

**MINUTES OF THE MEETING OF THE JERSEY VILLAGE
BOARD OF ADJUSTMENT**

October 9, 2014 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on October 9, 2014, at 12:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas.

A. The meeting was called to order by Chairman Henry Hermis at 11:59 p.m. and the roll of appointed officers was taken. Board Members present were:

Henry Hermis, Chairman	Thomas Simchak, Vice Chairman
Debra Sappington, Board Member	Ken Nguyen, Board Member
Robert Cunningham, Board Member	Reza Khalili, Alternate Board Member

Joe Pennington, Alternate Board Member was not present.

Council Liaison, Tom Eustace was present.

City Staff in attendance: Courtney Rutherford, Assistant City Secretary; Danny Segundo; Public Works Director, Christian Somers, Building Official; and Deborah Capaccioli-Paul, Engineering Technician.

B. Designate Alternate Members to serve in place of any absent Board Member.

No action taken.

C. Election of Chair and Vice Chair for one year term.

Chairman Hermis opened nominations for the office of Chairman for a one year term beginning October 1, 2014 and ending September 30, 2015. Board Member Simchak nominated Board Member Henry Hermis. Board Member Sappington seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Simchak, Sappington, Cunningham and Nguyen
Chairman Hermis

Nays: None

The motion carried.

Chairman Hermis opened nominations for the office of Vice Chairman for a one year term beginning October 1, 2014 and ending September 30, 2015. Board Member Sappington nominated Board Member Thomas Simchak. Chairman Hermis seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Simchak, Sappington, Cunningham and Nguyen
Chairman Hermis

Nays: None

The motion carried.

D. Consider approval of the minutes for the meeting held on August 21, 2014.

Board Member Sappington moved to approve the minutes as presented for the meeting held on August 21, 2014. Board Member Simchak seconded the motion. The vote follows:

Ayes: Board Members Simchak, Sappington, Cunningham and Nguyen
Chairman Hermis

Nays: None

The motion carried.

E. Conduct a public hearing on the request of Frank Donnelly, filed on behalf of Kensinger Properties Limited, for an appeal of the City of Jersey Village's decision pursuant to the Jersey Village Code of Ordinances, Chapter 14, Article X, Section 14-253 (c) and (d); as these sections apply to calculating the maximum sign face area per sign, which city regulations state shall not exceed 200 square feet of sign face area and that the total sign face area for all signs allowed shall not exceed 400 square feet for the property located at 17724 Northwest Freeway, Jersey Village, TX 77040.

Chairman Hermis called item E and opened the public hearing at 12:00 p.m. concerning the request of Frank Donnelly, filed on behalf of Kensinger Properties Limited, for an appeal of the City of Jersey Village's decision pursuant to the Jersey Village Code of Ordinances, Chapter 14, Article X, Section 14-253 (c) and (d); as these sections apply to calculating the maximum sign face area per sign, which city regulations state shall not exceed 200 square feet of sign face area and that the total sign face area for all signs allowed shall not exceed 400 square feet for the property located at 17724 Northwest Freeway, Jersey Village, TX 77040.

Assistant Board Secretary Courtney Rutherford stated for the record that all notification requirements for both the City and the applicant have been met.

Mr. Frank Donnelly was in attendance for the hearing. Henry Chapman from Kensinger Properties LTD, Jeremiah Baker from Baker Signs, and Paul Coats from Ad Displays Sign Systems Inc., were also in attendance.

The Building Official, Christian Somers, gave background information on the request for appeal. He stated that since so many signs need to be moved or replaced due to TxDOT's expansion of Highway 290 he began looking at the codes for signs and sign criteria. In the past he read the code to calculate sign face area per side, but he recently changed his interpretation to calculate sign face area by combing all sides of the sign. Since changing his interpretation he met with the Design Review Committee and they agreed that the sign face area should be calculated per side. Board Member Simchak asked Mr. Somers why he changed the way he was calculating the sign face area. Mr. Somers stated that after re-reading the code he simply changed his interpretation.

Mr. Donnelly, from Kensinger Properties, LTD, addressed the Board and stated that they want to relocate the current sign which is less than 200 square feet per side, but more than 100 square feet. He also stated that his company owns multiple lots along Highway 290 and

in order to attract larger business customers visibility is a huge issue. He stated that signs 100 square feet and smaller per side will not be visible from the freeway.

There was brief discussion among the Board, Staff, and Mr. Donnelly regarding the sign face area calculation and visibility of businesses along Highway 290.

With no other party or individual signing up or requesting to speak at this public hearing, Chairman Hermis closed the public hearing at 12:19 p.m.

F. Discuss with possible action on Frank Donnelly, filed on behalf of Kensinger Properties Limited, for an appeal of the City of Jersey Village's decision pursuant to the Jersey Village Code of Ordinances, Chapter 14, Article X, Section 14-253 (c) and (d); as these sections apply to calculating the maximum sign face area per sign, which city regulations state shall not exceed 200 square feet of sign face area and that the total sign face area for all signs allowed shall not exceed 400 square feet for the property located at 17724 Northwest Freeway, Jersey Village, TX 77040.

After brief discussion, Board Member Simchak moved to grant the appeal of Frank Donnelly, filed on behalf of Kensinger Properties Limited, finding that when calculating the maximum sign face area per sign in accordance with Chapter 14, Article X, Section 14-253 (c) and (d), the sign face area for any given side of the sign shall not exceed 200 square feet, thereby allowing for a total of 400 square feet of sign face area for all signs. Board Member Cunningham seconded the motion. The vote follows:

Ayes: Board Members Sappington, Nguyen, Pennington, and Khalili
Vice Chairman Simchak

Nays: None

The motion carried.

G. Set the date for next possible meeting.

No action taken.

H. Adjournment

With no additional business, Chairman Hermis adjourned the meeting at 12:33 p.m.

Courtney Rutherford, Assistant City Secretary