the applicant's request. Second by Vice- Chairperson, Elizondo. **MOTION PASSED.**

AYES:	Gary, Elizondo, Puente- Chacon, and Chio
NAYS:	Mathiwos
ABSTAINED:	None
ABSENT:	None

ADJOURNMENT

Vice-Chairperson, Elizondo moved to adjourn the meeting at 6:43 p.m. Second by Board Member, Chio. **MOTION PASSED**- Unanimously

Passed and approved on _____ 2024.

_____
Matthew Gary
Chairperson

ATTEST:

_____

Sydney Rodriguez
Records Management Specialist

Item #2

Community Development Department Executive Summary Report to the Eagle Pass Zoning Board of Adjustment and Appeals

Variance Request – 1693 S. Veterans Boulevard

I. BACKGROUND

General Information

Applicant: Miguel A. Cueto

Property Owner: Miguel A. Cueto

Location: S. Veterans and Monte Vista Drive

Property ID Number: 57204

Legal Description: Carthage Place Unit 20, Block 38, Lot 1

Request: A variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Sections 12.1(C)1(g) and 12.1(C)3(e)ii* regulating off-street parking requirements. The applicant seeks to eliminate the requirement of maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way and reduce the required 6 feet from the back of edge of the right-of-way of an adjacent street. The applicant is also seeking to reduce the parking spaces from 9 to 8, to allow the construction of a parking lot.

Parcel Size: 22,550-square feet (0.5176 acres)

Current Use: commercial building

Proposed Use: continue the use of an existing child day care and be allowed to expand the floor plan.

Current Zoning: B-1 (Neighborhood Business District)

Master Plan: Commercial

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

Vicinity: Parcel is located at the corner of S. Veterans Blvd and Monte Vista Drive and in an area featuring residential developments directly to the rear and commercial development along Veterans Blvd.

Access to the site is provided by Monte Vista Drive.

III. PUBLIC NOTICE

Public notification of the variance request before the Zoning Board of Adjustment and Appeals was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 25 notices were mailed to the abutting property owners, with a legal notice published in the Eagle Pass News Gram on August 21, 2024.

Figure 1. Aerial Map



Figure 2. Street View



IV. STAFF ANALYSIS

The applicant is seeking to reduce the space required for maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way. Such maneuvering space shall be no closer than six (6) feet from the back edge of the right-of-way of an adjacent public street, in this case zero feet is being proposed. Secondly, the applicant seeks to reduce the required parking spaces from 9 to 8 spaces.

Although this does not meet the Zoning Code regulations, the Department feels that backing directly onto a public street it is a safety concern, but the applicant has expressed there is no other option. The reduction of parking spaces is not detrimental to the public; therefore the petition shall be granted. The property consists of a 3,315-square foot commercial development that proposes to continue operating as a child day care business and be allowed to expand the existing floor plan. The proposed 3,595-square foot addition, as shown in the enclosed proposed Site Plan, does not meet the requirements set forth in Appendix A of the Zoning Ordinance, particularly *Sections 12.1(C)1(g) and 12.1(C)3(e)ii.*

V. STAFF RECOMMENDATION

Staff recommends **GRANTING** the reduction of parking as it will not adversely impact the requirements set forth in Section 12.1(C)3(e)ii. However, the department recommends **DENIAL** of the proposed request to eliminate the requirement of maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way and reduce the required 6 feet from the back of edge of the right-of-way as set forth in Section 12.1(C)1(g).

Sec. 12.1. Off-street parking requirements.

(g) **Maneuvering space** shall mean the space required for maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way. Such maneuvering space shall be no closer than six (6) feet from the back edge of the right-of-way or easement of an adjacent public street or driveway.

Institutional occupancies shall include, but not limited to, assisted living facilities, group homes, hospitals, nursing homes, **day care centers**, and retirement homes. The required number of improved off-street parking spaces per use is as follows:

ii. Commercial **nonresidential day care center**: **One (1) parking space for every eight (8) students** or pupils.

Americans with Disabilities Act (ADA) compliant parking. Parking spaces designated for use by members of the disabled community shall comply with the table shown below, but in all cases shall be consistent with the Texas Accessibility Standards found in the State of Texas Architectural Barriers Act. Parking required to satisfy ADA requirements shall be in addition to the spaces required per section (C)3, Minimum improved off-street parking requirements, located in this chapter.

One (1) to twenty-five (25) parking spaces: One (1) disabled parking space.

TRANSMITTED to the parties listed hereafter:

Miguel A. Cueto via e-mail
Eagle Pass Zoning Board of Adjustment and Appeals via e-mail
Eagle Pass City Secretary Imelda Rodriguez via e-mail
Community Development Department Report dated August 26, 2024

Attachment 1
Application

City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project

Legal Description: LITTLE ARTIST LEARNING CENTER

Site Address: 1693 S. VETERANS BLVD. EAGLE PASS TX

Acres: _____ Square feet: _____ Existing land use: _____

Owner

Name: MIGUEL A CUETO Phone: 830 498 1981

Address: 2096 LEGACY BLVD. E-mail: miguelcueto69@gmail.com

City: EAGLE PASS State: TX Zip: 78852

Applicant If not owner

Name: _____ Phone: _____

Address: _____ E-mail: _____

City: _____ State: _____ Zip: _____

Relationship to owner: _____

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
Yes ___ No X

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization.

I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed.

If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees.

Signature: _____ Date: 08/12/2024

Print Name: MIGUEL A CUETO ☒Applicant ☐Authorized Agent

Board Action	Description: See "Exhibit A" attached Board Chairman Signature _____ Date _____
Office	Accepted by _____ Payment received by _____ Date _____ Zoning Classification _____ Case No. _____

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: _____

For each question, check yes or no and provide a detailed explanation.

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?
Yes ☐ No ☒ Explain: _____

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?
Yes ☐ No ☒ Explain: _____

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?
Yes ☒ No ☐ Explain: yes the parking requirements

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?
Yes ☐ No ☒ Explain: Not To My Knowledge.

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☐ No ☒ Explain: _____

_____

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☒ No ☐

Explain: _____

_____

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☒

Explain: _____

_____

VARIANCE APLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☐ Development Application signed by owner or notarized affidavit
☐ This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable		TECHNICHAL REQUIREMENTS Any application that is missing information will be considered incomplete and will not be processed.
✓	✓		1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
✓	✓		2	Application Fee of $100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. **These fees are non-refundable.**
NA	NA	✓	3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
✓	✓		4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
✓	✓		5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

Applicant Acknowledgment

08/12/24
Date

“Exhibit A”

The purpose of this request is to allow for modifications to the parking and landscaping requirements in relation to the expansion of an existing building on the site.

Project Overview:

The current site consists of a 9,661 square foot building on a 0.5176-acre lot. We are planning to add a 3,595 square foot daycare facility to meet the growing demand for childcare services in the area. As part of this expansion, we need to ensure compliance with the state-mandated minimum play area 50 square feet per child which comes to 3,634 square feet for the additional children that will be utizing the new building.

Variance Requests:

1. Parking Configuration:
We request a variance to allow vehicles to reverse out onto Monte Vista Drive. This is essential due to the limited space on the site, which restricts the possibility of providing alternative parking configurations that do not interfere with the required play area. The existing site conditions make it challenging to accommodate both the building expansion and the play area while adhering to the standard parking requirements.

2. Reduction in Landscaping Requirements:
To accommodate the necessary building expansion and required play area, we request a reduction in the landscaping requirements. Given the constraints of the existing site, adhering to the full landscaping requirements would reduce the available space for the children's play area, thereby compromising the daycare's ability to meet state regulations.

Justification:

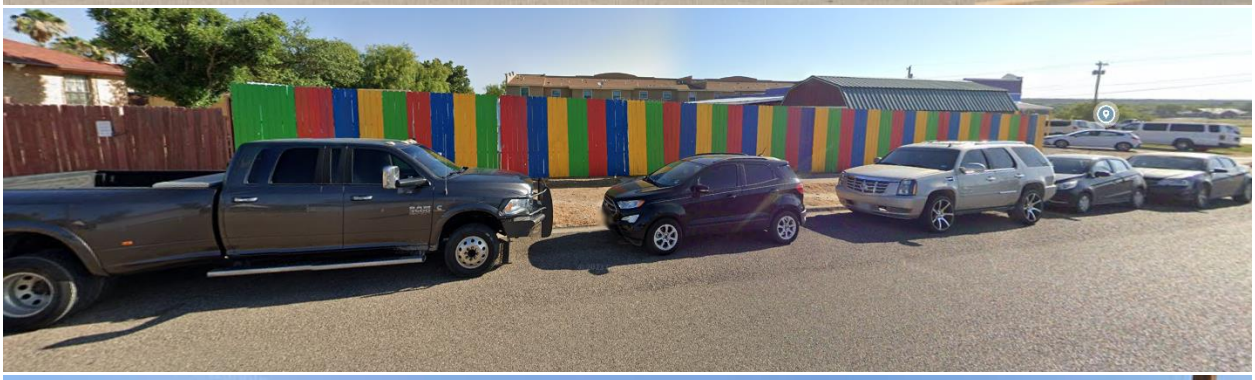
The proposed expansion is crucial for the successful operation of the daycare, which will serve a significant community need. The requested variances are necessary to balance the requirements of the state-mandated play area, and the city parking and landscaping requirements within the limited space available on the property. We believe that granting these variances will not negatively impact the surrounding area and will instead contribute positively by providing essential services to local families.

Aerial View



Street View







VETERANS BLVD



NORTH VISTA



SITE PLAN LEGEND

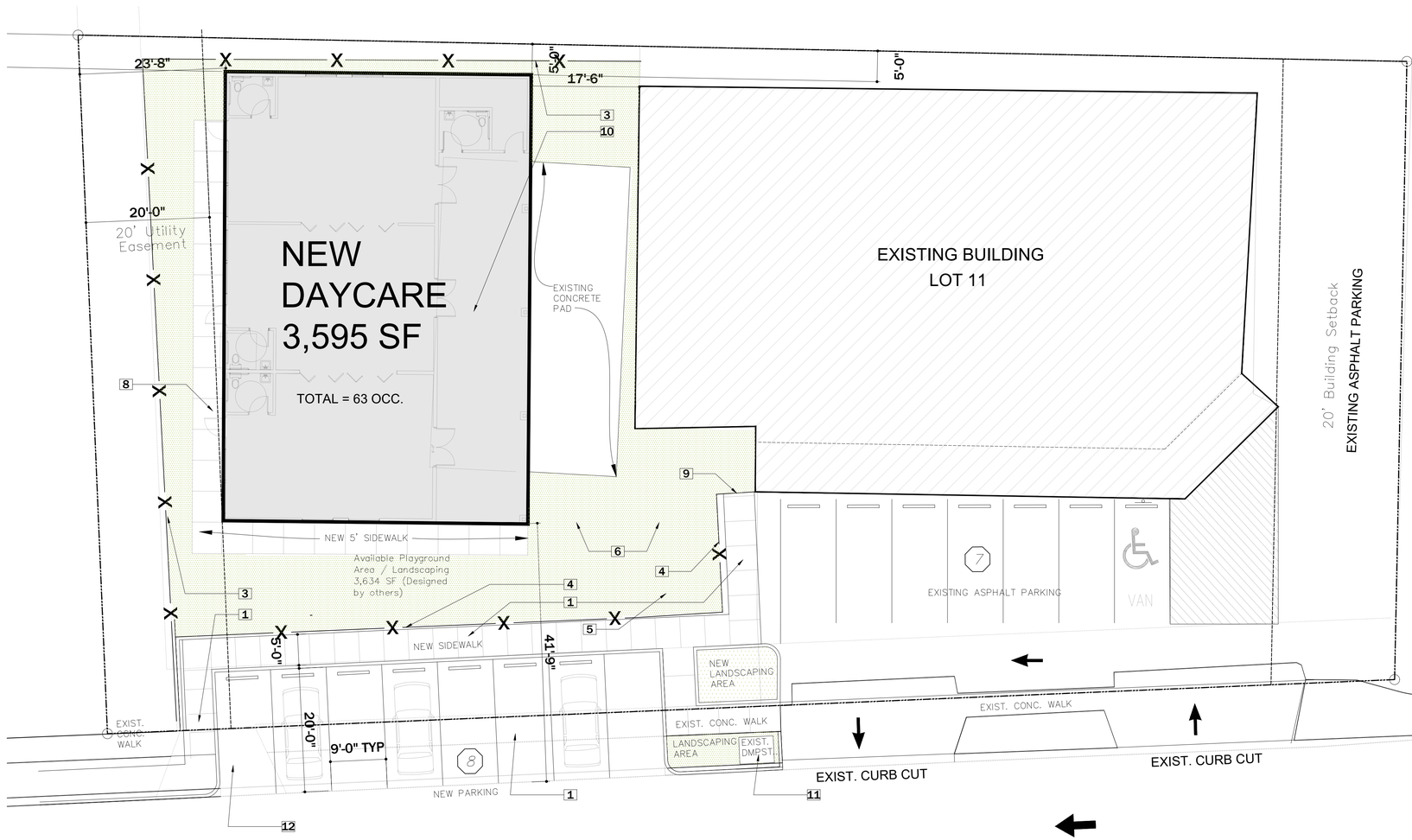
1. EXISTING CONCRETE SIDE WALK TO BE REMOVED.
2. NEW CONCRETE SIDEWALK. REFER TO CIVIL FOR DETAILS.
3. EXISTING FENCE TO REMAIN
4. NEW FENCE
5. EXISTING STORAGE SHED TO BE MOVED.
6. PLAYGROUND DESIGNATED AREA. PLAYGROUND DESIGN BY OTHER.
7. REMOVE EXISTING CURB CUT
8. 5'-0" SIDEWALK TO BE INSTALLED AT BACK OF BUILDING.
9. GATE
10. REMOVE EXISTING CONCRETE PAD WHERE NEW BUILDING IS LOCATED.
11. EXISTING DUMPSTER LOCATION TO REMAIN.
12. EXISTING DRIVEWAY TO BE REMOVED

SITE DATA TABLE

ZONING/OVERLAY DISTRICT:	B1
EXISTING TOTAL SITE ACREAGE:	.5176 ACRES/ 22,550 SF
TOTAL SITE ACREAGE BEING REMODELED:	.200 ACRES/ 8,822 SF
EXISTING BUILDING SQUARE FOOTAGE:	9,661 S.F
NEW ADDITION BUILDING AREA COVERAGE:	3,595 SF
NO. OF REQ. ADDITONAL PARKING SPACES:	8
NO. OF PROPOSED PARKING SPACES:	8
PLAYGROUND/LANDSCAPED AREA	3,811 SF
IMPERVIOUS AREA FOR REMODELED SITE AREA:	3,811 / 8,822SF = 43%

2 LOCATION MAP

NTS



1 SITE PLAN

SCALE: 1" = 10'-0"

CREATIVE ACCESSIBLE DESIGN
Ph. 254-659-7288
Website: https://creativeaccessibledesign.com/

PRELIMINARY NOT FOR CONSTRUCTION

These Drawings are incomplete and may not be used for regulatory approval, permit, or construction.

PROJECT

MIGUEL CUETO DAY CARE ADDITION

1693 S VETERANS BLVD
CARTHAGE PLACE UNIT #20
BLOCK 38, LOT 1
EAGLE PASS, TX 78852

REVISIONS		
NO.	DATE	NOTE
1	8.29.24	REV. PER COMMENTS

DRAWN BY:	ANNA HOARD
CHECKED BY:	ANNA HOARD
PROJECT NO:	2023004
DATE:	8.10.24

COPYRIGHT:

Drawings and Specifications as Instruments of Service are the Property of the Designer. They shall not be used, transferred, or sold for use except by an agreement in writing from the designer. Copies of all drawings shall be made available upon request.

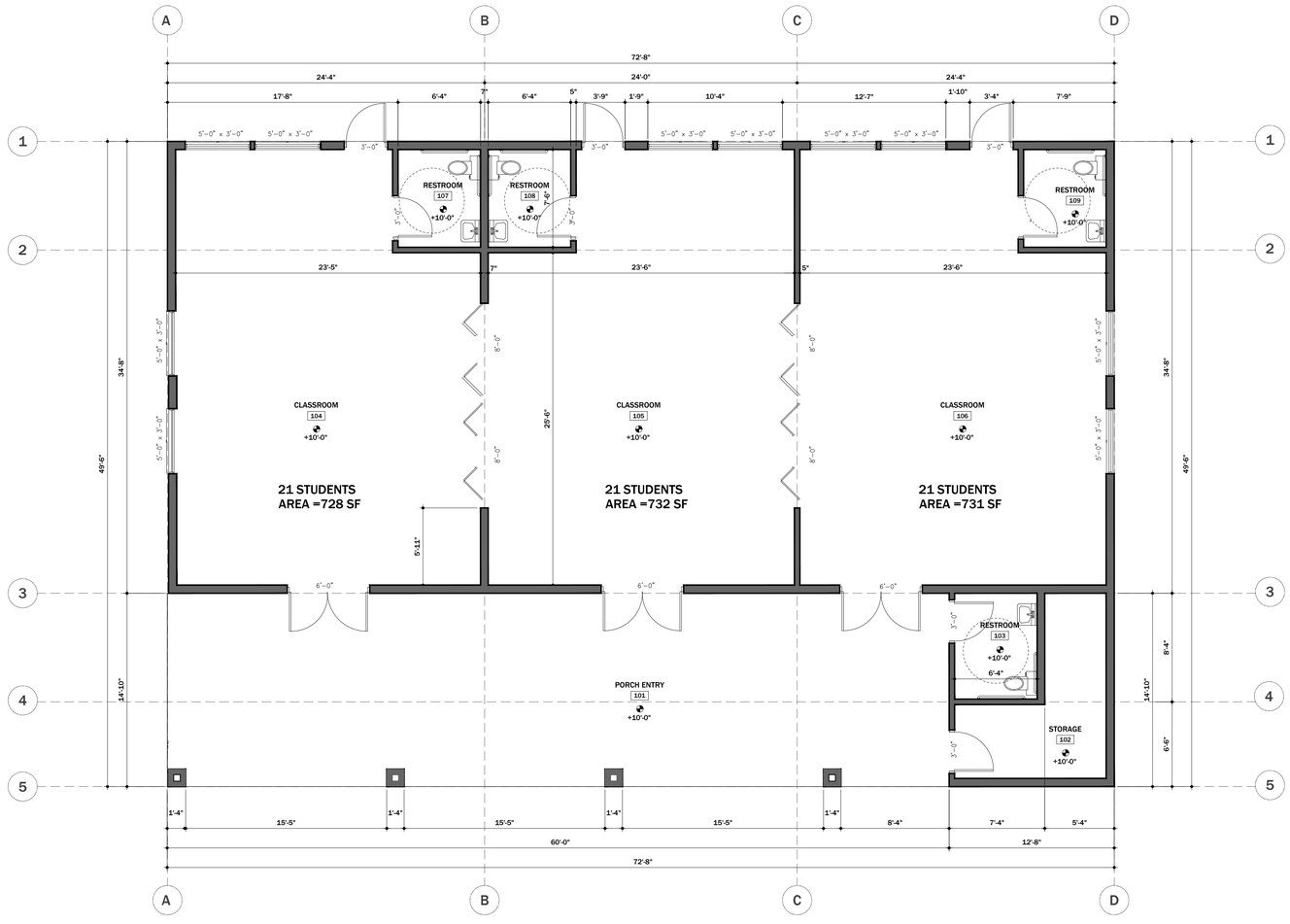
TITLE:

ARCH SITE PLAN

SCALE: 1/4"=1'-0"

SHEET NO.

SP 1.0



1 FLOOR PLAN

SCALE: 3/16" = 1' - 0"

CREATIVE ACCESSIBLE DESIGN
Ph. 254-659-7288
Website: https://creativeaccessibledesign.com/

PRELIMINARY
NOT FOR CONSTRUCTION

These Drawings are incomplete and may not be used for regulatory approval, permit, or construction.

PROJECT

MIGUEL CUETO DAY CARE ADDITION

1693 S VETERANS BLVD
CARTHAGE PLACE UNIT #20
BLOCK 38, LOT 1
EAGLE PASS, TX 78852

REVISIONS		
NO.	DATE	NOTE

DRAWN BY:	ANNA HOARD
CHECKED BY:	ANNA HOARD
PROJECT NO:	
DATE:	8.10.24

COPYRIGHT:

Drawings and Specifications as Instruments of Service are the Property of the Designer. They shall not be used, transferred, or sold for use except by an agreement in writing from the designer. Copies of all drawings shall be made available upon request.

TITLE:
FLOOR PLAN

SCALE: 1/4"=1'-0"

SHEET NO.
A 1.0

Sec. 12.1. Off-street parking requirements.

(A) *Authority.* The provisions of this section are adopted pursuant to the home rule powers of the city, granted under the Texas Constitution and the Statutes of the State of Texas, Texas Local Government Code Chapter 211 and the City Charter for the City of Eagle Pass.

(B) *Purpose.* The regulations set forth in this section are adopted for the purpose of providing an adequate number of improved off-street parking spaces for all land uses in the city including, but not limited to, residential, commercial, institutional, and industrial land uses.

(C) *Parking regulations and requirements.*

1. Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning.

   (a) *Aisle* shall mean that area within an off-street parking facility designed to accommodate the ingress and egress of vehicles within the facility, excluding parking spaces, landscaping, and pedestrian pathways.

   (b) *Floor area* shall mean the gross floor area of the building as measured inward from the interior walls, including each floor or story of the structure.

   (c) *Heavy industry* shall mean those manufacturing-related conducted either inside a structure or within the boundary of a property.

   (d) *Historic Building Preservation District* shall mean that area delineated on the map identified as Exhibit A in this Code.

   (e) *Light industrial* shall mean those manufacturing-related activities conducted exclusively within a structure(s).

   (f) *Loading space* shall mean one (1) loading space area, the width and length of which shall exceed the dimensions of the type of vehicle to normally be parked in the space by a minimum of two (2) feet, and no part of the area shall be closer than six (6) feet from the back edge of the curb of an adjacent public street or driveway.

   (g) *Maneuvering space* shall mean the space required for maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way. Such maneuvering space shall be no closer than six (6) feet from the back edge of the right-of-way or easement of an adjacent public street or driveway.

   (h) *Occupant load* shall mean the number of persons for which the means of egress for a building or structure or portion thereof is designed pursuant to the International Building Code.

   (i) *Off-street parking space* shall mean one (1) off-street parking space is an area, the width and length of which shall exceed the dimensions of the type of vehicle to normally be parked in the space by a minimum of two (2) feet, and no part of the area shall be closer than six (6) feet from the back edge of the right-of-way of an adjacent public street or driveway.

   (j) *Parking facility* shall mean a public or private property used, wholly or partly, for restricted or paid vehicle parking. The term includes:

      i. A restricted space on a portion of an otherwise unrestricted parking facility; and

      ii. A commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home that charges a fee for parking, apartment complex, property governed by a property owners' association, or government-owned property leased to a private person, including:

a. A portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner; and

b. The area between the facility's property line abutting a county or municipal public roadway and the center line of the roadway's drainage way or the curb of the roadway, whichever is farther from the facility's property line.

(k) *Parking space* shall mean an area enclosed or unenclosed, containing not less than one hundred sixty-two (162) square feet and not less than nine (9) feet wide, exclusive of the driveways connecting said space with a street or alley. Said parking space and connecting driveway shall be durably surfaced with asphalt or concrete, as set forth in the City of Eagle Pass Construction Specifications Manual, and so arranged to permit satisfactory ingress and egress of vehicles. Said parking space shall remain in satisfactory condition for the use of the premises.

(l) *Parking lot/parking area* shall mean an area that is used by anyone for parking. Said area must be durably surfaced with concrete or asphalt, as set forth in the City of Eagle Pass Construction Specifications Manual, and properly marked and lighted as required by section 12.1. Parking Requirements.

2. Parking required. Improved off-street parking and maneuvering spaces in accordance with the minimum requirements set out in this section shall be provided at the time any development, building or structure is erected or structurally altered or undergoes a change of use or occupancy. All parking and maneuvering space shall be provided on the private property it is designed to serve unless otherwise stated in this ordinance.

(a) Timing of installation. Required parking spaces and drives shall be ready for use and approved by the planning department prior to the issuance of a certificate of occupancy for a building or use.

(b) Minimum requirements. Existing parking spaces shall not be reduced below the requirements established in this section.

(c) Certificate of occupancy. No certificate of occupancy shall be issued, no use shall be established or changed, and no structure shall be erected, enlarged or reconstructed unless the off-street parking spaces are provided in the minimum amount and maintained in the manner specified in the code.

(d) Improved off-street parking facilities are not required within the Historic Building Preservation District. In the event that a residence or business elects to construct improved off-street parking facilities within the district, the facilities shall comply with the provisions of this chapter, except as to the required number of parking spaces set forth herein.

3. Minimum improved off-street parking requirements. The following building code use and occupancy classifications shall require the respective number of improved off-street parking spaces. For a use and occupancy classification which is not listed in this section, the planning department shall apply the off-street parking standard specified for the listed use and occupancy classification that is deemed most similar to the proposed use, according to fire safety and relative hazard.

(a) *Assembly group A.* The use of a building or portion thereof for the gathering of persons for purposes such as civic, social, religious, or recreational functions.

Assembly occupancies shall include, but not limited to, restaurants, places of worship, bowling alleys, fitness centers, golf courses, lodge or fraternal organization meeting facilities, martial art schools, museums, libraries, skating rinks, movie theaters, community centers, religious educational rooms accessory to a place of worship, arenas, and funeral homes.

The required number of improved off-street parking spaces per use is as follows:

i. Church or temple, theater, stadium, gymnasium, or auditoriums: One (1) parking space for every three (3) seats.

ii. Bowling alley, skating rink: One (1) parking space for every two hundred (200) square feet of gross floor area.

iii. Mortuary or funeral home: One (1) parking space for every one hundred (100) square feet of gross floor area.

iv. Restaurant, nightclub, café, dancehall, bingo hall, lodge, exhibition hall, or similar recreation or amusement establishment: One (1) parking space for every one hundred (100) square feet of gross floor area.

v. Museum, library, or community center: Ten (10) parking spaces, plus one (1) additional space for each three hundred (300) square feet of gross floor area.

(b) *Business group B.* The use of a building or portion thereof for office, professional or service-type transactions, including the storage of records and accounts.

Business occupancies shall include, but not limited to, financial institutions, dry cleaners, offices, and veterinary clinics. The required number of improved off-street parking spaces per use is as follows:

i. Professional or personal services: One (1) parking space for every four hundred (400) square feet of gross floor area.

(c) *Educational group E.* The use of a building or portion thereof by six (6) or more persons at any one (1) time for educational purposes.

The required number of improved off-street parking spaces per use is as follows:

i. Elementary or middle school: Two (2) spaces for each classroom and administrative office.

ii. High school or college: Ten (10) parking spaces per classroom and one and one-half (1½) parking spaces for each administrative office.

(d) *Factory group F.* The use of a building or portion thereof for assembling, disassembling, finishing, manufacturing, packaging, repairing, or processing not classified as storage.

Factory occupancies shall include, but not limited to, appliance assembly, baking, textiles, woodworking, engine assembly, brick and masonry, and metal fabrication. The required number of improved off-street parking spaces per use is as follows:

i. Light industrial: One (1) parking space for each five hundred (500) square feet of gross floor area.

ii. Heavy industrial: One (1) parking space for each one thousand (1,000) square feet of gross floor area.

iii. Permits certain parking and uses on non-asphalt surfaces within factory group occupancies.

All required employee vehicles and visitor parking spaces, including access thereto, shall be paved in accordance with this section. All fire lanes shall also be paved in accordance with this section. Truck parking, loading and unloading on non-asphalt surfaces is permitted, provided that a twenty-four-foot-wide by twenty-foot-long asphalt or reinforced concrete apron is constructed on the property at the convergence of the vehicle ingress and egress point with the public roadway. The purpose of the apron is to prevent vehicle track-out onto the public roadway. The access apron shall be designed to ensure that surface water drainage is retained on the site and not conveyed onto the public roadway.

(e) *Institutional group I.* The use of a building or portion thereof for which people having physical limitations because of health or age are cared for or live in a supervised environment for care or treatment, or in which the people are detained for correctional purposes.

Institutional occupancies shall include, but not limited to, assisted living facilities, group homes, hospitals, nursing homes, day care centers, and retirement homes. The required number of improved off-street parking spaces per use is as follows:

i. Nursing home, convalescent home, elderly housing home, assisted living facility, retirement home, or group home: One (1) parking space for every four (4) beds.

ii. Commercial nonresidential day care center: One (1) parking space for every eight (8) students or pupils.

(f) *Mercantile group M.* The use of a building or portion thereof for the display and sale of merchandise and involves stocks of goods, wares, or merchandise incidental to such proposes and accessible to the public.

Mercantile occupancies shall include, but not limited to, convenience stores, furniture stores, hardware stores, and motor vehicle sales. The required number of improved off-street parking spaces per use is as follows:

i. Grocery stores, hardware stores, furniture stores, and convenience stores: One (1) parking space for every four hundred (400) square feet of gross floor area.

(g) *Residential group R.* The use of a building or portion thereof for sleeping purposes.

Residential occupancies shall include, but not limited to, single-family residential dwelling units, duplex residential dwelling units, triplex residential dwelling units, apartment dwelling units, bed and breakfast operations, and hotels.

The required number of improved off-street parking spaces per use is as follows:

i. Single-family residence: Two (2) parking spaces per dwelling unit.

ii. Duplex, triplex and multi-family dwellings: One and one-half (1.5) spaces for a one-bedroom unit; two (2) spaces for a two-bedroom unit; two and one-half (2½) spaces for a three-bedroom unit; plus additional five (5) percent of total number of required spaces for visitors.

iii. Hotel or motel: One (1) parking space for each room, plus one (1) parking space for every two hundred (200) square feet for an associated restaurant, retail, conference, or office area.

(h) *Storage group S.* The use of a building or portion thereof for the storage of goods.

Storage occupancies shall include, but not limited to, mini-warehouses, warehouses, material storage, truck parking on otherwise undeveloped property, and vehicle storage.

The required number of improved off-street parking spaces per use is as follows:

i. Warehouse type uses: One (1) parking space for each three thousand (3,000) square feet of gross floor area.

ii. Mini-warehouse (self storage): One (1) space per on-site office plus one (1) parking space for each three thousand (3,000) square feet of gross floor area.

iii. Permits certain parking and uses on non-asphalt surfaces within storage group occupancies.

All required employee vehicles and visitor parking spaces, including access thereto, shall be paved in accordance with this section. All fire lanes shall also be paved in accordance with this section. Truck parking, loading and unloading on non-asphalt surfaces for a business structure located on the property is permitted, provided that a twenty-four-foot-wide by forty-foot-long asphalt or reinforced concrete apron is constructed on the property at the convergence of the vehicle ingress and egress point with the public roadway. The purpose of the apron, which is not to exceed a two (2) percent slope from the property to the road, is to prevent vehicle track-out onto the public roadway. The access apron shall be designed to ensure that surface water drainage is retained on the site and not conveyed onto the public roadway.

4. Computation of parking requirements. In the interpretation of the parking requirements set out in this section, the following rules shall apply:

   (a) Where fractional spaces result, the parking spaces required shall be construed to be the next largest whole.

   (b) The parking space required for a use not specifically mentioned in this ordinance shall be the same as required for a use of similar nature.

   (c) Whenever a property is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, additional spaces shall be provided on the based upon the enlargement or change. The additional off-street parking spaces will be required only to serve the enlarged or expanded area, not the entire building or use.

   (d) In the case of mixed uses, the parking spaces required in this section shall equal the sum of the requirements of the various uses computed separately.

5. Americans with Disabilities Act (ADA) compliant parking. Parking spaces designated for use by members of the disabled community shall comply with the table shown below, but in all cases shall be consistent with the Texas Accessibility Standards found in the State of Texas Architectural Barriers Act. Parking required to satisfy ADA requirements shall be in addition to the spaces required per section (C)3, Minimum improved off-street parking requirements, located in this chapter.

   One (1) to twenty-five (25) parking spaces: One (1) disabled parking space.

   Twenty-six (26) to fifty (50) parking spaces: Two (2) disabled parking spaces.

   Fifty-one (51) to seventy-five (75) parking spaces: Three (3) disabled parking spaces.

   Seventy-six (76) to one hundred (100) parking spaces: Four (4) disabled parking spaces.

   One hundred one (101) to one hundred fifty (150) parking spaces: Five (5) disabled parking spaces.

   One hundred fifty-one (151) to two hundred (200) parking spaces: Six (6) disabled parking spaces.

   Two hundred one (201) to three hundred (300) parking spaces: Seven (7) disabled parking spaces.

   Three hundred one (301) to four hundred (400) parking spaces: Eight (8) disabled parking spaces.

   Four hundred one (401) to five hundred (500) parking spaces: Nine (9) disabled parking spaces.

   Five hundred one (501) to one thousand (1,000) parking spaces: Two (2) percent of total parking spaces.

   One thousand one (1,001) and over parking spaces: Twenty (20) disabled parking spaces, plus one (1) for each one hundred (100) over one thousand (1,000).

   One (1) in every six (6) accessible parking spaces, but not less than one (1), shall be serviced by a minimum access aisle width of eight (8) feet and shall be designated "van accessible."

ADA compliant parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

6. Vehicle stacking areas.

   (a) *Minimum number of stacking spaces.* Off-street stacking spaces shall be provided as indicated below. Off-street stacking spaces shall be in addition to any required parking spaces.

Activity Type	Minimum Spaces	Measured From
Bank teller lane	4	Teller or window
Automated teller machine	3	Machine
Restaurant drive through	6	Order box
Restaurant drive through	6	Order box to pick-up window
Car lubrication stall	2	Entrance to stall
Car wash stall, automatic	4	Entrance to wash bay
Car wash stall, self service	3	Entrance to wash bay
Day care drop off	3	Passenger loading area
Gasoline pump island	2	Pump island
Parking lot, controlled entrance	4	Key code box

   (b) *Design and layout.* Required stacking spaces are subject to the following design and layout standards:

      i. Size. Stacking spaces must be a minimum of ten (10) feet in width by twenty (20) feet in length.

      ii. Location. Stacking spaces may not impede on or off-site traffic movements or movements into or out of off-street parking spaces.

      iii. Design. Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the planning department for traffic movement and safety.

      iv. For restaurant drive-through, the stacking spaces shall be as measured from the merchandise pick-up window.

      v. For gasoline fuel pump island, the stacking spaces shall be as measured in either direction from the edge of the island fuel pump(s).

7. Location of parking spaces for nonresidential uses shall be as follows:

   (a) All parking spaces required in this ordinance shall be located on the same property with the use and occupancy it is intended to serve, except that where an increase in the number of spaces is required by a change in use or enlargement or where such spaces are provided by the establishment or provided collectively and used jointly by two (2) or more activities or establishments, the required spaces may be located not to exceed three hundred (300) feet from an institutional occupancy served and not to exceed five hundred (500) feet from any other nonresidential occupancy served.

   (b) Not more than fifty (50) percent of the parking spaces required for theaters, bowling alleys, dancehalls, nightclubs or cafes, and up to one hundred (100) percent of the parking spaces

required for a church or school auditorium, may be provided and used jointly by banks, offices, retail stores, repair shops, service establishments and similar uses not open, used or operated during the same hours; provided that a written agreement thereto is properly executed and filed as specified below.

(c) In any case where the required parking spaces are not located on the same property with the use or occupancy, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the respective property owners, approved as to form by the city attorney, and shall be filed with the application for a building permit.

i. *Off-site parking facilities.* Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if found by the planning department to comply with all of the following standards:

a. *Ineligible activities.* Off-site parking may not be used to satisfy the off-street parking standards for residential uses, and off-site parking shall not be located in residential R zoning districts. Required parking spaces reserved for persons with disabilities shall not be located off-site.

b. *Location.* No off-site parking spaces may be located more than five hundred (500) feet from the primary entrance of the use served.

Any on-street loading zone designation pursuant to City of Eagle Pass Code of Ordinances section 26-207 shall be accompanied by an annual payment to the city in the amount of five hundred fifty dollars ($550.00) for each and every parking space eliminated from use by the public as a result of the designation.

c. *Zoning district classification.* Off-site parking areas serving uses located in nonresidential zoning districts must be located in nonresidential zoning districts.

d. *Agreement for off-site parking.* In the event that an off-site parking area is not under the same ownership as the principal use being served, a written agreement between the property owners of record must be submitted to the planning department. The agreement must guarantee the use of the off-site parking area for a minimum of one (1) year, and shall be approved as-to-form by the city attorney.

An attested, notarized copy of the agreement between the owners of record must be submitted to the planning department before the issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. No use shall be continued if the shared parking facility agreement is removed, terminated, revoked or otherwise ineffective unless substitute parking is provided.

A certificate of occupancy may be revoked unless substitute parking is provided.

ii. *Shared parking facilities.* The planning department may approve shared parking facilities for occupancies, developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards:

a. *Location.* Shared parking spaces must be located within five hundred (500) feet of the primary entrance of all uses served.

b. *Zoning district classification.* Shared parking areas require the same or a more intensive zoning classification than required for the use served.

c. *Analysis.* Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit written documentation to the planning department that clearly demonstrates the feasibility of shared parking. The documentation must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking loads for all uses that will be sharing the off-street spaces.

d. *Agreement for shared parking.* Shared parking will be enforced through written agreement among all owners of record. The agreement must guarantee the use of the shared off-site parking area for a minimum of one (1) year, and shall be approved as-to-form by the city attorney. An attested notarized copy of the agreement between the owners of record must be submitted to the planning department before the issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area.

Failure to comply with the off-site parking or shared parking provisions of this section shall constitute a violation of this Code, and shall be cause for revocation of a building permit or certificate of occupancy.

8. Design standards. Design standards for off-street parking shall be as follows:

(a) Ninety-degree angle parking. Each ninety-degree angle parking space shall not be less than nine (9) feet in width and eighteen (18) feet in length. Maneuvering space shall be not less than twenty-four (24) feet.

(b) Sixty-degree angle parking. Each sixty-degree angle parking space shall be not less than nine (9) feet wide perpendicular to the parking angle or less than twenty and one-half (20½) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than sixteen (16) feet perpendicular to the building or parking line.

(c) Forty-five-degree angle parking. Each forty-five-degree angle parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than nineteen and one-half (19½) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than twelve (12) feet perpendicular to the building or parking line.

(d) Off-street parking area adjacent to alley. When off-street parking facilities are located adjacent to a public alley, the width of such alley may be assumed to be a portion of the maneuvering space requirement.

(e) The minimum two-way drive aisle width shall be twenty-four (24) feet, and the minimum one-way drive aisle width shall be twelve (12) feet.

(f) Parking areas with twenty (20) or more parking spaces may allocate up to ten (10) percent of the minimum number of required parking spaces to reduced sized vehicles, including compact cars and motorcycles, if designed to the following standards:

i. A compact car space shall not be less than eight (8) feet in width and sixteen (16) feet in length.

ii. A motorcycle space shall not be less than four and one-half (4½) feet in width and eight (8) feet in length.

iii. Reduced size spaces shall be laid out in a group or clustered and appropriately identified as intended for exclusive use by the specified vehicle.

(g) All required off-street parking areas, including access thereto, shall be constructed of either a concrete or asphalt surface, and shall conform to the specifications set forth in the City of Eagle Pass Construction Specifications Manual. Parking area and access area design shall be reviewed and approved by the city engineer prior to construction.

(h) Barriers shall be installed to prevent the overhang of vehicles into the required landscaped areas and pedestrian ways.

(i) For safety, firefighting purposes, and better vehicular circulation, cross access between parking areas of adjacent commercially-zoned parcels shall be provided.

(j) Fire lanes shall be provided as required by the adopted fire code and/or the City of Eagle Pass Fire Marshal, and the fire lanes shall be adequately reinforced to withstand heavy vehicle loading.

(k) Refuse or dumpster containers shall not be located in a designated parking space or loading area.

(l) No parking area shall be used for the repair, storage, dismantling, or servicing of vehicles or equipment.

(m) No parking area shall be used for storage of inventory, materials, supplies, display, or sanitation containers.

(n) All off-street parking areas shall be kept free of litter, trash, debris, display, and advertising.

(o) The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and use violations.

(p) Reserved.

(q) Parking on any required landscaped area is prohibited.

(r) Either one (1) of the following two (2) actions shall be undertaken in a circumstance where an existing building located within the city's Historic Building Preservation District is proposed to be demolished to create an improved off-street parking area, and existing buildings are located on either side of the building to be demolished:

i. The existing building façade shall be (i) retained, (ii) structurally reinforced as recommended by a professional engineer, including practices to ensure that the retention of the façade does not adversely impact the structural integrity of the adjacent buildings, and (iii) modified to accommodate vehicle access between the street and the new parking area; or

ii. The existing façade shall be replaced with a new façade, which is to be (i) designed to accommodate vehicle access between the street and the new parking area, (ii) designed with architectural features consistent with those found on the adjacent buildings, (iii) designed by a professional engineer to include features to ensure that the new façade does not adversely impact the structural integrity of the adjacent buildings, and (iv) designed to be equal to the height of the buildings located on either side of the building to be demolished.

The proposed method to comply with the provisions of this sub-section shall be reviewed and approved by the planning department prior to the issuance of a demolition permit for the structure.

9. Pavement standards. All parking lots and access roadways thereto shall be paved according to the standards and specifications set forth in the City of Eagle Pass Public Works Department Construction Specifications Manual, with parking area and access design reviewed and approved by the city engineer

prior to construction. The parking spaces must be clearly marked by white paint or buttons not less than four (4) inches in width, and shall be visible at all times.

(a) Any other delineation marking shall be approved in writing by the planning department prior to the construction of the parking facility.

(b) All markings shall be arranged to provide for orderly and safe loading, unloading, and parking.

(c) One-way and two-way accesses into required parking areas shall be identified by directional arrows.

10. Parking lot lighting. All nonresidential parking lots and residential parking areas for multi-unit buildings with five (5) or more parking spaces shall have nighttime lighting. A design drawing of required parking lot lighting shall be submitted to the planning department for review and approval prior to construction, with the design demonstrating that illumination will be provided for the entire parking area.

11. Parking lot landscaping and screening. All portions of a parking area or lot not occupied by parking spaces or driveways shall be landscaped with decorative rock or sand, turf, shrubs, ground cover, and/or paved pedestrian paths. The following additional requirements are intended not only to improve the appearance of parking lot areas, but also to provide for adequate circulation and drainage and to help moderate wind, noise, and temperature extremes.

(a) All outdoor parking areas having spaces for more than ten (10) vehicles shall have landscaping within the perimeter of the parking area equal in area to not less than five (5) percent of the total paved area.

(b) No parking space shall be located more than fifty (50) feet from a portion of the required landscaping.

(c) One tree of at least two-inch caliper in size shall be provided within the perimeter of the parking area for each two hundred fifty (250) square feet of required landscaping.

(d) Required or provided landscaping shall not obstruct the view of any vehicle backing areas or turning areas in a way so as to create a hazard.

(e) All required or provided landscaping and trees shall be maintained in a clean, safe, and healthy condition.

(f) The landscaping required in this section shall be provided in addition to the screening requirements of section 23-89(d) of this Code.

(g) The requirements of (a), (b) and (c) of this section do not apply to vehicle display, storage or loading areas for businesses which sell or service vehicles, farm equipment, or for commercial or industrial parking areas intended specifically for trucks having a rated capacity of twenty-six thousand (26,000) pounds gross vehicle weight or more.

12. Access and maintenance. All required parking, driveways, drive aisles, and entrances shall have a paved surface which conforms to the City of Eagle Pass Public Works Department Construction Specifications Manual, with the surface kept in a dust-free condition at all times.

13. Required parking spaces shall not have direct access to a street or highway. Access to required parking spaces shall be provided by on-site driveways. Off-site parking spaces shall be accessible without backing into or otherwise re-entering a public right-of-way.

14. The construction of any off-street parking area shall require a review by the city to determine the condition of all sidewalk areas located within the adjacent public-right-of-way. Any sub-standard sidewalk shall be repaired in the event that the city determines that the physical condition of the

sidewalk area does not comply with the city standards set forth in the City of Eagle Pass Construction Specifications Manual.

15. Parking requirements for uses not covered by this section. Parking for uses not covered by this section shall be those deemed by the planning department to be most similar to that of the proposed use.

(Ord. No. 06-13, § 2, 7-11-2006; Ord. No. 07-10, § 1, 5-24-2007; Ord. No. 2013-16, § 1, 9-3-2013; Ord. No. 2018-01, § 1, 1-2-2018; Ord. No. 2021-07, § 2, 4-22-2021; Ord. No. 2022-13, §§ 1—3, 6-7-2022)

Item #3

Community Development Department Executive Summary Report to the Eagle Pass Zoning Board of Adjustment and Appeals

Variance Request – 496 County Road 523

I. BACKGROUND

General Information

Applicant: William Cavanaugh

Property Owner: Garrison Solutions, LLC

Legal Description: reference enclosed deed

Parcel Size: 80 acres

Current Use: miliary facility under construction

Current Zoning: I – Industrial

Master Plan: No depiction

Request: A variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 12(d)(5)* governing landscape requirements. The applicant seeks to reduce the required landscaping to zero.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

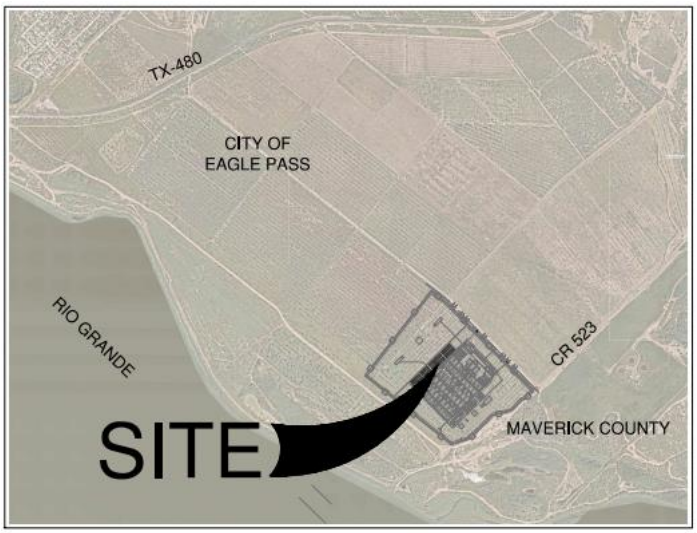
Vicinity: Property is bordered by large undeveloped parcels of land and adjacent to Loop 480 and El Indio Highway.

Access to the site is provided by El Indio Highway via County Road 523.

III. PUBLIC NOTICE

Public notification of the variance request before the Zoning Board of Adjustment and Appeals was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. There were eight (8) notices mailed to the abutting property owners, with a legal notice published in the Eagle Pass News Gram on September 18, 2024.

Figure 1. Aerial Map



IV. STAFF ANALYSIS

The applicant is requesting a requesting a variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 12(d)(5)* governing landscape requirements. This section references *Section 23-89*(b)(4) regulating landscape plan requirements under *Chapter 23-Subdivisions / Article VI – Landscape and Tree Preservation*. The applicant seeks to reduce the required landscaping to zero.

Although the construction will conform with all applicable building codes it does not meet the requirements set forth in the *Eagle Pass Code* of *Ordinances* regulating landscaping. Given that the use is designed to support activities related to defense, security, and training that are under private ownership, the strict application will deprive the property owner(s) of the reasonable use of the property. Staff believes that the granting of the variance will not be detrimental to the public health of the community, therefore recommend that the petition be granted.

V. STAFF RECOMMENDATION

The Community Development Department recommends approving the request as proposed by the applicant for property located at 496 County Road 523.

TRANSMITTED to the parties listed hereafter:

William Cavanaugh via e-mail
Eagle Pass City Secretary Imelda Rodriguez via e-mail
Eagle Pass Legal Counsel Ana Sophia Garcia via e-mail
Community Development Department Report dated September 23, 2024

Attachment 1
Application and related correspondence

City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project

Legal Description: Abstract 824 S. S, Sanders Survey #24

Site Address: 496 County Road 523

Acres: 80 Square feet: _____ Existing land use: Private Basecamp

Owner

Name: Garrison Solutions, LLC Phone: 830-609-8855

Address: P.O. Box 310697 E-mail: programs@teamhousing.com

City: New Braunfels State: TX Zip: 78131

Applicant If not owner

Name: William Cavanaugh Phone: 830-369-8030

Address: 707 Landa St. Ste. A E-mail: kbatey@teamhousing.com

City: New Braunfels State: TX Zip: 78130

Relationship to owner: Employee/Owner's Son

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
Yes ___ No x

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization.

I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed.

If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees.

Signature: _____ Date: 09/03/2024

Print Name: William Cavanaugh ☐Applicant ■Authorized Agent

Board Action	Description: _____ _____ _____ _____ _____ Board Chairman Signature Date
Office	Accepted by _____ Payment received by _____ Date_____ Zoning Classification _____ Case No. _____

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: I am writing to formally request a variance from the landscape requirements outlined in (Ord. No. 05-22, § 1, 8-2-2005) for our property located at 496 CR 523 Eagle Pass, TX 78852. As the Vice President of Operations for Team Housing Solutions, I seek this variance to modify the landscape installation requirements because this location is designed and customized to support activities related to defense, security, and training that are under private ownership.

For each question, check yes or no and provide a detailed explanation.

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?

Yes ☐ No ☑ Explain: The financial cost is not great than 50 percent of the appraised value of the structures.

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?

Yes ☐ No ☑ Explain: Compliance will not result in loss to the lot.

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?

Yes ☐ No ☑ Explain: Compliance will not result in the structure not following a requirement of ordinance, building code or other requirement.

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?

Yes ☐ No ☑ Explain: Compliance will not result in the unreasonable encroachment on an adjacent property or easement.

PAPE-DAWSON ENGINEERS
AUSTIN I SAN ANTONIO I HOUSTON I FORT WORTH I DALLAS
10801 N. MOPAC EXPY, BLDG 3, STE 200 I AUSTIN, TX 78759 I 512.454.8711
TBPE FIRM REGISTRATION #470 I TBPLS FIRM REGISTRATION #100280-01

TEAM HOUSING SOLUTIONS

BASECAMP EAGLE
EAGLE PASS, TX

1,800 PAX + 500 SURGE – BARRACKS – SITE PLAN

OVERALL SITE PLAN – WITH CLEARANCE

DATE: 5/2/2024
SCALE: 1" = 40'
SHEET: 3 OF 35
CHECKED: JG DRAWN: JS

Date: May 02, 2024, 4:38pm User ID: Illu
File: H:\Projects\514\139\001\004 - Eagle Pass Base Camp\Design\VWA\Final Design - Updated - Eagle Pass South - Overall Site Plan.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☐ No ☑ Explain: No, the municipality does not consider this structure to be a nonconforming structure.

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☑ No ☐

Explain: Yes, the variance is necessary to support the private property to be used as intended in order to support the National Guard's mission.

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☑

Explain: No, granting the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

VARIANCE APLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☐ Development Application signed by owner or notarized affidavit
☑ This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable		**TECHNICHAL REQUIREMENTS** Any application that is missing information will be considered incomplete and will not be processed.
			1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
			2	Application Fee of $100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. **These fees are non-refundable**.
			3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
			4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
			5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

_____ 09/03/2024

Applicant Acknowledgment Date

Code of Ordinances Chapter 23-Subdivisons / Article VI – Landscape and Tree Preservation / Section 23-89 Landscape plan requirements

https://library.municode.com/tx/eagle_pass/codes/code_of_ordinances?nodeId=PTIICOOR_CH23SU_ARTVILATRPR_S23-89LAPLRE

Sec. 23-89. Landscape plan requirements.

(a) *Submittal of plan.* The landowner or his/her agent shall submit and receive approval of a landscape plan demonstrating compliance with the landscape requirements contained herein. Plans shall show location and size of required landscaped areas, all dimensions, types of materials, size and spacing of vegetative materials, and plans for providing irrigation to plants. The plan(s) shall demonstrate that landscaping materials will:

(1) Abate objectionable noise, light, glare, visual clutter, dust or loss of privacy.

(2) Adequately accomplish the purpose of which they were intended.

(b) *Required site landscaping.*

(1) Minimum percentage.

Non-corner sites: Shall be determined by site frontage along a street, multiplied by site depth (at its deepest point, up to a maximum of two hundred (200) feet) multiplied by 0.075 to determine the required landscape area along the primary street frontage.

Corner sites: Along the primary street, shall be determined by site frontage along a street, multiplied by site depth (at its deepest point, up to a maximum of two hundred (200) feet) multiplied by 0.075 to determine the required landscape area along the primary street frontage. Along the secondary street(s), shall be determined by site frontage along a street, multiplied by site depth (at its deepest point, up to a maximum of two hundred (200) feet) multiplied by 0.050 to determine the required landscape area along the secondary street frontage.

In no case shall the front landscape area be less than ten (10) feet in width.

(2) Undeveloped portions of a tract or lot shall not be considered landscaped, except as specifically approved by the BA.

(3) A minimum percentage of the total lot area of property on which development or new construction occurs after the effective date of this chapter shall be devoted to landscape development in accordance with Table 5.1. The landscaping shall be placed upon that portion of a tract or lot that is being developed. Fifty (50) percent of the required landscaped area and required plantings shall be installed between the front property lines and the building being constructed.

(4) For every six hundred (600) square feet of landscape area required by Table 5.1, two (2) trees and four (4) shrubs shall be planted.

(5) Should a tree die or be removed for which credit has been obtained pursuant to the terms of this chapter, landscape development sufficient to equal the area credited shall be required. A small tree that will have a mature crown similar to the tree removed may be substituted if the planting area or pervious cover provided for the larger tree is retained.

(6) Land use landscaping required (percent of constructed impervious coverage of the lot) shall be as shown in Table 1 below. Frontage landscape may be credited towards fulfilling the requirements of this section.

Table 1. Required Landscaping

Land Use	Landscaping Required (% of constructed impervious coverage of the lot)
Multifamily structures	20
Manufactured home park	20
Office and professional uses	20
Institutional	20
Commercial	15
Industrial or manufacturing	15

(c) *Credit for existing trees.* In order to reward the preservation of existing trees, one hundred (100) percent of the crown area of undisturbed existing trees shall be reduced from the landscape area requirements; provided that the area surrounding the tree is left undisturbed and that this area consists of a least one hundred (100) square feet but not less than fifty (50) percent of the crown area.

(d) *Screening.* Off-street loading spaces, refuse and outside storage areas, antennas, satellite dishes, and mechanical equipment within the street yard must be screened from all public streets. The screening must be of a minimum of six (6) feet in height or a height sufficient to obscure the area or equipment requiring the screening, whichever is less. The screening may be provided by plants, a solid screen fence or wall, or a combination thereof.

(1) *Acceptable landscape screening materials.*

a. No artificial plant materials may be used to satisfy the requirements of this chapter.
b. Plant materials required by this chapter must comply with the following minimum size requirements at the time of installation. At time of planting, plant height shall be measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.
    1. Large trees must have a minimum caliper of two (2) inches and shall be planted in an area with a minimum of one hundred (100) square feet of permeable surface area. This area may be reduced to fifty (50) square feet if a permanent life support system, which must include but is not limited to an irrigation system and an internal drainage mechanism, is incorporated within the planting area.
    2. Small trees must have a minimum height of six (6) feet and shall be planted in an area with a minimum of twenty-five (25) square feet of permeable surface area.
    3. Large shrubs must have a minimum height of two (2) feet and must be planted in an area with a minimum of nine (9) square feet of permeable surface area. The permeable surface areas for shrubs may be included within permeable surface areas required for trees.
c. Each large tree, small tree or large shrub must be planted at least thirty-six (36) inches away from any paved surface or city right-of-way.

(2) *Protection of plant areas.* Plant areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(Ord. No. 05-22, § 1, 8-2-2005)

Item #4

Community Development Department Executive Summary Report to the Eagle Pass Zoning Board of Adjustment and Appeals

Variance Request – 568 S. Bibb Ave

I. BACKGROUND

General Information

Applicant: South Texas Neon Signs Co. Inc.

Property Owner: Texas Roadhouse Holdings, LLC

Legal Description: Lot 3 in Lowe's of Eagle Pass Subdivision

Parcel Size: 3.0343 acres & 132,173 square feet

Current Use: Restaurant under construction

Current Zoning: B3 (General Business District)

Master Plan: Commercial

Request: A variance from *Section 15(h)(d)(1)(a)* regulating placement of signs. Applicant seeks to erect more than the allowed signs.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

Vicinity: Property is bordered by commercial developments. Access to the site is provided by Bibb Ave via an access easement.

III. PUBLIC NOTICE

Public notification of the variance request before the Zoning Board of Adjustment and Appeals was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 42 notices were mailed to the abutting property owners, with a legal notice published in the Eagle Pass News Gram on September 18, 2024.

Figure 1. Aerial Map



Street View





IV. STAFF ANALYSIS

The proposed construction does meet the requirements set forth in the Building Code. However, the sign regulations are not being met as proposed and do not conform to Appendix A of the Zoning Ordinance, particularly *Section 15(h)(d)(1)(a) regulating* placement of signs.

The applicant seeks to erect more than the allowed signs. The purpose of the variance is to allow the installation of four signs as ordinance only allows two. Because the proposed signs are not impeding or obstructing the visibility or causing a safety concern City Staff recommends the approval of the request to install two additional signs in accordance with the *City of Eagle Pass Code of Ordinances* and securing a building permit.

V. STAFF RECOMMENDATION

The Community Development Department recommends **GRANTING** the applicant's variance request for property located at 568 S. Bibb Ave.

TRANSMITTED to the parties listed hereafter:
South Texas Neon Signs Co. Inc. via e-mail
Eagle Pass City Secretary Imelda Rodriguez via e-mail
Eagle Pass Legal Counsel Ana Sophia Garcia via e-mail
Community Development Department Report dated September 23, 2024

Attachment 1
Application

City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project

Legal Description: Lowes of Eagle Pass Subdivision Lot 3 (Portion of Lot 3)

Site Address: 568 S. Bibb Ave.

Acres: 3.0343 Square feet: 132,173 Existing land use: Commercial City

Owner

Name: Texas Roadhouse Phone: 502 426 9984

Address: 568 S. Bibb Ave E-mail:

City: Eagle Pass State: Texas Zip: 78852

Applicant If not owner

Name: South Texas Neon Sign Co Inc Phone: 956 744 4450

Address: 317 Masterson Rd E-mail: SouthtexasNeon@sbcglobal.net

City: Laredo State: Texas Zip: 78046

Relationship to owner: Sign Installer

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
Yes ___ No /

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization.

I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed.

If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees.

Signature: Date: 8/20/2024

Print Name: Maria Antonieta Molina ☑Applicant ☐Authorized Agent

Board Action	Description: Board Chairman Signature _____ Date _____
Office	Accepted by MK Payment received by RR Date 8/22/24 Zoning Classification B3 Case No. —

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: Additional Signs

For each question, check yes or no and provide a detailed explanation.

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?
Yes ☐ No ☑ Explain: _____

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?
Yes ☐ No ☑ Explain: _____

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?
Yes ☑ No ☐ Explain: The way the ordinance is being interpreted now you're only allowed two sign per business.

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?
Yes ☐ No ☑ Explain: _____

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☑ No ☐ Explain: Only allowing two sign

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☑ No ☐

Explain: Need the exposure to do business onto under side of the building.

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☑

Explain:

VARIANCE APLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☒ Development Application signed by owner or notarized affidavit
☒ This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable		TECHNICHAL REQUIREMENTS Any application that is missing information will be considered incomplete and will not be processed.
✓	✓		1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
✓	✓		2	Application Fee of $100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. **These fees are non-refundable.**
✓	yes		3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
✓	✓		4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
✓	✓		5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

Applicant Acknowledgment

8/20/2024
Date

August 15, 2024

City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
3295 Bob Rogers Drive
Eagle Pass, TX 78852

Regarding Project:
Texas Roadhouse
568 S. Bibb Ave.
Eagle Pass, TX 78852

To Whom It May Concern:

This letter is to inform the City of Eagle Pass, Texas Roadhouse, Holdings LLC has given approval of the attached sign design 23-80712-10R1 provided by Federal Heath Sign Company and the use of their agent, Maria A. Molina with South Texas Neon Signs, Inc. to represent Texas Roadhouse for the sign variance for above-mentioned project.

Should you have any questions, please contact me at 502-426-9984.

Thank you,

Caitlin Kincaid
Real Estate Project Manager

NOTARY ID # KYNP68215
REBECCA L. WONKA
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
MY COMMISSION EXPIRES FEB. 25, 2027

Project: Texas Roadhouse
568 S. Bibb Ave.
Eagle Pass, TX 78852

Re: Additional sign square footage variance.

To Whom it may concern:

Texas Roadhouse is requesting a sign variance for additional sign square footage adding our restaurants' logo onto the multi-tenant panels. This request is due to our building setback within the center. We believe it is necessary to have this I.D. to let our customers know our restaurant is located further back in the shopping center.

In addition, the restaurant has an exterior To-Go room door for our customers to pick up their orders. The additional 7.9 Square foot sign is a necessity to eliminate confusion as to where to place and pick up their orders.

In closing, Texas Roadhouse appreciates The City of Eagle Pass for their hard work helping our new Texas Roadhouse become a reality in operating in the City of Eagle Pass.

Thank you.

Doug Druen

Real Estate Manager

Texas Roadhouse Holdings, LLC
6040 Dutchmans Lane
Louisville, KY 40205

Arial View



Site Photos

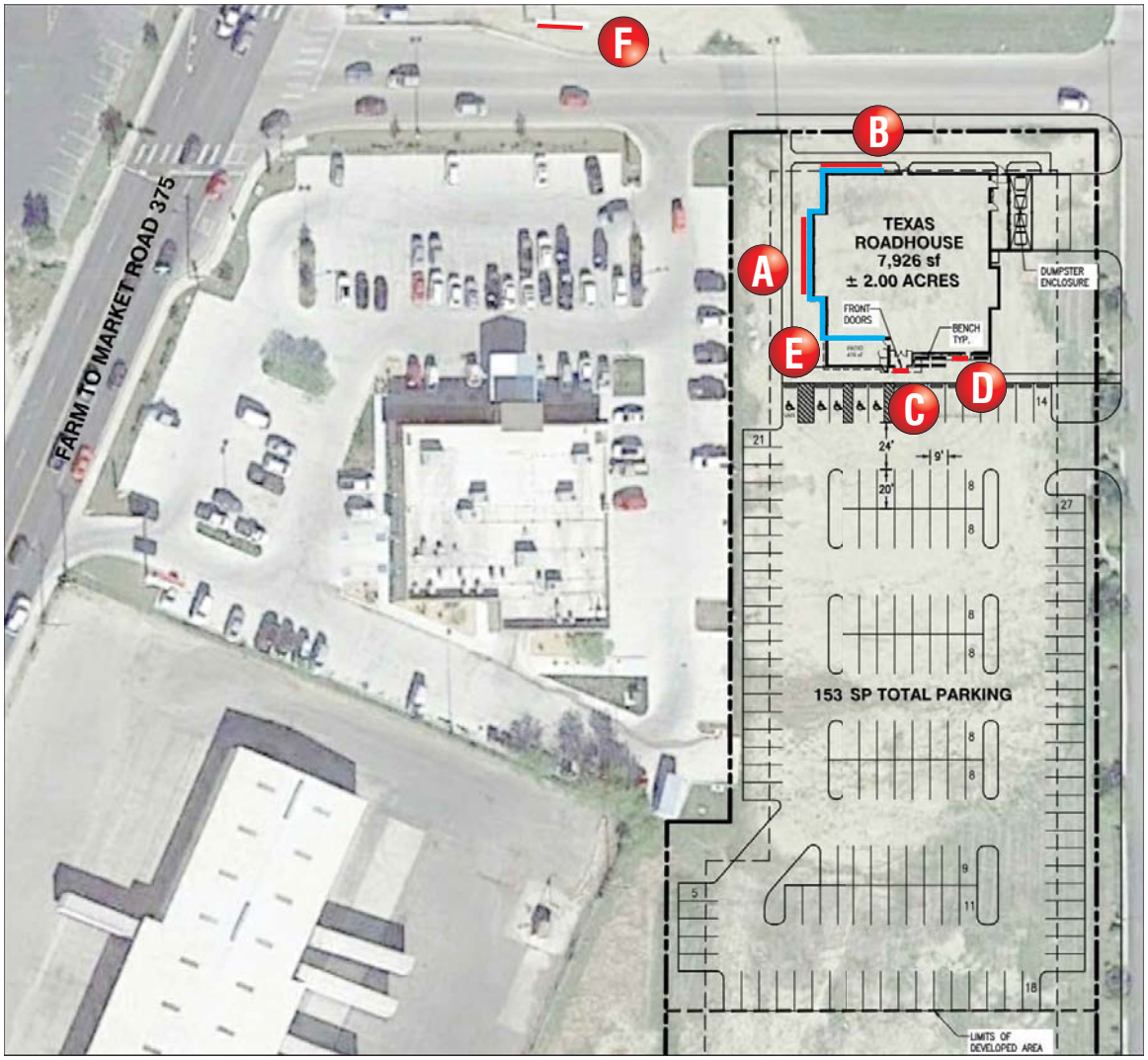












SIGN PLACEMENT

SIGN TYPE A 2'-8" LED Channel Letterset w/ 4' Logo.

SIGN TYPE B 2'-8" LED Channel Letterset w/ 4' Logo.

SIGN TYPE C 3'3" x 5'7" S/F LED Wall Sign.

SIGN TYPE D 2'1" x 3'10" S/F LED Wall Sign.

LED E White LED Border Lighting.

SIGN TYPE F Panels on Lowe's Multi-Tenant Sign.

DATE: AUGUST 25, 2022

GF PROJECT #: 20220219.0

SITE SKETCH 2 - 7,926 sf

TEXAS ROADHOUSE - EAGLE PASS, TX
NEQ EL INDIO HWY AND FTM ROAD 375

28°41'58.00" N 100°28'57.80" W

PARKING:	REQUIRED	PROVIDED
	83 SPACES	153 SPACES

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

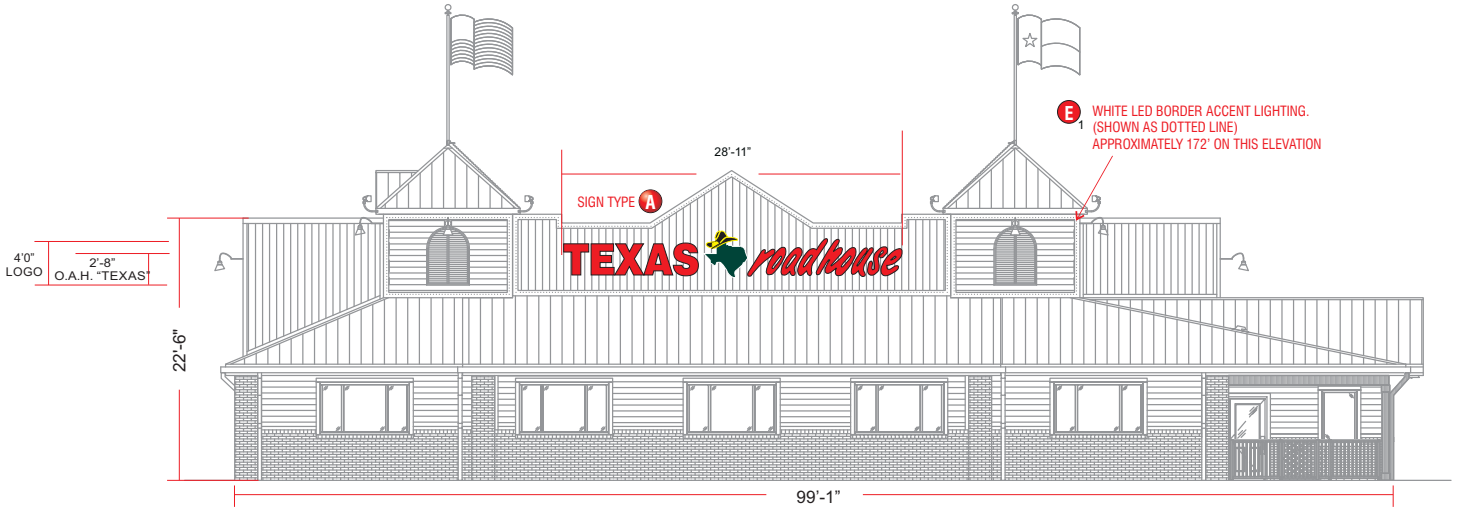
Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
S. BIBB AVENUE
EAGLE PASS, TX

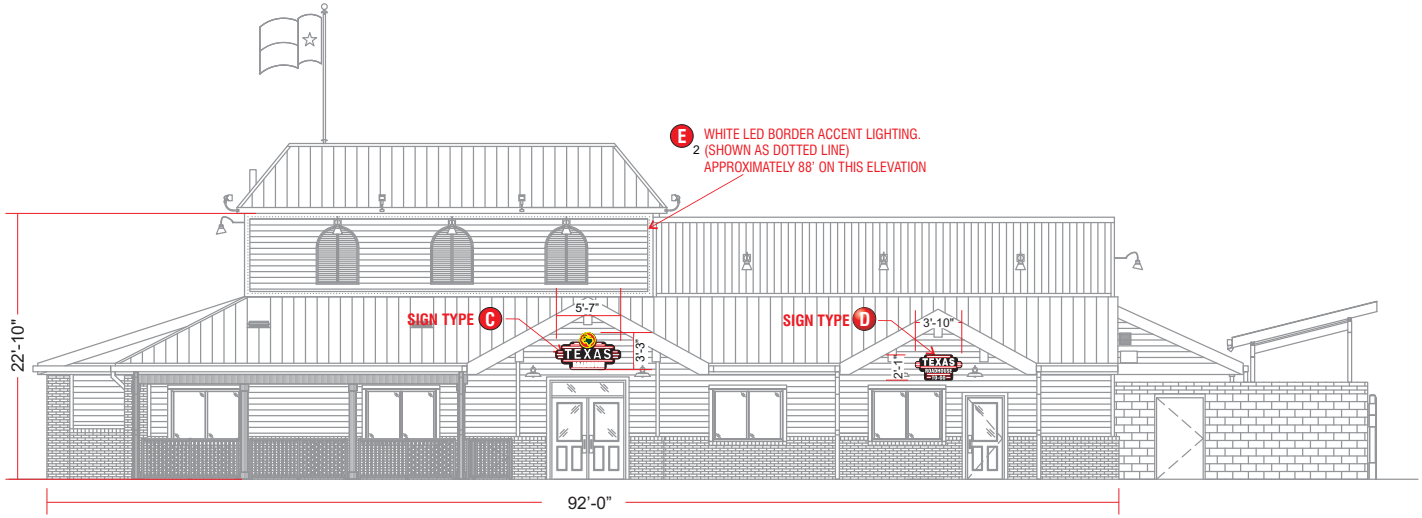
Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 1 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



FRONT ELEVATION

SCALE : 3/32" = 1'-0"



RIGHT ELEVATION

SCALE : 3/32" = 1'-0"

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

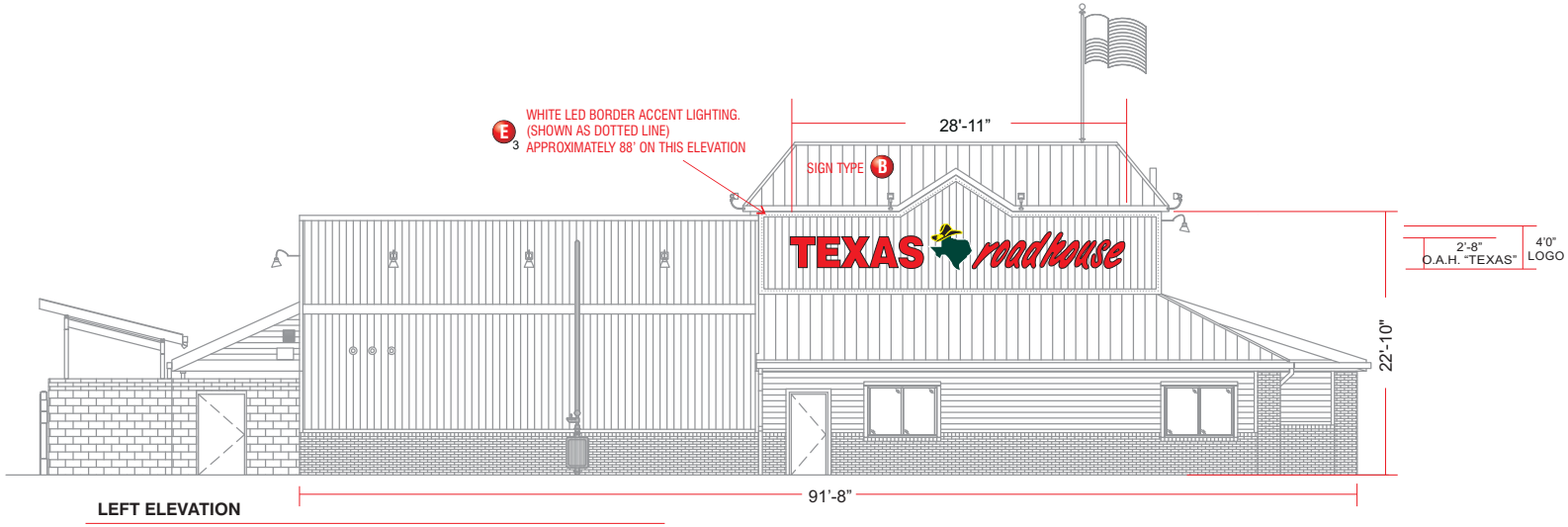
Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
TEXAS ROADHOUSE
S. BIBB AVENUE
EAGLE PASS, TX

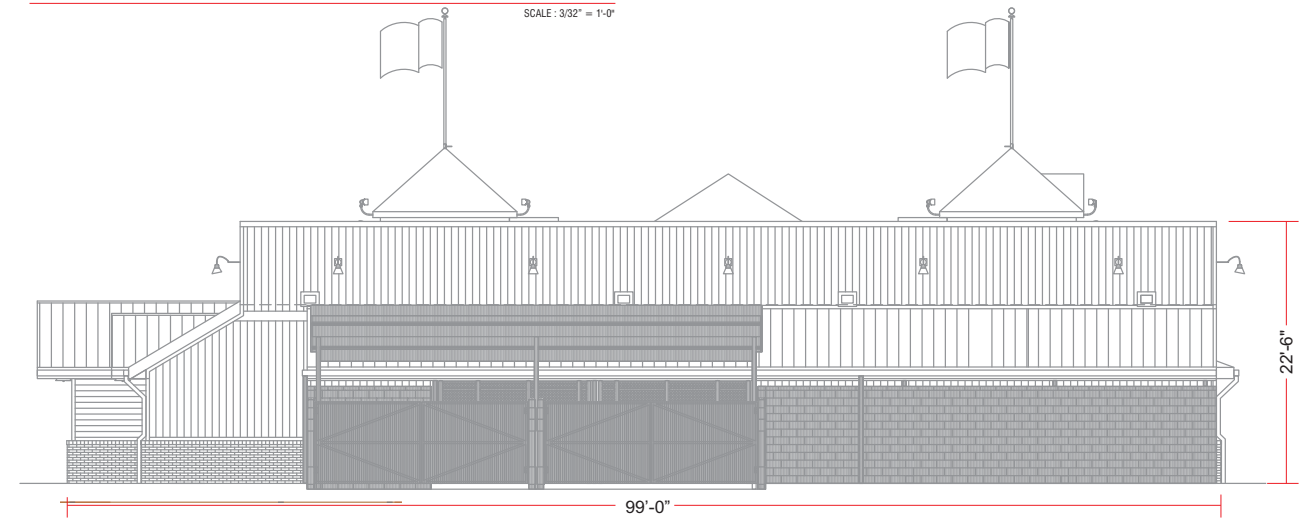
Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 2 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



LEFT ELEVATION

SCALE : 3/32" = 1'-0"



REAR ELEVATION

SCALE : 3/32" = 1'-0"

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

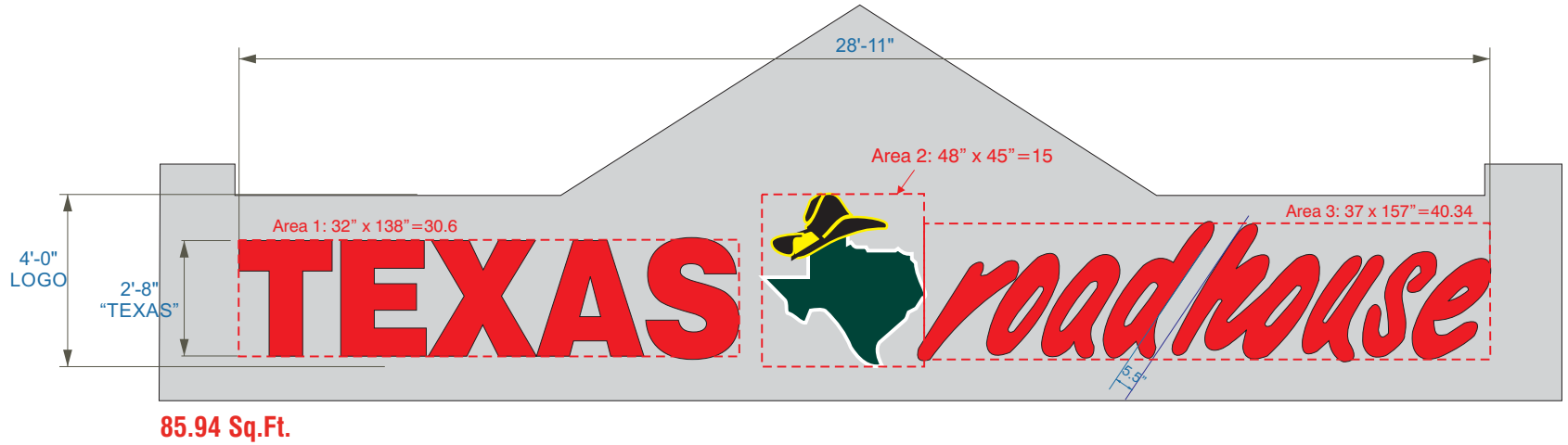
Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
TEXAS ROADHOUSE
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 3 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



85.94 Sq.Ft.

SIGN TYPES A & B

Individual Plex Faced LED Illuminated Channel Letters- Two (2) Sets Req'd.

SCALE : 3/8" = 1'-0"

SCOPE OF WORK:

Manufacture and install Plex Faced, LED Illuminated channel letters having remote power supplies located in accessible area behind wall.

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

ELECTRICAL REQUIREMENTS

Total: 6 Amps per set

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

MATERIAL FINISH COLORS

Letter Returns	Letter Face	Letter Trim Cap	Logo: Face	Logo: "State" Return. & Retainer.	Logo: "State"	Logo: "Hat" Return & Retainer	Logo: "Hat"	Logo: "Hat"
AKZO 108-D5 Gloss Red	#2283 Red Acrylic	Red	#7328 White Acrylic "Hat & State"	AKZO Gloss White	2500-76 Holly Green Vinyl Applied to White Acrylic Face Leaving White Outline.	Match PMS-122	2500-15 Yellow Vinyl Applied to White Acrylic.	2500-22 Black Vinyl Applied to Yellow Vinyl Leaving "Hat" Detail.

CUSTOMER TO PROVIDE:

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:

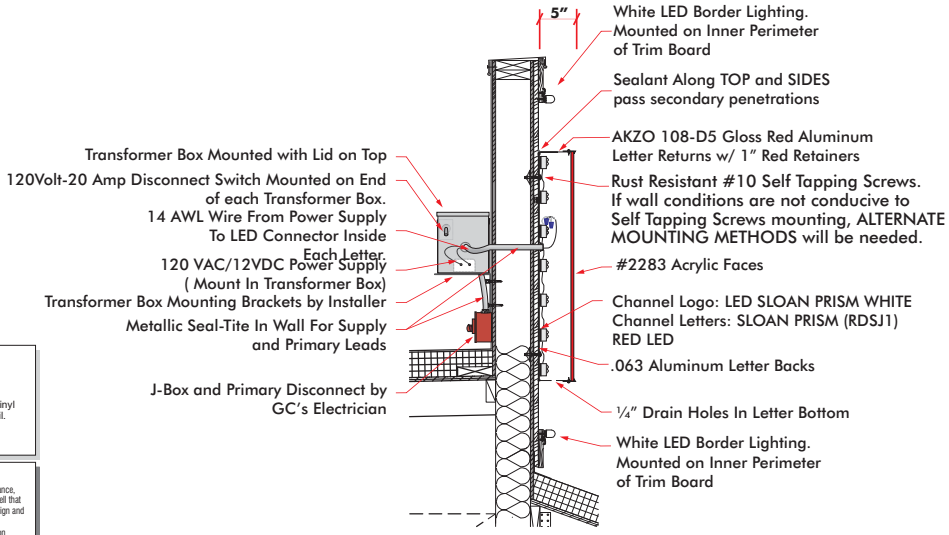
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.

Any deviation from the above recommendations may result in:

1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes:

- Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
- Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.



LED LOW VOLTAGE LIGHTING SYSTEM

U.L. RECOGNIZED - CLASS 2 - CONFORMS TO U.L. 48

FEDERAL HEATH SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:

R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

Account Rep: Steve Maeser

Project Manager: K. Singleton

Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:

TEXAS ROADHOUSE

S. BIBB AVENUE
EAGLE PASS, TX

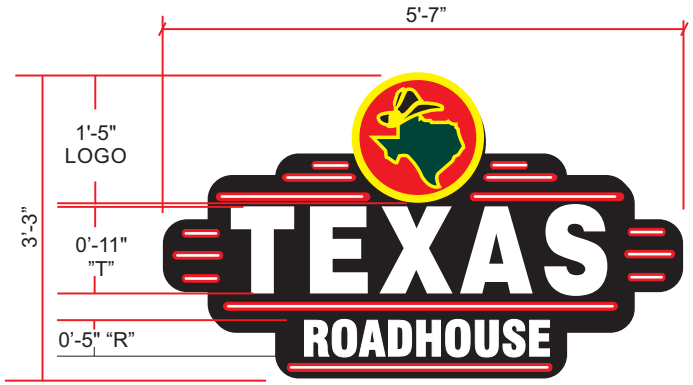
Job Number: 23-80712-10

Date: June 22, 2023

Sheet Number: 4 Of 9

Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



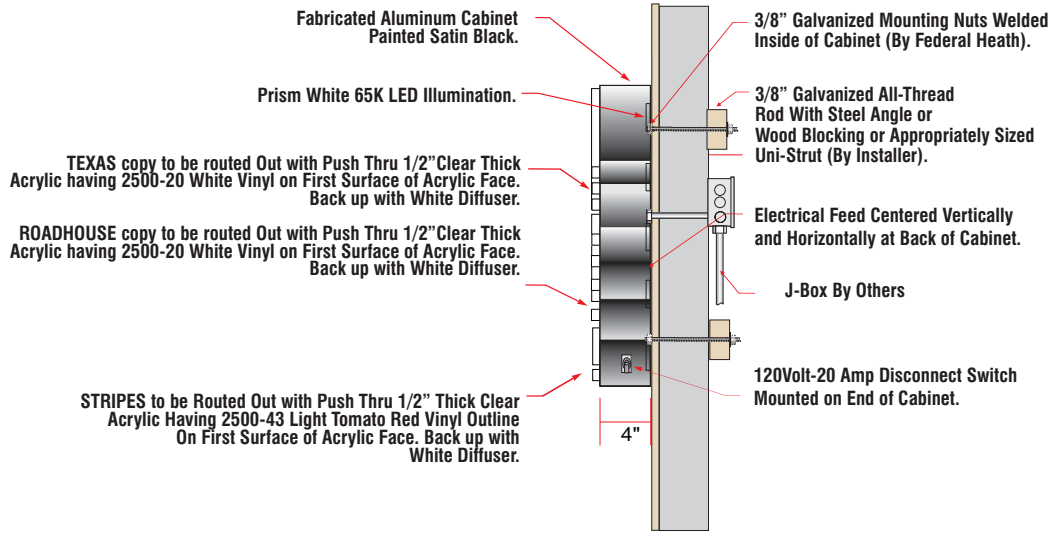
SIGN TYPE C

Single Face Illuminated Wall Sign One (1) Req'd

SCOPE OF WORK:
Manufacture and install S/F Internally illuminated wall sign.

Scale: 3/4"= 1'-0"

18.1 SQ.FT.



Typical Cabinet End View

MATERIAL FINISH COLORS

AKZO Satin Black — **Cabinet and Face Bkgd**	#7328 White Acrylic — **Copy, Logo and Stripes Bkgd**	2500-43 Light Tomato Red Vinyl — **Logo Circle and Stripe Bkgd.**
2500-76 Holly Green Vinyl — **Logo: "State"**	2500-15 Yellow Vinyl — **Logo: Circle, Hat and State Border.**	2500-22 Black Vinyl elements Applied to Yellow Bkgd. — **Logo: "Hat"**

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

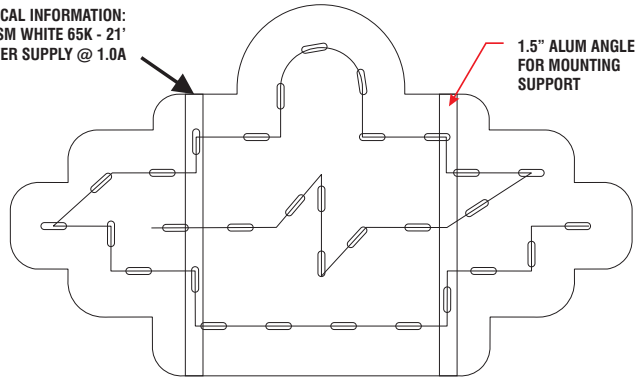
ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.

Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes: ① Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
② Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.

ELECTRICAL INFORMATION
(31) SLOAN PRISM WHITE 65K - 21'
(1) 60w POWER SUPPLY @ 1.0A
TOTAL AMP LOAD = 1.0
(1) 120v / 20A CIRCUIT REQUIRED

ELECTRICAL INFORMATION:
(31) SLOAN PRISM WHITE 65K - 21'
(1) 60w POWER SUPPLY @ 1.0A



FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

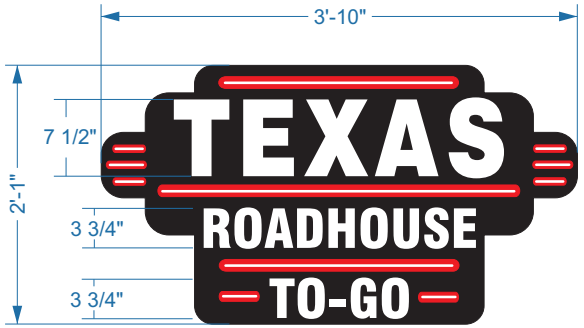
Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

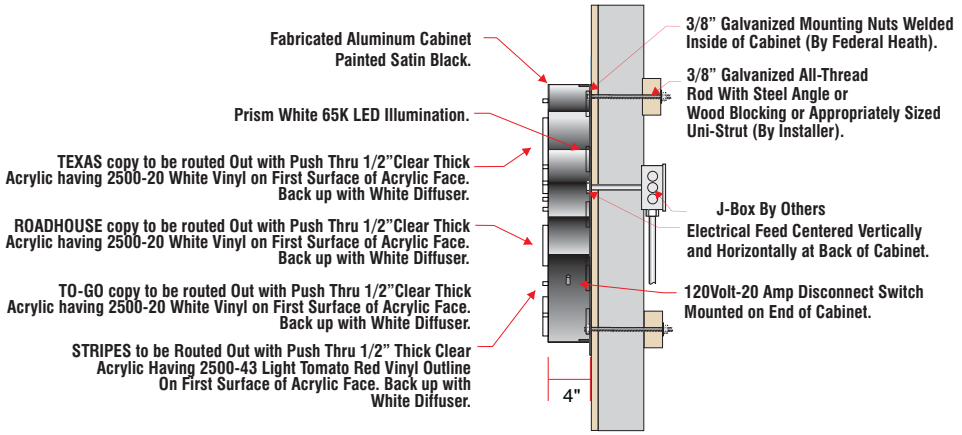
Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 5 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008





Typical Cabinet End View

SIGN TYPE D

Single Face Illuminated Wall Sign One (1) Req'd | 7.98 SQ.FT.

SCOPE OF WORK: Scale: 1"= 1'-0"

Manufacture and install S/F Internally illuminated wall sign.

CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING AND ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FORWARD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO SIGN INSTALLATION.

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN:
A. All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
B. Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
C. Properly sized ground wire that can be traced back to the breaker panel must be provided.
D. Number and size of circuits for each sign to meet Federal Heath Sign's requirement.

Any deviation from the above recommendations may result in:
1. Damage to or improper operation of the sign(s).
2. Delays and additional costs.

Notes:
- Certain electrical components of signs will fail prematurely if signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatic controlling device such as an Energy Management System, Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and will void the warranty.
- Some dimming devices will also adversely affect sign electrical components, causing failure. Any dimming of the sign without consultation with Federal Heath Sign Co. will void the warranty.

INSTALLER IS RESPONSIBLE FOR:

PROVIDING AND INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TO BE DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS WITH SILICONE TO PREVENT MOISTURE PENETRATION @ EXTERIOR LOCATIONS..

ELECTRICAL REQUIREMENTS	
Total: 1.2 Amps	ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL
(1) 120V 20A Circuit Required.	

MATERIAL FINISH COLORS

AKZO Satin Black	#7328 White Acrylic	2500-43 Light Tomato Red Vinyl
Cabinet and Face Bkgd	**Copy, Logo and Stripes Bkgd**	**Stripe Bkgd.**

FEDERAL HEATH SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

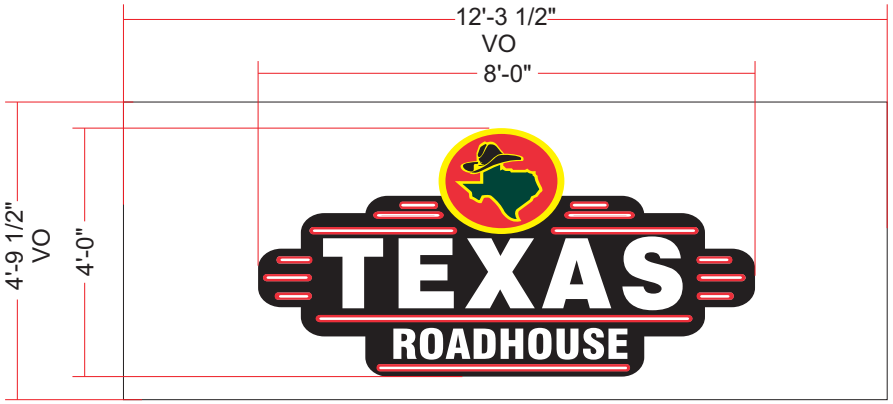
Project / Location:
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 6 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



SCALE: NTS



SIGN TYPE F **APPLIED TEXAS ROADHOUSE DIGITAL GRAPHICS ON EXISTING PYLON SIGN PANELS | TWO (2) REQUIRED**

SCALE: 1/2" = 1'-0"

SCOPE OF WORK:
Fabricate (2) -Texas Roadhouse digital graphics to be applied to existing acrylic panels.

"TEXAS ROADHOUSE"- WHITE COPY
LOGO- GREEN STATE OUTLINED WITH YELLOW.
HAT- YELLOW OUTLINED ON BLACK HAT.
CIRCLE - YELLOW.
STRIPES- RED W/ WHITE STRIPES.

MATERIAL FINISH COLORS

Red PMS 185	Green PMS 555	Yellow PMS 122	PMS Black	PMS White
Logo: Background Stripes	Logo: "State"	Logo: Hat & State/Circle Outline	Logo: Hat Background	"TEXAS" & "ROADHOUSE" Letters Stripes

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 8 Of 9
Design Number: 23-80712-10R1

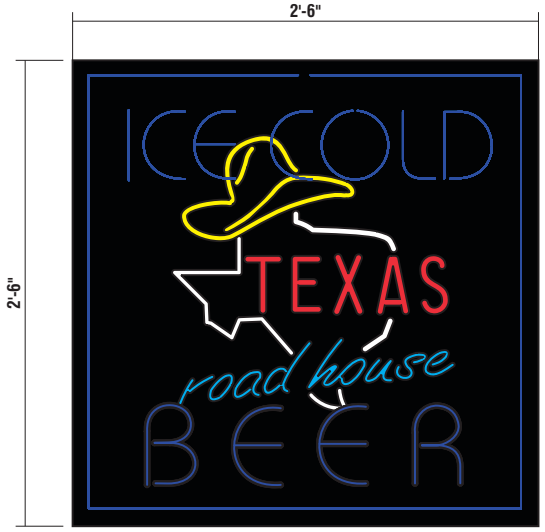
This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



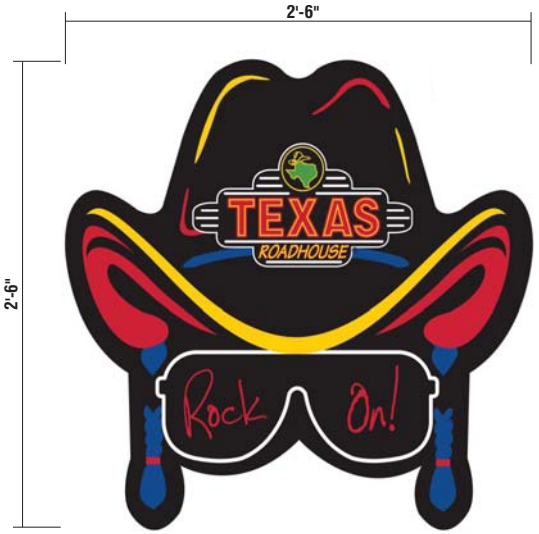
G 7" Outhouse Display — PART # TR7300UTL



H 16" Willies Corner Display — PART # TR16WCL



I 30" Ice Cold Beer Display — PART #TR3030ICBL



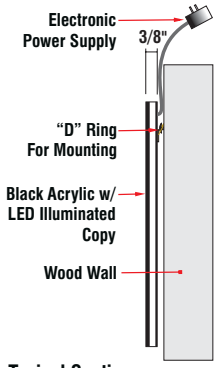
J 30" Texas Roadhouse Rock On Display — PART #TR3030ROL

Single Face Illuminated LEDeon Wall Sign | Interior Application

Scale: 1 1/2" = 1'-0"

Specifications:

- S/F LEDeon black acrylic face w/ LED illuminated copy/graphics.
- Sign mounts flush to wall.
- Electronic power supply plugs into standard wall outlet.



Typical Section

Not to Scale

INSTALLATION OF THIS SIGN SHALL CONFORM TO ARTICLE 600 OF THE NEC, UL48, AND OR OTHER APPLICABLE LOCAL CODES, INCLUDING PROPER GROUNDING AND BONDING OF SIGN.

LOCATION OF DISCONNECT SWITCH AFTER INSTALLATION SHALL COMPLY WITH ARTICLE 600.6(A) OF THE NEC.

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

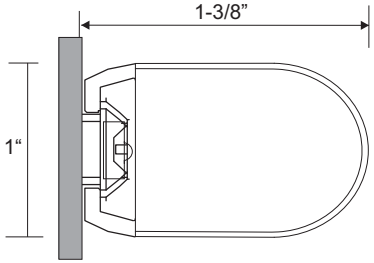
Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. — ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
TEXAS ROADHOUSE
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 9 Of 9
Design Number: 23-80712-10R1

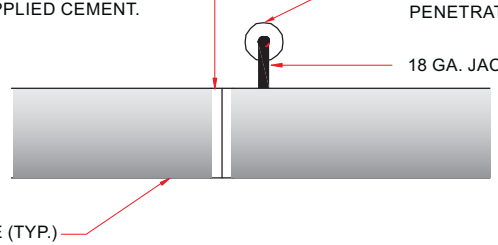
This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



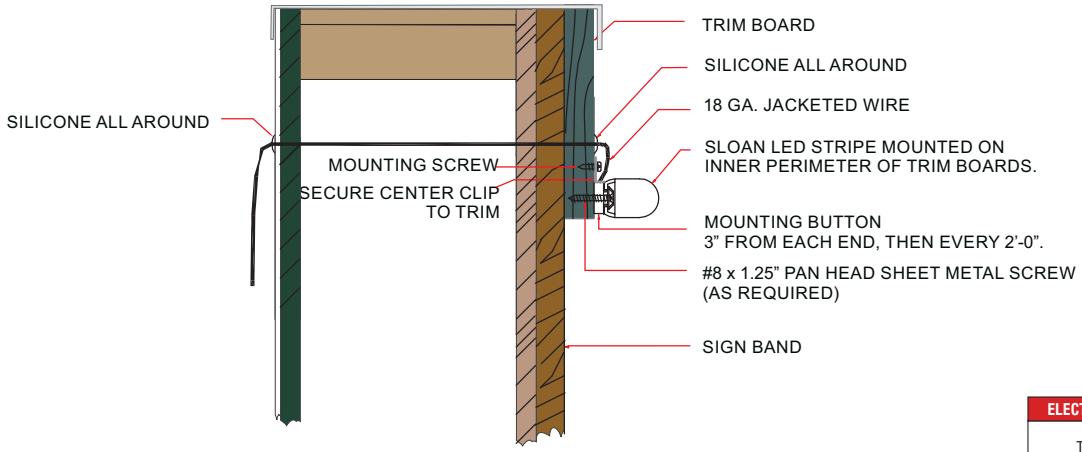
CROSS SECTION (TYP.)

ENDS CUT TO LENGTH IN THE FIELD
(AS REQUIRED)

1. CUT LEDSTRIPE BY USING MITER BOX
(CUT END MARKED AS INDICATED ON EACH UNIT).
2. APPLY ACRYLIC END CAP USING SUPPLIED CEMENT.



CUTTING DETAIL



CROSS SECTION-MOUNTING DETAIL (TYP.)

ELECTRICAL REQUIREMENTS	
Total: 6.0 Amps	ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.
(1) 120V 20A Circuit Required.	

LED ACCENT LIGHTING E 1-3

LEDSTRIPE DETAIL

SCALE : NTS

SCOPE OF WORK:
Manufacture and install LED accent lighting on three elevation having remote transformers located in accessible area behind wall. (Transformers shall be mounted in Transformer Box if mounted outside of shelter.

FEDERAL HEATH SIGN COMPANY
www.FederalHeath.com
160 W. Carmel Drive, Suite 236 Carmel, IN 46032
(317) 581-7790 Fax (317) 581-7783

Manufacturing Facilities:
Oceanside - Euless - Jacksonville - Columbus

Office Locations:
Oceanside - Las Vegas - Laughlin - Idaho Falls
Euless - Jacksonville - Houston - San Antonio
Corpus Christi - Grafton - Milwaukee
Willowbrook - Louisville - Indianapolis - Columbus
Cincinnati - Westerville - Knoxville - Tunica
Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
R1: 7/5/24 KS-Updated elevations.

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match

Client Approval/Date:

Landlord Approval/Date:

Account Rep: Steve Maeser
Project Manager: K. Singleton
Drawn By: K. Singleton

Underwriters Laboratories Inc. ELECTRICAL TO USE U.L.-48 LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS

Project / Location:
TEXAS ROADHOUSE
S. BIBB AVENUE
EAGLE PASS, TX

Job Number: 23-80712-10
Date: June 22, 2023
Sheet Number: 7 Of 9
Design Number: 23-80712-10R1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008

Sec. 15. Regulations for placement of signs and billboards.

(a) *Purpose.*

(1) The purpose of this section is to promote and protect the health, welfare and safety of the public by regulating existing and proposed signs of all types located in the City of Eagle Pass. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty and provide a more enjoyable and pleasing community. It is further intended hereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more visual open space and curb the deterioration of the community's appearance and attractiveness.

(2) This section is intended to promote attractive signs, which clearly present the visual message in a manner that is compatible with their surroundings. The appearance, character and quality of a community are affected by the location, size, construction and graphic design of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

(3) The regulations herein are designed to prevent the over concentration, improper placement, and excessive height, bulk, number, and area of billboards. It is recognized that, unlike on-premise signs which are actually a part of a business, billboards are a separate and distinct use of the public thoroughfare. Furthermore, for the purposes of this ordinance, billboards are considered by the City of Eagle Pass as an accessory to the principal use when located on the same lot. With a view to this distinction, billboard signs are regulated differently from on-premise signs. It is intended that billboards be located away from view of residential areas, and that such signs be regulated to protect the character of the area wherein billboards are located, and to conserve property values in these areas.

(4) Therefore, pursuant to the general police and zoning powers conferred on the City of Eagle Pass, and with due deference to the constitutional rights of individuals and businesses living and operating within the geographical boundaries of the City of Eagle Pass, the City Council of Eagle Pass hereby enacts this section placing new restrictions upon the display of billboards within the city and its areas of jurisdiction.

(b) *Definitions.*

Banner. A sign intended to be hung wither with or without a frame, made of paper, plastic, or fabric of any kind, and which may possess colors, characters, letters, illustrations, or ornamentations. Flags of governmental jurisdictions and flags carrying the emblem of a business or institution are not to be considered a banner for the purposes of this chapter.

Billboard. A sign which has a sign area of larger than fifty (50) square feet, and which directs attention to a business, commodity, service, entertainment, facility, or other subject matter, not located, conducted, sold or offered upon the premises where such a sign is located or which calls public attention to a candidate, cause, public issue, or other such subject matter and which may be either freestanding or mounted upon the roof or wall of the building.

Canopy sign. A sign attached to a canopy that is attached to a building or its extension. The sign shall not extend above the roof line of the building by more than two (2) feet.

Community service or public service sign. A sign which solicits support for or advertises a nonprofit community use, public use, or social institution.

Construction sign. A sign temporarily placed on a construction site identifying the project, and/or owner, developer, contractor, architect, and other information regarding the project.

Damaged sign. A sign which is unsafe, unsecured, disfigured, or broken.

Detached sign. A structure located on the property to support a sign identifying a commercial building and signs identifying individual businesses occupying space therein.

Flashing sign. A sign flashing, blinking, or moving lights, regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This shall include a sign which makes use of traveling lights or traveling lighted messages, or flashing lights.

Office building. Two (2) or more separate or distinct businesses occupying a single or combined structure of consistent ownership.

Portable sign. A sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure. A portable sign which has its wheels removed shall still be considered a portable sign hereunder.

Realty sign. A sign located on real property that is for rent, lease or sale, the sign being for the purpose of advertising the rent, lease or sale of the property.

Roof sign. A sign that is mounted on, and is wholly supported by the roof of a building.

Sign. Any letters, figures, symbols, trademarks, or devices designed to uniform people or to attract the attention of persons or of an individual, to a firm, profession, business, commodity or service, and which is recognizable from any public right-of-way, and which is more specifically defined as found in this section.

Sign height. The vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign.

Sponsorship. Signs placed in approved areas for sponsorship of nonprofit, city-approved organizations.

(c) *Permit required.* Except as provided in the ordinance codes, no person may erect, relocate, or alter a sign within the incorporated city limits or the extraterritorial jurisdiction of the city without first obtaining a permit and paying the required fee. All applications for a sign permit must be made at the City of Eagle Pass' Building Department and be accompanied by plans and specifications showing the location of the sign, the proposed sign and its method of construction, and any other information required to show compliance with this chapter and all other applicable city ordinances. The building official or his designated representative(s) will examine the application and supporting information and, if the proposed sign complies with this chapter and all other applicable ordinance codes.

(d) *Permit fee.* Every applicant for a permit under this chapter must pay the fee established by the city council by resolution.

(e) *Variances.* An application may appeal a denial of a permit by the building department to the zoning board of adjustment and appeals by filing a request for a variance within thirty (30) days after the date the permit is denied. The ZBAA may grant a variance if it finds that the unusual shape or topography of the property prevents signage allowable under this chapter from adequately identifying the business or other activity on the property.

(f) *Revocation.* The building official may revoke a permit if there has been a violation of this chapter or a misrepresentation on the permit application.

(g) *Exceptions.* A permit is not required for:

(A) Temporary real estate signs not exceeding six (6) square feet in area and three (3) feet in height in residential zoning districts and not exceeding sixty-four (64) square feet in area and twelve (12) feet in height in other zoning districts that advertise the property on which the sign is located for sale or lease. These signs must be removed within seven (7) days after the property is sold or leased.

(B) Temporary signs advertising "garage sale" or "yard sale" not exceeding six (6) square feet in area. These signs may not be posted earlier than three (3) days before and must be removed within one (1) day after the sale.

(C) Government signs regulating traffic, providing directions to public facilities, or giving notices of general interest to the community.

(D) Temporary signs placed on construction sites to identify the contractor, engineer, architect, or developer not exceeding sixty-four (64) square feet in area. These signs may not be erected prior to approval of a site plan and must be removed within seven (7) days after completion of the project.

(E) Private signs regulating traffic on the property on which the sign is located.

(F) Flat signs of solid-face construction that are placed against and attached to the vertical wall of a building located in a non-residential zoning district. These signs may not obstruct any wall opening, may not project beyond the wall to which they are attached, and must be attached at least ten (10) feet above ground level. These signs may only be located on the street side of any commercial establishment located within two hundred (200) feet of a residential zoning district.

(G) Banners approved by the city manager. These banners must be safely and securely installed with wires or steel cables and must not be permitted to obstruct any public right-of-way and must be installed on places designated by the city manager or his representative.

(H) Permanent subdivision identification signs approved with the subdivision plat.

(I) Temporary signs for special events such as charitable, church, or community activities. These signs may not be posted earlier than three (3) days before.

(h) *General requirements.*

(A) Permit required for structural changes. Except as otherwise provided herein, no sign displaying on-premise advertising shall be erected, structurally changed or reconstructed in whole or in part, within the city without a permit having first been obtained.

(B) Height limit. No detached sign shall be allowed that is higher than thirty-five (35) feet from the normal grade elevation to the top of the highest part of the structure.

(C) Setback. No sign or any part thereof shall be located within ten (10) feet of any property line (not to be confused with the curb or pavement line.) However, no sign may be placed within twenty-five (25) feet of the property line at an intersecting street.

(D) Wind load pressure requirements. No sign, other than the exempt sign, shall be erected that does not meet the wind load pressure requirements as set out in the International Building Code. Permit applications for new signs and permit renewals required for signs which will have or have a height, in feet above ground, as measured above the average level of the ground adjacent to the proposed structure, of six (6) feet or more, must be accompanied by certificate signed by the owner of the sign, to the effect that the proposed or existing sign will withstand wind load pressures in pounds per square foot as set out in the following table. Solely at the discretion of the building department, further verification may be required to prove that the wind loading specifications will be met.

(1) Each business establishment shall be allowed to erect and maintain two (2) permanent type signs for the advertising of its services or products.

A. The signs may be attached to the principal building in which the business is situated and/or erected separately. The aggregate (total) area of the signs shall not exceed two hundred fifty (250) feet per legal lot. Free standing signs shall not exceed an amount equal to one and one-half (1.5) square feet for each one (1) linear foot of the lot's frontage abutting the primary street, except that a minimum of forty-eight (48) square feet of sign area is

allowed regardless of the lot frontage. In no case shall the sign(s) exceed two hundred fifty (250) feet per legal lot. Business establishments which face two (2) streets shall be allowed one (1) sign for advertising on each street.

B. A sign panel with advertising on both sides thereof shall be considered one (1) sign.

C. In no event shall any portion of any sign extend to a height of more than thirty-five (35) feet above the surface of the ground.

D. No sign of any kind shall be located any closer than fifteen (15) feet to adjacent right-of-way lines.

E. Any sign incidental to a business shall be erected only upon the parcel, tract, lot or site upon which the business establishment is located.

F. Two (2) portable type signs, each of a size no larger that twelve (12) square feet and extending to a height of not more than four (4) feet above the surface of the ground, may be displayed by a business establishment during regular business hours.

(2) Location. No sign, other than public traffic control signs and other governmental signs, may be located within the public right-of-way. All signs, including any overhead projections, must be located completely within the boundaries of the property on which they are located.

(3) Spacing. Only one (1) free-standing sign located adjacent to a public street will be permitted for each legal lot.

(i) *Temporary signs.*

A. Temporary sign standards. Any temporary sign authorized by this section, including temporary portable signs, shall comply with the sign standards of the International Building Code.

B. Temporary signs allowed. Temporary signs of the type set forth below shall be allowed in all zones within the city, subject to the following specific standards:

1. *Real estate signs.* One (1) non-illuminated real estate "for sale" or "for rent" sign, not exceeding an area of eighteen (18) inches by twenty-four (24) inches, along with name strip sign(s) located either above or below the real estate sign, which name strip shall also not exceed an area larger than twelve (12) inches by twenty-four (24) inches, shall be allowed on the premises for the sole purpose of advertising the legally-divided parcel, tract, lot or site and improvements for sale or rental. For large tracts of land, signs may not exceed thirty-two (32) square feet. Real estate signs shall be removed form the premises no later than five (5) days after closing of the sale.

2. *Open house signs.* Portable, non-illuminated real estate open house signs may be used in connection with open house sales campaigns, but only during those hours when sales personnel are actually in attendance on the open house premises. These signs must be of the "A-board" or "sandwich" type, and shall be no longer than two, 24-inch by 24-inch panels. For off-premises portable signs may be used to advertise or provide directions to the open house sales campaign.

3. *Garage sale signs.* A maximum of two (2) signs may be used to advertise a garage sale, which signs shall not exceed four (4) square feet in size. Such signs shall be removed after the date of the garage sale.

4. *Construction site signs.* One (1) sign, not to exceed a maximum of thirty-two (32) square feet in size, may be permitted to be located on a parcel, tract, lot or site for which a valid building permit has been issued for the purpose of directing and identifying for subcontractors to the site of the construction and not for the purpose of advertising the construction company. The sign shall be removed to later than five (5) days after completion of the work.

5. *Miscellaneous signs.* Those noncommercial signs which are: (a) not otherwise prohibited by law or this chapter; (b) not exceeding three (3) square feet in size; and (c) if advertising an event, are posted not longer than five (5) days after the event, are allowed in all zones within the city. Governmental agencies may display banners larger than the size described in this subsection for the purpose of publicizing civic events over the public right-of-way, upon prior approval by the city for conformance.

C. Any temporary signs that are placed on non-right-of-way city property in violation of this section may be removed by the city without notice to the sign owner. After such removal by the city, the city shall attempt, in good faith, to identify the owner of the sign and shall provide said identifiable owner with a minimum of five (5) days' written notice prior to discarding or destroying the sign(s).

D. Temporary signs described in this section may be installed or placed on property for one five (5) day period only, subject to compliance with the other provisions of this chapter.

E. (1) Temporary real estate directional signs.

(2) Portable signs. Portable signs include signs with a display surface utilizing removable letters that are readily movable from site to site and signs that are not permanently attached to the ground, a building, or other fixed object, including those installed on trailers or other mobile structures. Portable signs may not exceed five (5) feet by ten (10) feet in area, and may be used only for the following purposes:

(a) To promote or advertise the opening of a new business; or

(b) To promote or announce charitable, church, community, or public events.

(j) *Compliance with the International Building Code.* All signs within the city limits must comply with the requirements of the adopted International Building Code and any subsequent revision. In the event of any conflict between the IBC and this chapter, this chapter controls.

(k) *Prohibited signs.*

(A) *Permitted signs.* No sign may be erected or maintained in violation of the permit requirements of this chapter.

(B) *Maintenance.* No sign may be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration, or holes.

(C) *Outdated signs.* No sign may advertise a business or product that is no longer in existence.

(D) *Obstructions to doors, windows, or fire escapes.* No sign may be erected, relocated, or maintained so as to obstruct any door, window, or fire escape. No sign may be attached to a stand pipe or fire escape.

(E) *Traffic hazards.* No sign may:

(1) Obstruct free and clear vision at any street intersection;

(2) Interfere with, obstruct the view of, or be confusingly similar to any authorized traffic sign, or device because of its position, shape, or color; or

(3) Make use of the words STOP, LOOK, DRIVE-IN, DANGER, or any other word, phrase, symbol, or character that interferes with, misleads, or confuses traffic.

(F) *Unsafe signs.* No signs may constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance.

(G) *Illuminated signs.* No sign may be illuminated with lights which glare into or upon the surrounding area or any residential area or district operators of vehicles or pedestrians on the public right-of-way.

(H) *Obscene signs.* No sign may display any matter in which the dominant theme of the material taken as whole appeals to the prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

(I) *Vehicular signs.* No sign may be painted on or attached to a motor vehicle which is not road-worthy.

(J) *Moving signs.* No sign may have visible moving, revolving, or rotating parts, or visible mechanical movement of any kind, except for the movable hands on street clocks, or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for time/temperature/date signs.

(K) *Flashing signs.* No sign may have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations.

(l) *Nonconforming signs.* Any sign legally in existence on the date of adoption of this chapter that violates or does not conform to its provisions must be removed, altered, or replaced so as to nonconforming sign. No nonconforming sign is required is otherwise prohibited by state or federal law.

(m) *Unlawful signs.* If the building department finds that any sign is prohibited by the provisions of this chapter, the building department will give written notice to the permittee or the owner of the property upon which the sign is located. If the permittee or owner fails to remove or alter the sign so as to comply with this chapter within ten (10) days, the building department may remove or alter the sign to bring it into compliance and asses the costs to the permittee or owner. The building department may remove or any sign that presents an immediate peril to persons or property immediately and without notice.

(n) *Penalty.* Any person violated any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction, will be subjected to a fine not exceeding two hundred ($200.00). Each day a violation is committed or permitted to continue constitutes a separate offense.

(o) *Requirement for conditional use permit.*

(1) *Billboards.* Billboards shall be allowed only upon grant of a conditional use by the city council, and shall only be allowed in the "B-3" General business district, and the "I" Industrial zoning district.

(p) *Requirements.* The conditional use shall be allowed subject to the following regulations:

(1) *Billboard size.* A maximum of two (2) sides are allowed per billboard. The sign area of a billboard in the "B-3" and "I" districts shall not exceed 12′ × 48′ on each side of the sign.

(2) *Height.* The highest portion of a billboard shall not exceed thirty-five (35) feet in height measured from the elevation of the grade of the abutting roadway. The elevation of the grade is defined as the point on the centerline of the road which is perpendicular to the billboard location.

(3) *Setbacks.* A freestanding billboard must have a setback from the property line equal to the height of the highest portion of the billboard, measured from the ground where the billboard is located. No other type of billboard sign or structure, or any part thereof, shall be erected or maintained within fifteen (15) feet of any ultimate right-of-way of a public street or road, nor within the side yard setback of the lot on which the billboard is located.

(4) *Illumination and animation.* Illumination of billboards shall be allowed based upon the following standards:

- The billboard and the lighting thereof shall be effectively shielded so as to prevent beams or rays of light from being directed at a portion of the traveled ways of the adjacent roadway, and shall not be of such intensity or brilliance as to cause glare or impair the vision of the driver of a vehicle, or which interferes with a driver's operation of a motor vehicle.

- The billboard shall not be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal. Any billboard which contains, includes, or is illuminated by a flashing, intermittent, or moving light or lights, or is animated as defined by this ordinance shall be prohibited.

(5) *Separation.* The location of each billboard shall comply with the following separation requirements:

1) At least one thousand (1,000) linear feet from any other billboard, and

2) At least five hundred (500) linear feet from any residential zoning district, including those of a neighboring municipality,

(6) *Obstruction.* No billboard shall overhang a public or private right-of-way nor shall it interfere with a two hundred-foot line of sight in any direction at an intersection.

(7) *Landscaping.* The base of each billboard shall be landscaped and maintained with a screening buffer.

(8) *Conformance with Texas Department of Transportation Requirements.* Other requirements established by the Texas Department of Transportation (TxDOT) that regulate signs along roadways governed by TxDOT shall also be in effect, and the more stringent of the two (2) ordinances shall prevail.

(9) *Other standards.* The conditional use process and standards set forth in section twenty-one (21) must be met.

(Ord. No. 06-13, § 2, 7-11-2006; Ord. No. 07-15, § 1, 7-24-2007)

Item #5

Community Development Department Executive Summary Report to the Eagle Pass Zoning Board of Adjustment and Appeals

Variance Request – 2423 E. Main Street

I. BACKGROUND

General Information

Applicant: South Texas Neon Signs Co. Inc.

Property Owner: Driven Brands, Inc.

Location: 2423 E. Main Street

Legal Description: Lot 2 in Armadillo Subdivision

Parcel Size: 28,099 square feet

Current Use: Undeveloped

Proposed Use: Oil change business

Current Zoning: B-3 (General Business District)

Master Plan: Commercial

Request: A variance from *Section 15(h)(d)(1)(a)* regulating placement of signs. Applicant seeks to erect more than the allowed signs.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

Vicinity: Property is bordered by commercial developments. Access to the site is provided by Main Street. The site is located adjacent to the Pizza Hut and Wendy's.

III. PUBLIC NOTICE

Public notification of the variance request before the Zoning Board of Adjustment and Appeals was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. 13 notices were mailed to the abutting property owners, with a legal notice published in the Eagle Pass News Gram on September 18, 2024.

Figure 1. Aerial Map



Street View





IV. STAFF ANALYSIS

The proposed construction does meet the requirements set forth in the Building Code. However, the sign regulations are not being met as proposed and do not conform to Appendix A of the Zoning Ordinance, particularly *Section 15(h)(d)(1)(a) regulating* placement of signs.

The applicant seeks to erect more than the allowed signs. The purpose of the variance is to be allowed to install four signs as ordinance only allows two. Because the proposed signs are not impeding or obstructing the visibility or causing a safety concern City Staff recommends the approval of the request to install two additional signs in accordance with the *City of Eagle Pass Code of Ordinances* and securing a building permit.

V. STAFF RECOMMENDATION

The Community Development Department recommends **GRANTING** the applicant's variance request for property located at 2423 E. Main Street.

TRANSMITTED to the parties listed hereafter:
South Texas Neon Signs Co. Inc. via e-mail
Eagle Pass City Secretary Imelda Rodriguez via e-mail
Eagle Pass Legal Counsel Ana Sophia Garcia via e-mail
Community Development Department Report dated September 23, 2024

Attachment 1
Application

City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project

Legal Description: A1111 Fox, F. + J. Byr

Site Address: 2423 Main Street

Acres: .5962 Square feet: 25,968.73 Existing land use: Commercial

Owner

Name: Take 5 / Driven Brands Phone: 980-829-3222

Address: 440 South Church Street E-mail:

City: Charlotte, NC State: NC Zip: 28202

Applicant If not owner

Name: South Texas Neon Sign Co Inc Phone: 956 744 4450

Address: 317 Masterson Rd E-mail: SouthTexasNeon@sbcglobal.net

City: Laredo State: Texas Zip: 78046

Relationship to owner: Sign Installer

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
Yes ___ No ✓

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization.

I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed.

If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees.

Signature: [signature] Date: 8/20/2024

Print Name: Maria Antonieta Molina ☑Applicant ☐Authorized Agent

Board Action	Description: Board Chairman Signature _____ Date _____
Office	Accepted by 8/25/2024 Payment received by RR Date 8/22/24 Zoning Classification B3 Case No. —

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: Additional Signs

For each question, check yes or no and provide a detailed explanation.

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?

Yes ☐ No ☑ Explain: _____

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?

Yes ☐ No ☑ Explain: _____

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?

Yes ☑ No ☐ Explain: The way the ordinance is being interpreted now you're only allowed two sign per business

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?

Yes ☐ No ☑ Explain: _____

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☑ No ☐ Explain: Only allowing two signs

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☑ No ☐

Explain: Need the exposure to do business on to the side of the building

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☑

Explain: _____

VARIANCE APLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☑ Development Application signed by owner or notarized affidavit
☑ This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable		TECHNICHAL REQUIREMENTS Any application that is missing information will be considered incomplete and will not be processed.
✓	✓		1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
✓	✓		2	Application Fee of $100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. **These fees are non-refundable.**
✓	✓		3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
✓	✓		4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
✓	✓		5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

Applicant Acknowledgment 8/22/24 Date 8/20/2024

SALES CONTRACT
P.O. BOX 1751 LAREDO, TX 78044
PH.(956) 723-4665 FAX (956) 723-9604
southtexasneon@sbcglobal.net

Project:Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX 78852

Re: Additional Sign Variance

To Whom it may concern:

At this time, we are asking to allow us to install 5 additional signs as per city ordinance we are only allow two signs but not to exceed 200 sq.ft. This sign will be located on different sides of the building 1 being a pole sign the rest will be building wall signs 1 front, 1 west, 1 east and 1 rear that is advising to stay in their car. The directional are only to avoid any accidents. As you can notice, in every city is the same layout with the same number of signs. We are also trying to work with Eagle Pass TX so we can have a good working relationship.
Thank You
Maria A. Molina

In behalf of Take 5 Oil Change

Project Address: Take 5 Oil Change #928
2423 East Main Steet
Eagle Pass, TX 78852

To whom it may concern we would request signage that is over the allowed square footage amount for the following reasons: This additional signage is being requested various for safety reasons. With it being an Automotive Repair shop our signage also helps bring our potential customers awareness to our safety requirements by Staying In Their Car as well as the directional signage helps ensure smoother traffic flow entering & leaving the shop. As a bonus, the additional signage would allow us to enhance brand recognition & visibility. It is essential to install additional wall signage for Take 5 Oil Change located in Eagle Pass, TX. This signage will not only attract desired attention but also will reinforce our brand's presence, making it easier for customers to identify and choose to have their vehicle service at Take 5 Oil Change. Thank you for your consideration in this matter.

Signature: Jessica Steele

Printed Name: Jessica Steele

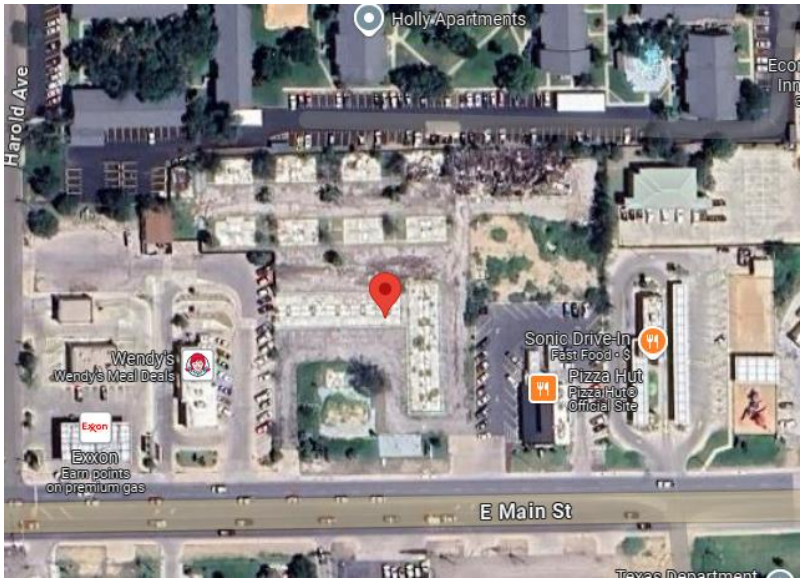
Company Name
& Address: Driven Brands
440 South Church Street
Charlotte, NC 28202

Phone Number: 980-829-3222

Email: Jessica.Steele@DrivenBrands.com

Date: September, 13th 2024

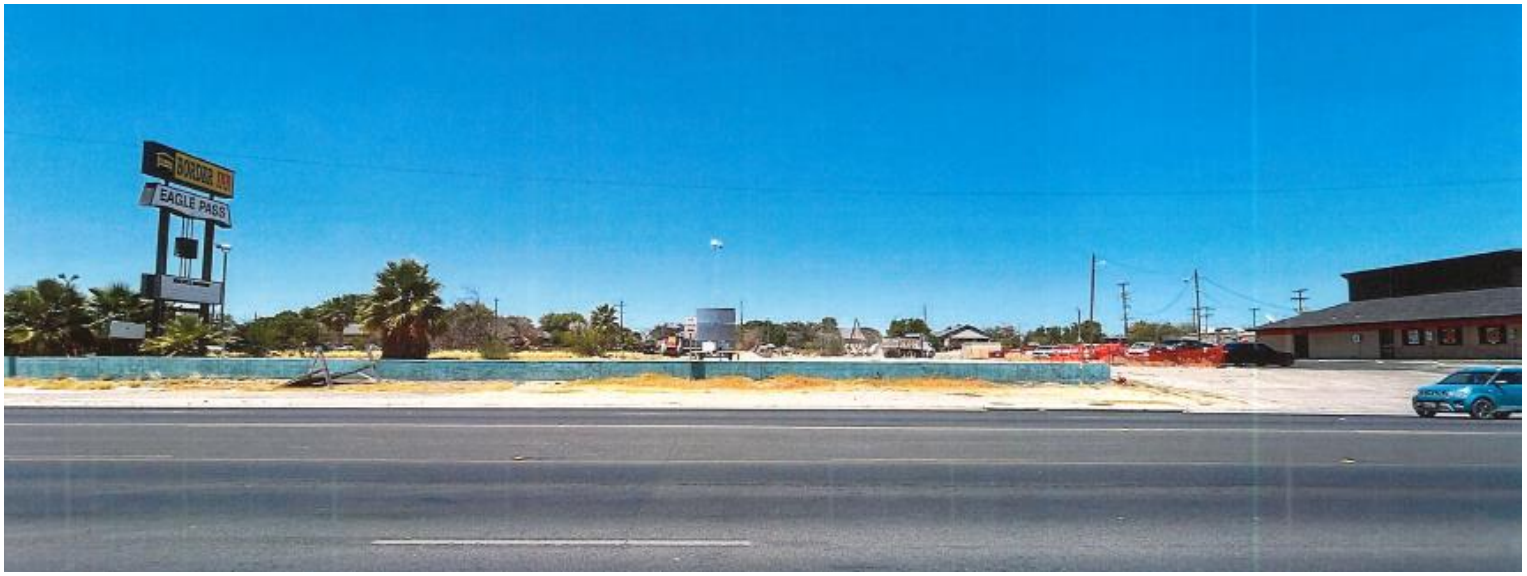
Arial View



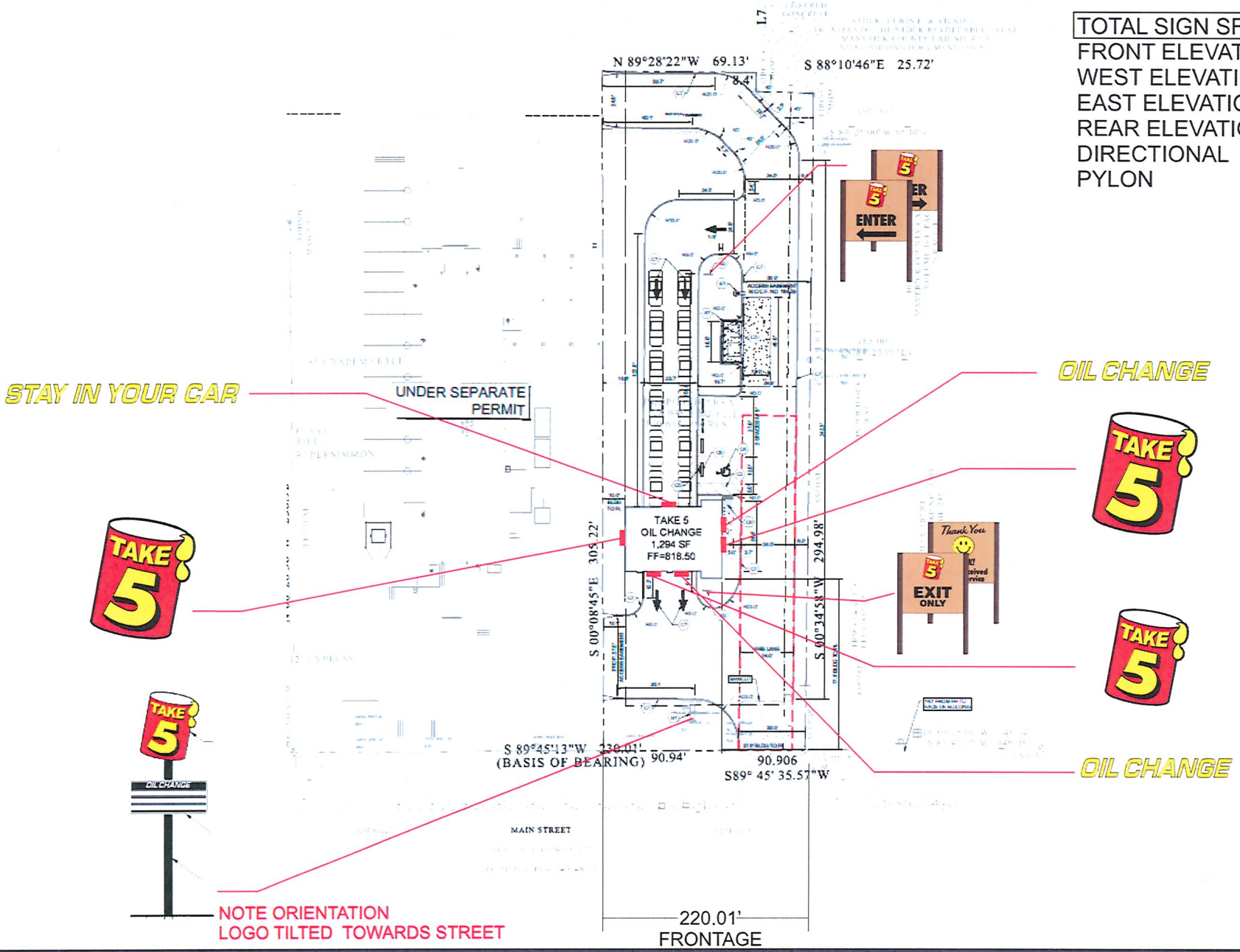
Site Photos







TOTAL SIGN SF	195.27
FRONT ELEVATION	36.04
WEST ELEVATION	25.86
EAST ELEVATION	43.74
REAR ELEVATION	27.75
DIRECTIONAL SIGNS	8.00
PYLON	53.88



Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns

P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

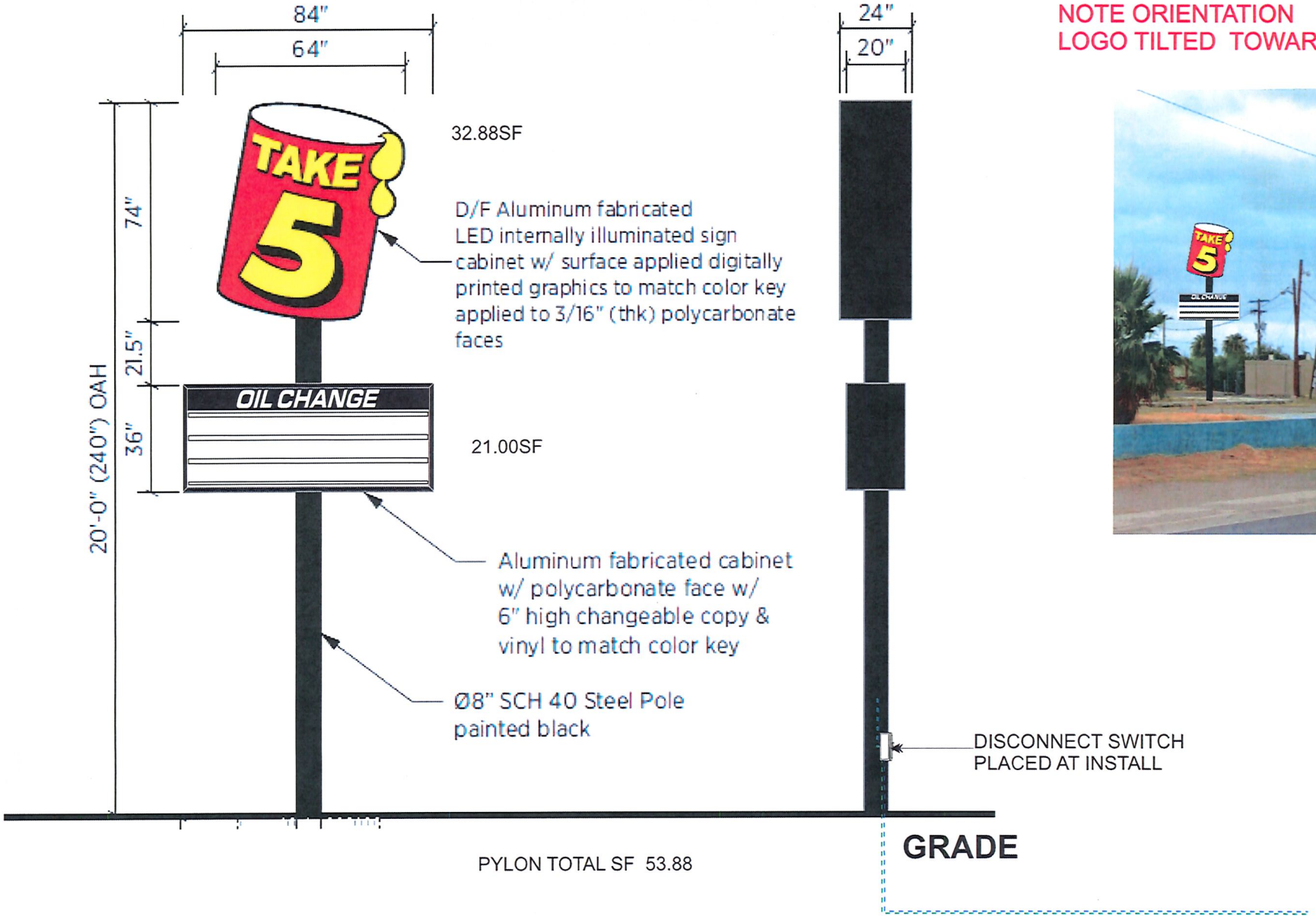
Approved: Jessica Steele *Date:* 07 / 17 / 2024

Customer: Take 5 Oil Change
Created: 7-16-2024
Revised:

Dwg: Permit 107

Scale: Proportional
Illustrated by: Smith

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.



NOTE ORIENTATION
LOGO TILTED TOWARDS STREET



Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

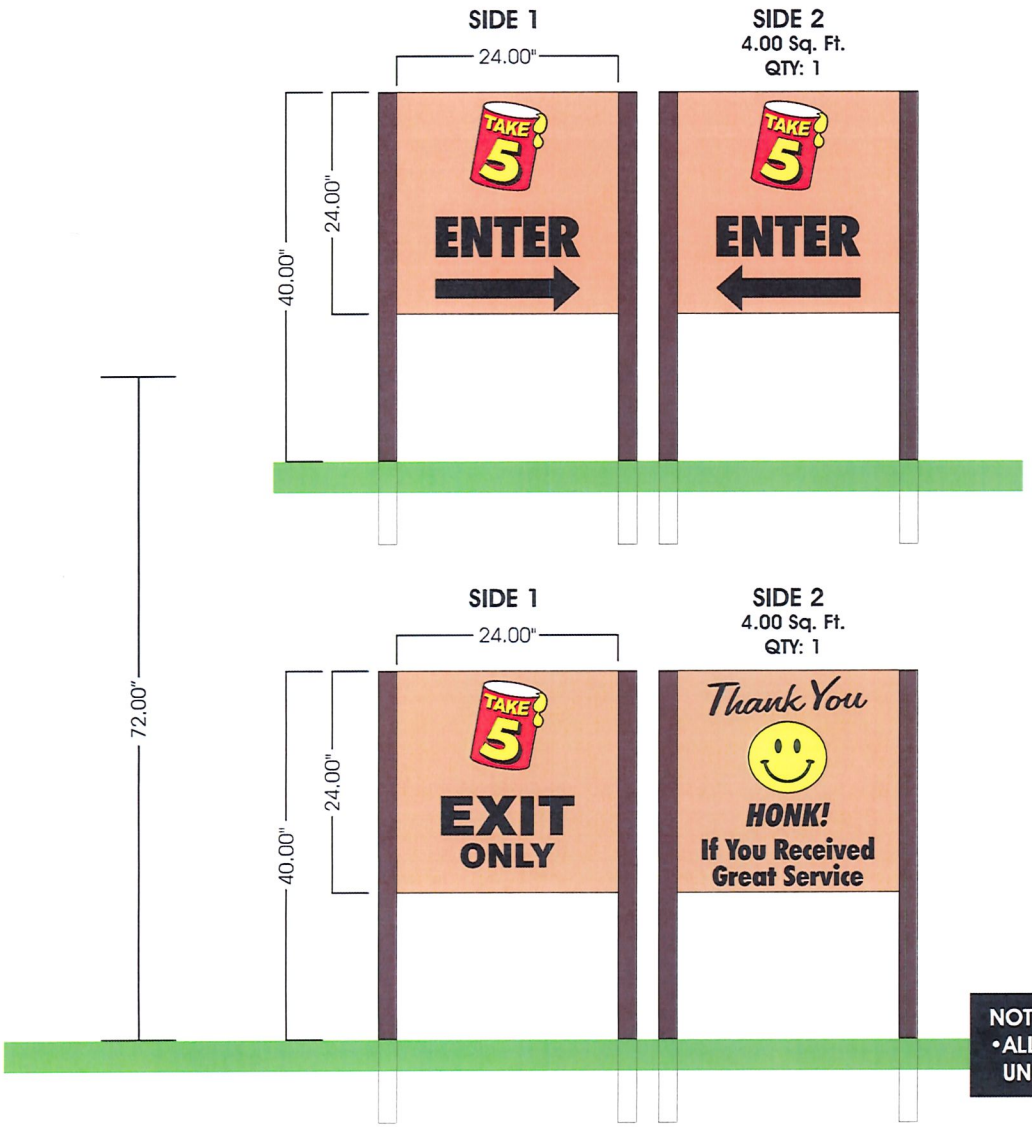
Approved: Jessica Steele Date: 07 / 17 / 2024

Customer: Take 5 Oil Change
Created: 7-16-2024
Revised:

Dwg: Permit 106

Scale: Proportional
Illustrated by: Smith

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.



PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
Exact Font, Colors, Size& Exact Placement To be Verified .
Shown For illustration / Concept Place Holder Only
All Signage to Comply w/ Local Codes and Ordinance . (To Be Verified Prior to Mfg.)

SPECIFICATIONS

NON ILLUMINATED
DOUBLE-SIDED POST & PANEL

Size:
As In Drawing
Material:
Aluminum Square Tubing
& Panels
Face Color:
SW 7693 Stonebriar And
As Determined By Message
Leg Color:
SW 6076 Turkish Coffee
Mounting:
Into Earth

NOTE:
•ALL WAYFINDING HOLES MUST BE HAND DUG TO AVOID DAMAGING UNMARKED UNDERGROUND LINES

Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.
Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated , please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

Approval: ***Date:***

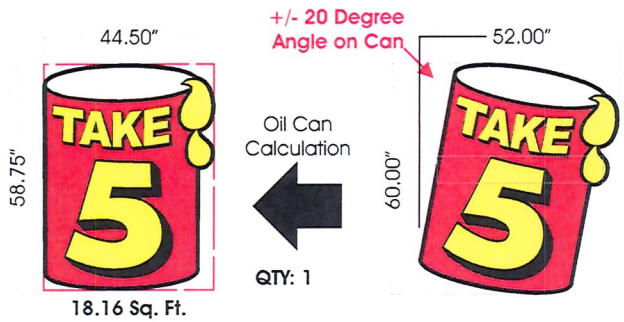
Customer: Take 5 Oil Change
Created: 2-6-2024
Revised:

Dwg: Pres105

Scale: Proportional
illustrated by: Nikki

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
Exact Font, Colors, Size& Exact Placement To be Verified .
Shown For illustration / Concept Place Holder Only
All Signage to Comply w/ Local Codes and Ordinance . (To Be Verified Prior to Mfg.)



18.16 Sq. Ft.



17.88 Sq. Ft.

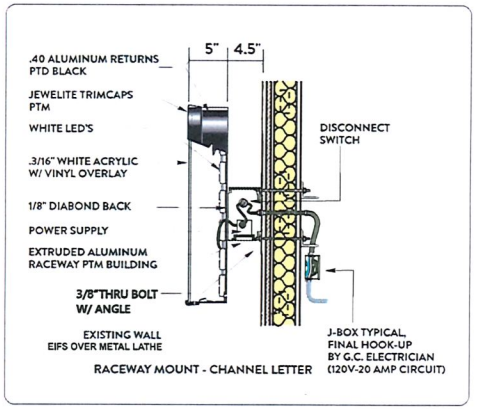
ADDITIONAL ELEMENT

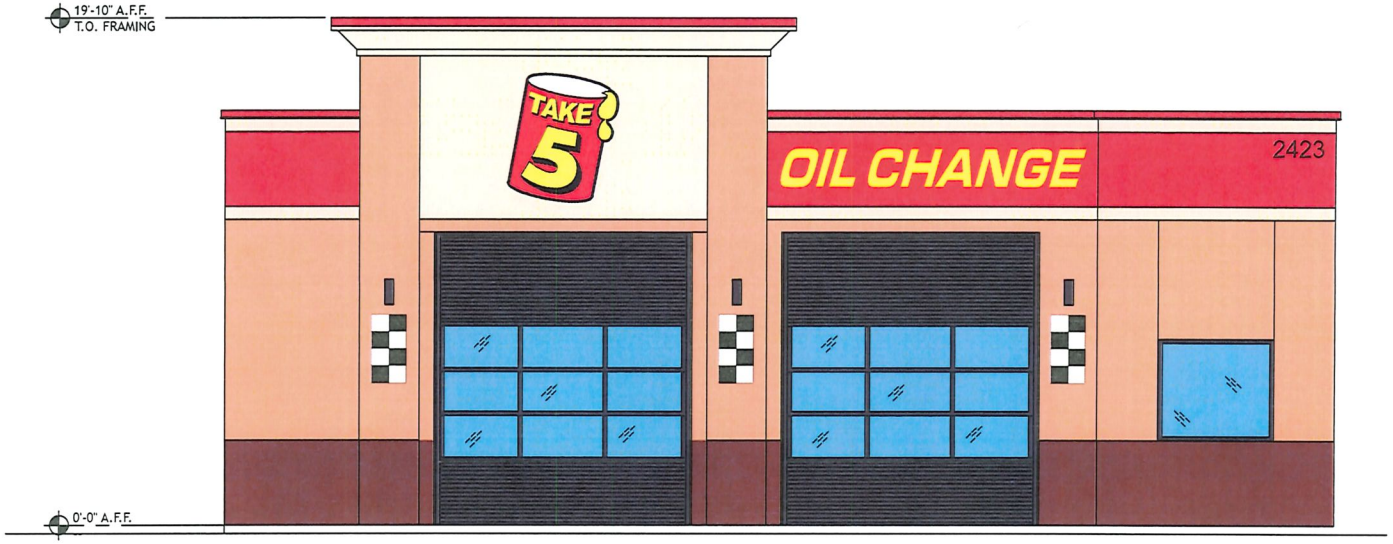
ALUMINUM PANS



Quantity: 3
Size: As in drawing
Color: Black and White
Returns: 1"
Mounting: Angle into facade

NOTE: PLACED 6" BELOW LIGHTS, VERTICALLY CENTERED ON SCONCE.





Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated , please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

Approval: ***Date:***

Customer: Take 5 Oil Change
Created: 2-6-2024
Revised:

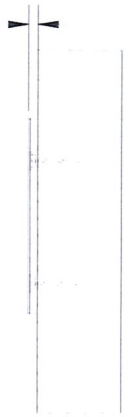
Dwg: Pres101

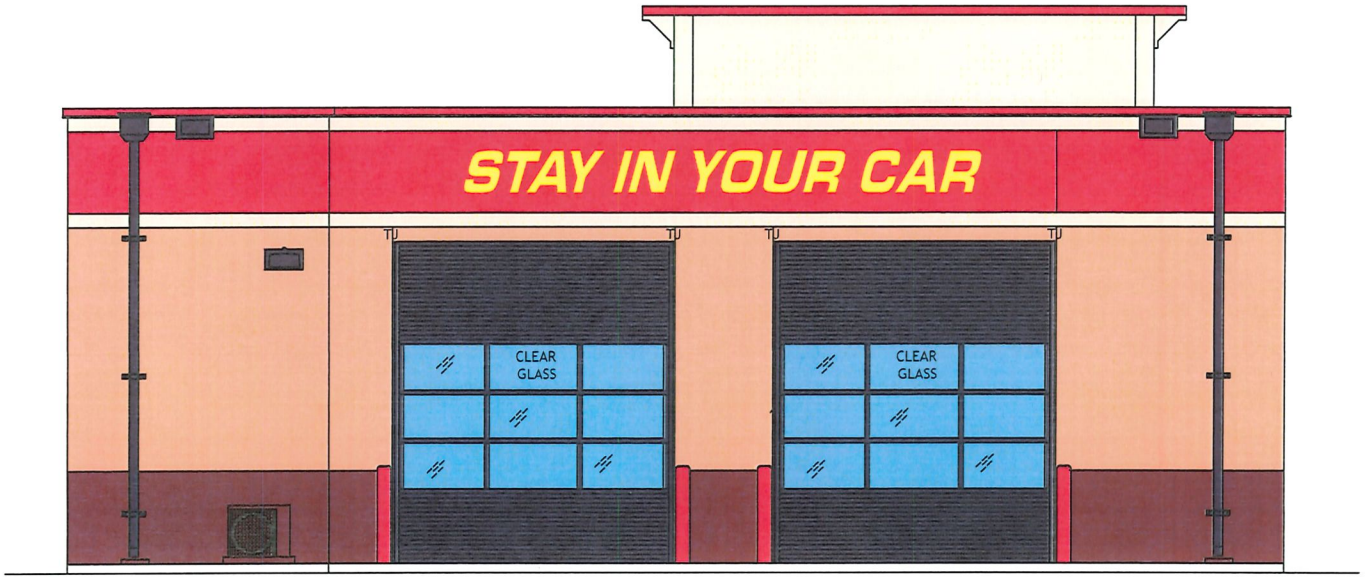
Scale: Proportional
illustrated by: Nikki

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.



Non-Illuminated Plate Letters





Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated , please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns

P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

Approval: ***Date:***

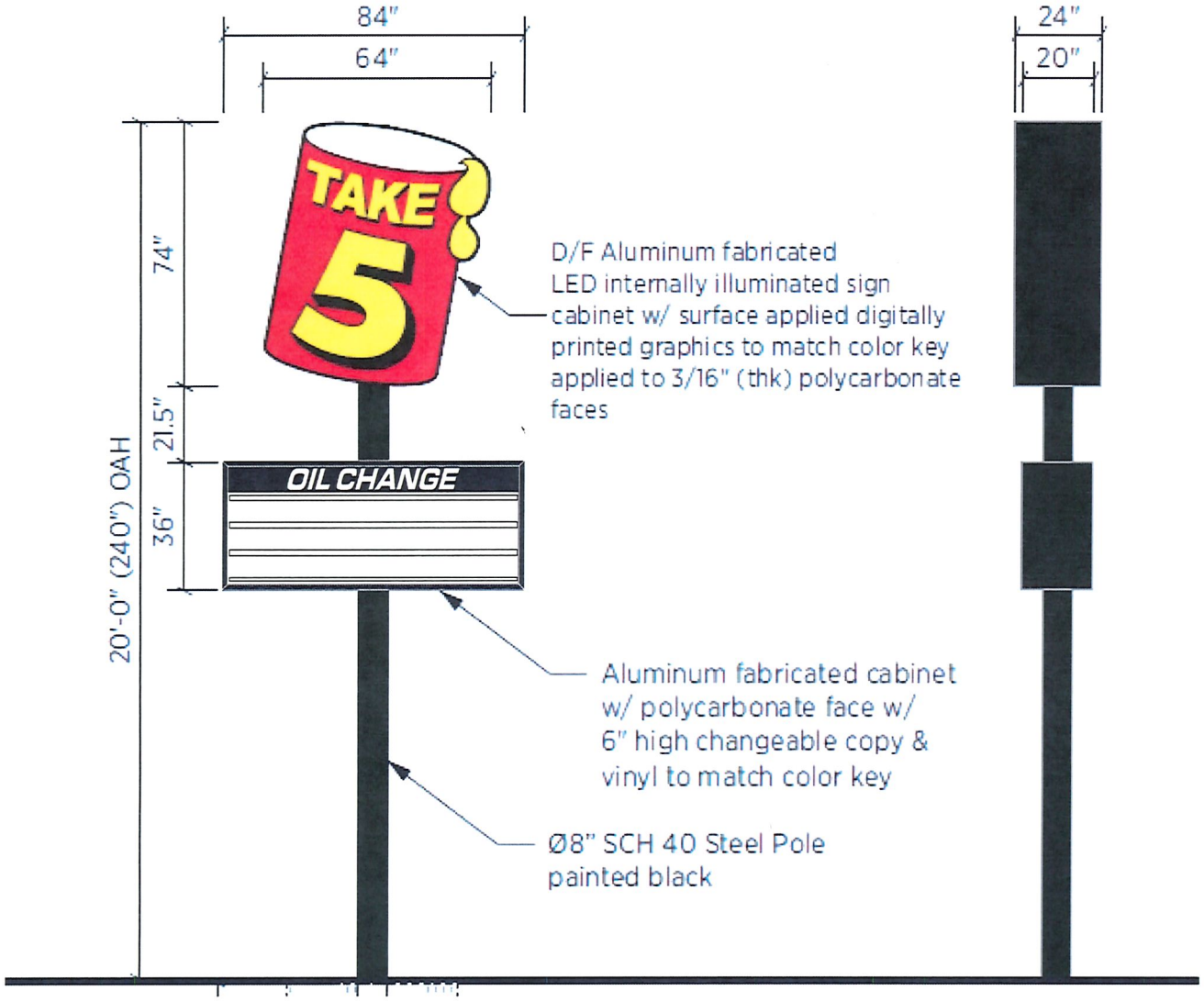
Customer: Take 5 Oil Change
Created: 2-6-2024
Revised:

Dwg: Pres104

Scale: Proportional
illustrated by: Nikki

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
Exact Font, Colors, Size& Exact Placement To be Verified .
Shown For illustration / Concept Place Holder Only
All Signage to Comply w/ Local Codes and Ordinance . (To Be Verified Prior to Mfg.)



Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product. please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated . please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
Eagle Pass, TX

Approval: _____ *Date:* _____

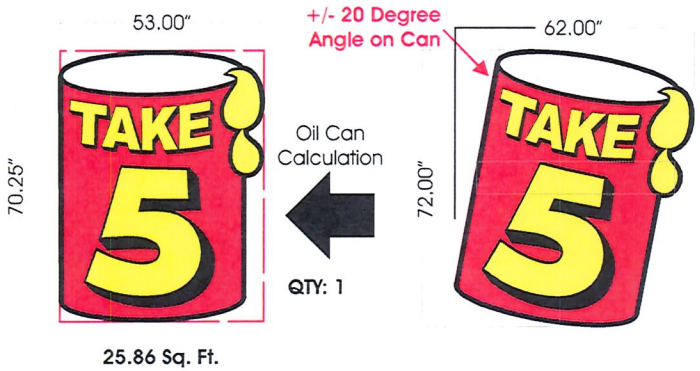
Customer: Take 5 Oil Change
Created: 6-21-2024
Revised:

Dwg: Pres301

Scale: Proportional
illustrated by: Lumbatis

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

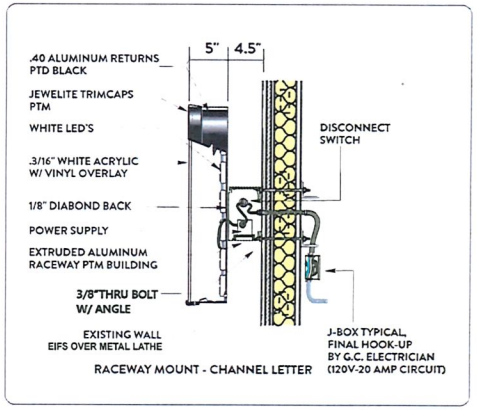
PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
Exact Font, Colors, Size& Exact Placement To be Verified .
Shown For illustration / Concept Place Holder Only
All Signage to Comply w/ Local Codes and Ordinance . (To Be Verified Prior to Mfg.)

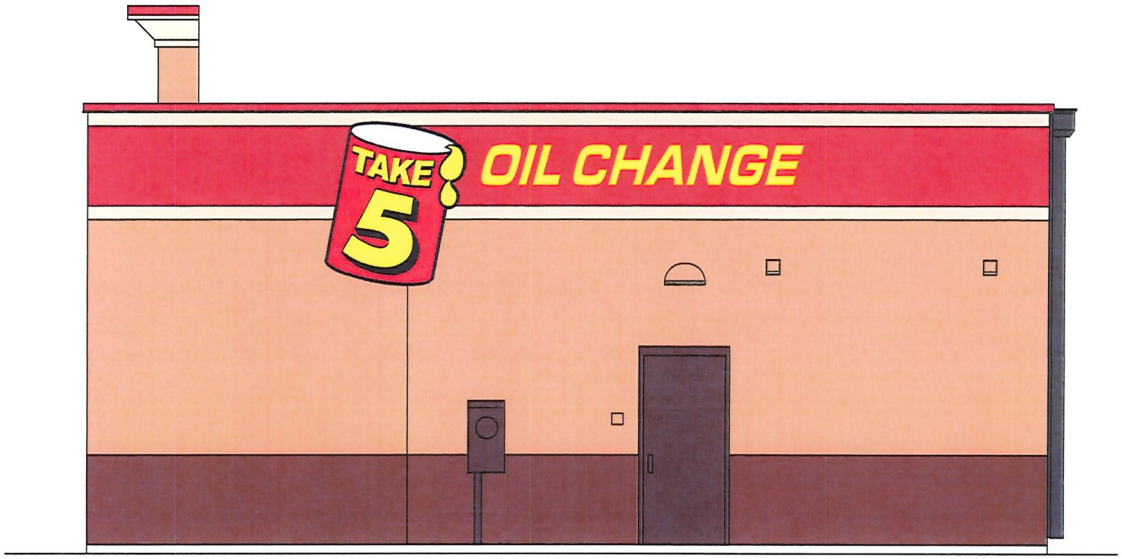


25.86 Sq. Ft.



17.88 Sq. Ft.





Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated , please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

Approval: *Date:*

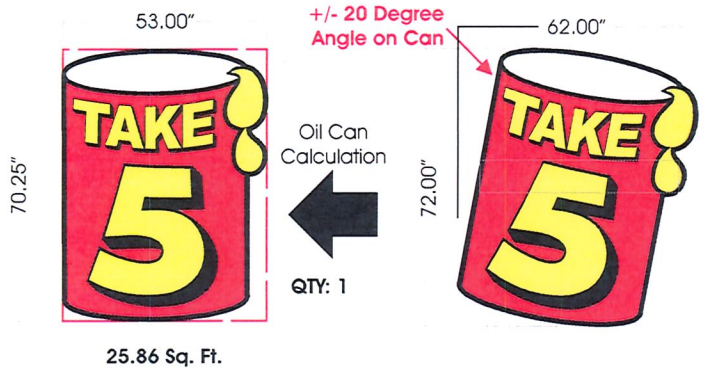
Customer: Take 5 Oil Change
Created: 2-6-2024
Revised:

Dwg: Pres103

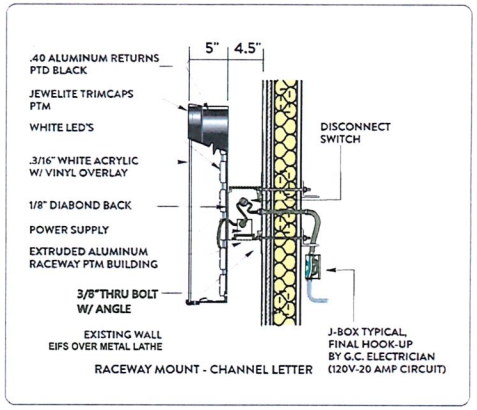
Scale: Proportional
illustrated by: Nikki

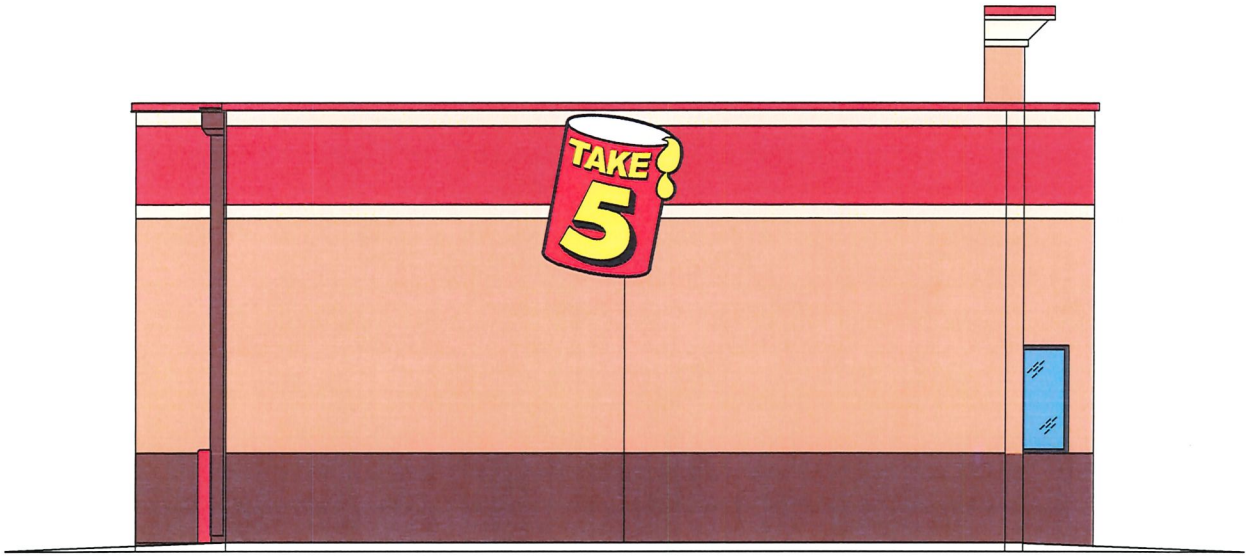
This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

PROPOSED ELEVATION SIZE & PLACEMENT ILLUSTRATION IS APPROXIMATED
Exact Font, Colors, Size& Exact Placement To be Verified .
Shown For illustration / Concept Place Holder Only
All Signage to Comply w/ Local Codes and Ordinance . (To Be Verified Prior to Mfg.)



25.86 Sq. Ft.





Note: The colors reflected on your computer screen or printed media are approximations of the actual colors that appear on color charts and catalogs. When ordering a colored product, please make your selections based on how color appears in the appropriate color chart.

Prior to Manufacturing and Installation: Actual Sign Placement To Be Field Verified (Dimensions and Placement Shown is Approximate and for illustration only).Location To Be Approved by Customer. (Survey / equipment i.e bucket truck maybe required at additional cost) Actual Artwork/Colors/Font to be Supplied or Approved By Customer. (Artwork/ Color/ Font Shown is for illustration/Pricing only).

Be Advised! Production of Product Will Not Begin Until This Drawing or Subsequent Drawing is Approved by Customer or Authorized Representatives Signature and Dated. Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product

Artwork, Colors & Dimensions Listed on Final Approved Drawing Will Be Used To Produce Product.These Drawings Reflect Exactly What Complete Signs L.L.C Plans To Fabricate For This Project. Please Carefully Review ALL Pages and Content as These drawings supercede all prior written or verbal communications.If these drawings accurately represent the project, and you would like us to proceed with the job as illustrated , please signs and date below .If there are changes please note them, and return unsigned. You will receive a new set of drawings for your review and approval.

Color renderings are for presentation only and should not be considered as manufacturing drawings. Actual Finished Product May Vary Due To Manufacturing Equipment or Material Constraints.

CompleteSigns
P. O. Box 8861 Dothan, Al. 36304 P 888.823.9005
F 334.556.0218 signs@completesigns.net www.completesigns.net

Take 5 Oil Change
2423 East Main Street
Eagle Pass, TX

Approval: ***Date:***

Customer: Take 5 Oil Change
Created: 2-6-2024
Revised:

Dwg: Pres102

Scale: Proportional
illustrated by: Nikki

This is an original unpublished drawing created by Complete Signs . It is submitted for your personal use, in connection with a project being planed for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without written consent of Complete Signs . This proposal remains the exclusive property of Complete Signs until approved and accepted thru purchase by the client named.

Sec. 15. Regulations for placement of signs and billboards.

(a) *Purpose.*

(1) The purpose of this section is to promote and protect the health, welfare and safety of the public by regulating existing and proposed signs of all types located in the City of Eagle Pass. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty and provide a more enjoyable and pleasing community. It is further intended hereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more visual open space and curb the deterioration of the community's appearance and attractiveness.

(2) This section is intended to promote attractive signs, which clearly present the visual message in a manner that is compatible with their surroundings. The appearance, character and quality of a community are affected by the location, size, construction and graphic design of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

(3) The regulations herein are designed to prevent the over concentration, improper placement, and excessive height, bulk, number, and area of billboards. It is recognized that, unlike on-premise signs which are actually a part of a business, billboards are a separate and distinct use of the public thoroughfare. Furthermore, for the purposes of this ordinance, billboards are considered by the City of Eagle Pass as an accessory to the principal use when located on the same lot. With a view to this distinction, billboard signs are regulated differently from on-premise signs. It is intended that billboards be located away from view of residential areas, and that such signs be regulated to protect the character of the area wherein billboards are located, and to conserve property values in these areas.

(4) Therefore, pursuant to the general police and zoning powers conferred on the City of Eagle Pass, and with due deference to the constitutional rights of individuals and businesses living and operating within the geographical boundaries of the City of Eagle Pass, the City Council of Eagle Pass hereby enacts this section placing new restrictions upon the display of billboards within the city and its areas of jurisdiction.

(b) *Definitions.*

Banner. A sign intended to be hung wither with or without a frame, made of paper, plastic, or fabric of any kind, and which may possess colors, characters, letters, illustrations, or ornamentations. Flags of governmental jurisdictions and flags carrying the emblem of a business or institution are not to be considered a banner for the purposes of this chapter.

Billboard. A sign which has a sign area of larger than fifty (50) square feet, and which directs attention to a business, commodity, service, entertainment, facility, or other subject matter, not located, conducted, sold or offered upon the premises where such a sign is located or which calls public attention to a candidate, cause, public issue, or other such subject matter and which may be either freestanding or mounted upon the roof or wall of the building.

Canopy sign. A sign attached to a canopy that is attached to a building or its extension. The sign shall not extend above the roof line of the building by more than two (2) feet.

Community service or public service sign. A sign which solicits support for or advertises a nonprofit community use, public use, or social institution.

Construction sign. A sign temporarily placed on a construction site identifying the project, and/or owner, developer, contractor, architect, and other information regarding the project.

Damaged sign. A sign which is unsafe, unsecured, disfigured, or broken.

Detached sign. A structure located on the property to support a sign identifying a commercial building and signs identifying individual businesses occupying space therein.

Flashing sign. A sign flashing, blinking, or moving lights, regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This shall include a sign which makes use of traveling lights or traveling lighted messages, or flashing lights.

Office building. Two (2) or more separate or distinct businesses occupying a single or combined structure of consistent ownership.

Portable sign. A sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure. A portable sign which has its wheels removed shall still be considered a portable sign hereunder.

Realty sign. A sign located on real property that is for rent, lease or sale, the sign being for the purpose of advertising the rent, lease or sale of the property.

Roof sign. A sign that is mounted on, and is wholly supported by the roof of a building.

Sign. Any letters, figures, symbols, trademarks, or devices designed to uniform people or to attract the attention of persons or of an individual, to a firm, profession, business, commodity or service, and which is recognizable from any public right-of-way, and which is more specifically defined as found in this section.

Sign height. The vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign.

Sponsorship. Signs placed in approved areas for sponsorship of nonprofit, city-approved organizations.

(c) *Permit required.* Except as provided in the ordinance codes, no person may erect, relocate, or alter a sign within the incorporated city limits or the extraterritorial jurisdiction of the city without first obtaining a permit and paying the required fee. All applications for a sign permit must be made at the City of Eagle Pass' Building Department and be accompanied by plans and specifications showing the location of the sign, the proposed sign and its method of construction, and any other information required to show compliance with this chapter and all other applicable city ordinances. The building official or his designated representative(s) will examine the application and supporting information and, if the proposed sign complies with this chapter and all other applicable ordinance codes.

(d) *Permit fee.* Every applicant for a permit under this chapter must pay the fee established by the city council by resolution.

(e) *Variances.* An application may appeal a denial of a permit by the building department to the zoning board of adjustment and appeals by filing a request for a variance within thirty (30) days after the date the permit is denied. The ZBAA may grant a variance if it finds that the unusual shape or topography of the property prevents signage allowable under this chapter from adequately identifying the business or other activity on the property.

(f) *Revocation.* The building official may revoke a permit if there has been a violation of this chapter or a misrepresentation on the permit application.

(g) *Exceptions.* A permit is not required for:

(A) Temporary real estate signs not exceeding six (6) square feet in area and three (3) feet in height in residential zoning districts and not exceeding sixty-four (64) square feet in area and twelve (12) feet in height in other zoning districts that advertise the property on which the sign is located for sale or lease. These signs must be removed within seven (7) days after the property is sold or leased.

(B) Temporary signs advertising "garage sale" or "yard sale" not exceeding six (6) square feet in area. These signs may not be posted earlier than three (3) days before and must be removed within one (1) day after the sale.

(C) Government signs regulating traffic, providing directions to public facilities, or giving notices of general interest to the community.

(D) Temporary signs placed on construction sites to identify the contractor, engineer, architect, or developer not exceeding sixty-four (64) square feet in area. These signs may not be erected prior to approval of a site plan and must be removed within seven (7) days after completion of the project.

(E) Private signs regulating traffic on the property on which the sign is located.

(F) Flat signs of solid-face construction that are placed against and attached to the vertical wall of a building located in a non-residential zoning district. These signs may not obstruct any wall opening, may not project beyond the wall to which they are attached, and must be attached at least ten (10) feet above ground level. These signs may only be located on the street side of any commercial establishment located within two hundred (200) feet of a residential zoning district.

(G) Banners approved by the city manager. These banners must be safely and securely installed with wires or steel cables and must not be permitted to obstruct any public right-of-way and must be installed on places designated by the city manager or his representative.

(H) Permanent subdivision identification signs approved with the subdivision plat.

(I) Temporary signs for special events such as charitable, church, or community activities. These signs may not be posted earlier than three (3) days before.

(h) *General requirements.*

(A) Permit required for structural changes. Except as otherwise provided herein, no sign displaying on-premise advertising shall be erected, structurally changed or reconstructed in whole or in part, within the city without a permit having first been obtained.

(B) Height limit. No detached sign shall be allowed that is higher than thirty-five (35) feet from the normal grade elevation to the top of the highest part of the structure.

(C) Setback. No sign or any part thereof shall be located within ten (10) feet of any property line (not to be confused with the curb or pavement line.) However, no sign may be placed within twenty-five (25) feet of the property line at an intersecting street.

(D) Wind load pressure requirements. No sign, other than the exempt sign, shall be erected that does not meet the wind load pressure requirements as set out in the International Building Code. Permit applications for new signs and permit renewals required for signs which will have or have a height, in feet above ground, as measured above the average level of the ground adjacent to the proposed structure, of six (6) feet or more, must be accompanied by certificate signed by the owner of the sign, to the effect that the proposed or existing sign will withstand wind load pressures in pounds per square foot as set out in the following table. Solely at the discretion of the building department, further verification may be required to prove that the wind loading specifications will be met.

(1) Each business establishment shall be allowed to erect and maintain two (2) permanent type signs for the advertising of its services or products.

A. The signs may be attached to the principal building in which the business is situated and/or erected separately. The aggregate (total) area of the signs shall not exceed two hundred fifty (250) feet per legal lot. Free standing signs shall not exceed an amount equal to one and one-half (1.5) square feet for each one (1) linear foot of the lot's frontage abutting the primary street, except that a minimum of forty-eight (48) square feet of sign area is

allowed regardless of the lot frontage. In no case shall the sign(s) exceed two hundred fifty (250) feet per legal lot. Business establishments which face two (2) streets shall be allowed one (1) sign for advertising on each street.

B. A sign panel with advertising on both sides thereof shall be considered one (1) sign.

C. In no event shall any portion of any sign extend to a height of more than thirty-five (35) feet above the surface of the ground.

D. No sign of any kind shall be located any closer than fifteen (15) feet to adjacent right-of-way lines.

E. Any sign incidental to a business shall be erected only upon the parcel, tract, lot or site upon which the business establishment is located.

F. Two (2) portable type signs, each of a size no larger that twelve (12) square feet and extending to a height of not more than four (4) feet above the surface of the ground, may be displayed by a business establishment during regular business hours.

(2) Location. No sign, other than public traffic control signs and other governmental signs, may be located within the public right-of-way. All signs, including any overhead projections, must be located completely within the boundaries of the property on which they are located.

(3) Spacing. Only one (1) free-standing sign located adjacent to a public street will be permitted for each legal lot.

(i) *Temporary signs.*

A. Temporary sign standards. Any temporary sign authorized by this section, including temporary portable signs, shall comply with the sign standards of the International Building Code.

B. Temporary signs allowed. Temporary signs of the type set forth below shall be allowed in all zones within the city, subject to the following specific standards:

1. *Real estate signs.* One (1) non-illuminated real estate "for sale" or "for rent" sign, not exceeding an area of eighteen (18) inches by twenty-four (24) inches, along with name strip sign(s) located either above or below the real estate sign, which name strip shall also not exceed an area larger than twelve (12) inches by twenty-four (24) inches, shall be allowed on the premises for the sole purpose of advertising the legally-divided parcel, tract, lot or site and improvements for sale or rental. For large tracts of land, signs may not exceed thirty-two (32) square feet. Real estate signs shall be removed form the premises no later than five (5) days after closing of the sale.

2. *Open house signs.* Portable, non-illuminated real estate open house signs may be used in connection with open house sales campaigns, but only during those hours when sales personnel are actually in attendance on the open house premises. These signs must be of the "A-board" or "sandwich" type, and shall be no longer than two, 24-inch by 24-inch panels. For off-premises portable signs may be used to advertise or provide directions to the open house sales campaign.

3. *Garage sale signs.* A maximum of two (2) signs may be used to advertise a garage sale, which signs shall not exceed four (4) square feet in size. Such signs shall be removed after the date of the garage sale.

4. *Construction site signs.* One (1) sign, not to exceed a maximum of thirty-two (32) square feet in size, may be permitted to be located on a parcel, tract, lot or site for which a valid building permit has been issued for the purpose of directing and identifying for subcontractors to the site of the construction and not for the purpose of advertising the construction company. The sign shall be removed to later than five (5) days after completion of the work.

5. *Miscellaneous signs.* Those noncommercial signs which are: (a) not otherwise prohibited by law or this chapter; (b) not exceeding three (3) square feet in size; and (c) if advertising an event, are posted not longer than five (5) days after the event, are allowed in all zones within the city. Governmental agencies may display banners larger than the size described in this subsection for the purpose of publicizing civic events over the public right-of-way, upon prior approval by the city for conformance.

C. Any temporary signs that are placed on non-right-of-way city property in violation of this section may be removed by the city without notice to the sign owner. After such removal by the city, the city shall attempt, in good faith, to identify the owner of the sign and shall provide said identifiable owner with a minimum of five (5) days' written notice prior to discarding or destroying the sign(s).

D. Temporary signs described in this section may be installed or placed on property for one five (5) day period only, subject to compliance with the other provisions of this chapter.

E. (1) Temporary real estate directional signs.

(2) Portable signs. Portable signs include signs with a display surface utilizing removable letters that are readily movable from site to site and signs that are not permanently attached to the ground, a building, or other fixed object, including those installed on trailers or other mobile structures. Portable signs may not exceed five (5) feet by ten (10) feet in area, and may be used only for the following purposes:

(a) To promote or advertise the opening of a new business; or

(b) To promote or announce charitable, church, community, or public events.

(j) *Compliance with the International Building Code.* All signs within the city limits must comply with the requirements of the adopted International Building Code and any subsequent revision. In the event of any conflict between the IBC and this chapter, this chapter controls.

(k) *Prohibited signs.*

(A) *Permitted signs.* No sign may be erected or maintained in violation of the permit requirements of this chapter.

(B) *Maintenance.* No sign may be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration, or holes.

(C) *Outdated signs.* No sign may advertise a business or product that is no longer in existence.

(D) *Obstructions to doors, windows, or fire escapes.* No sign may be erected, relocated, or maintained so as to obstruct any door, window, or fire escape. No sign may be attached to a stand pipe or fire escape.

(E) *Traffic hazards.* No sign may:

(1) Obstruct free and clear vision at any street intersection;

(2) Interfere with, obstruct the view of, or be confusingly similar to any authorized traffic sign, or device because of its position, shape, or color; or

(3) Make use of the words STOP, LOOK, DRIVE-IN, DANGER, or any other word, phrase, symbol, or character that interferes with, misleads, or confuses traffic.

(F) *Unsafe signs.* No signs may constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance.

(G) *Illuminated signs.* No sign may be illuminated with lights which glare into or upon the surrounding area or any residential area or district operators of vehicles or pedestrians on the public right-of-way.

(H) *Obscene signs.* No sign may display any matter in which the dominant theme of the material taken as whole appeals to the prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

(I) *Vehicular signs.* No sign may be painted on or attached to a motor vehicle which is not road-worthy.

(J) *Moving signs.* No sign may have visible moving, revolving, or rotating parts, or visible mechanical movement of any kind, except for the movable hands on street clocks, or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for time/temperature/date signs.

(K) *Flashing signs.* No sign may have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations.

(l) *Nonconforming signs.* Any sign legally in existence on the date of adoption of this chapter that violates or does not conform to its provisions must be removed, altered, or replaced so as to nonconforming sign. No nonconforming sign is required is otherwise prohibited by state or federal law.

(m) *Unlawful signs.* If the building department finds that any sign is prohibited by the provisions of this chapter, the building department will give written notice to the permittee or the owner of the property upon which the sign is located. If the permittee or owner fails to remove or alter the sign so as to comply with this chapter within ten (10) days, the building department may remove or alter the sign to bring it into compliance and asses the costs to the permittee or owner. The building department may remove or any sign that presents an immediate peril to persons or property immediately and without notice.

(n) *Penalty.* Any person violated any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction, will be subjected to a fine not exceeding two hundred ($200.00). Each day a violation is committed or permitted to continue constitutes a separate offense.

(o) *Requirement for conditional use permit.*

(1) *Billboards.* Billboards shall be allowed only upon grant of a conditional use by the city council, and shall only be allowed in the "B-3" General business district, and the "I" Industrial zoning district.

(p) *Requirements.* The conditional use shall be allowed subject to the following regulations:

(1) *Billboard size.* A maximum of two (2) sides are allowed per billboard. The sign area of a billboard in the "B-3" and "I" districts shall not exceed 12′ × 48′ on each side of the sign.

(2) *Height.* The highest portion of a billboard shall not exceed thirty-five (35) feet in height measured from the elevation of the grade of the abutting roadway. The elevation of the grade is defined as the point on the centerline of the road which is perpendicular to the billboard location.

(3) *Setbacks.* A freestanding billboard must have a setback from the property line equal to the height of the highest portion of the billboard, measured from the ground where the billboard is located. No other type of billboard sign or structure, or any part thereof, shall be erected or maintained within fifteen (15) feet of any ultimate right-of-way of a public street or road, nor within the side yard setback of the lot on which the billboard is located.

(4) *Illumination and animation.* Illumination of billboards shall be allowed based upon the following standards:

- The billboard and the lighting thereof shall be effectively shielded so as to prevent beams or rays of light from being directed at a portion of the traveled ways of the adjacent roadway, and shall not be of such intensity or brilliance as to cause glare or impair the vision of the driver of a vehicle, or which interferes with a driver's operation of a motor vehicle.

- The billboard shall not be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal. Any billboard which contains, includes, or is illuminated by a flashing, intermittent, or moving light or lights, or is animated as defined by this ordinance shall be prohibited.

(5) *Separation.* The location of each billboard shall comply with the following separation requirements:

1) At least one thousand (1,000) linear feet from any other billboard, and

2) At least five hundred (500) linear feet from any residential zoning district, including those of a neighboring municipality,

(6) *Obstruction.* No billboard shall overhang a public or private right-of-way nor shall it interfere with a two hundred-foot line of sight in any direction at an intersection.

(7) *Landscaping.* The base of each billboard shall be landscaped and maintained with a screening buffer.

(8) *Conformance with Texas Department of Transportation Requirements.* Other requirements established by the Texas Department of Transportation (TxDOT) that regulate signs along roadways governed by TxDOT shall also be in effect, and the more stringent of the two (2) ordinances shall prevail.

(9) *Other standards.* The conditional use process and standards set forth in section twenty-one (21) must be met.

(Ord. No. 06-13, § 2, 7-11-2006; Ord. No. 07-15, § 1, 7-24-2007)