



**CITY OF BANDERA**  
**BOARD OF APPEALS MEETING**  
Bandera City Hall, 511 Main Street, Bandera, Texas  
Tuesday, June 25, 2024 at 5:30 PM

---

511 Main St. • PO Box 896 • Bandera, Texas 78003 • P: (830) 796-3765 • F: (830) 796-4247

---

**AGENDA**

**NOTICE IS HEREBY GIVEN THAT A MEETING OF THE BOARD OF APPEALS FOR THE CITY OF BANDERA WILL BE HELD AT CITY HALL, 511 MAIN STREET, BANDERA, TEXAS, ON THE 25TH DAY OF JUNE 2024 AT 5:30 PM. DURING THE MEETING, THE FOLLOWING ITEMS WILL BE CONSIDERED, AND THE BOARD MAY TAKE ACTION ON ANY OF THE ITEMS.**

- 1. Call to order.**
- 2. Discussion and possible action on the following items:**
  - A. Consider for action a request for a sign variance regarding Ordinance 419 Section 3.07.012 (A) (ii) requesting a 46sf variance from maximum size and 12' variance from maximum height at 1203 Main Steet, ABST 3 HENDRICK ARNOLD SVY 59 TR 40\*\*RIVER\*\* 4.53 ACRES, River Oak Inn.

**3. Adjourn.**

/s/ Jill Shelton

Jill Shelton, *City Secretary*

**IT IS ANTICIPATED THAT MEMBERS OF OTHER CITY BOARDS AND COMMISSIONS MAY ATTEND THE MEETING IN NUMBERS THAT MAY CONSTITUTE A QUORUM OF SUCH OTHER CITY BOARDS AND COMMISSIONS, SO THAT NOTICE IS HEREBY GIVEN THAT THE MEETING IS ALSO A MEETING OF THE OTHER CITY BOARDS AND COMMISSIONS WHO'S MEMBERS ARE IN ATTENDANCE. THE MEMBERS OF THE OTHER CITY BOARDS AND COMMISSIONS MAY NOT PARTICIPATE IN DISCUSSIONS WHICH OCCUR AT THE MEETINGS AND NO ACTION WILL BE TAKEN BY THE OTHER BOARDS AND COMMISSIONS WHO'S MEMBERS ARE IN ATTENDANCE.**

*The Board of Appeals for the City of Bandera reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matter listed above, as authorized by Texas Government Code §551.071 (Consultations with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices) and §551.086 (Economic Development). There may be a quorum of Economic Development Corporation/Planning and Zoning/City Council member at any regularly scheduled Board of Appeals Meeting. This facility is wheelchair accessible and handicapped parking is available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (830) 796-3765. This agenda is posted in accordance with the Texas Government Code, Chapter 551 on June 21, 2024.*

**CITY OF BANDERA BOARD OF APPEALS AGENDA**  
**Regular Meeting: Tuesday, June 25, 2024**

---

**AGENDA ITEM:**

Consider for action a request for a sign variance regarding Ordinance 419 Section 3.07.012 (A) (ii) requesting a 46sf variance from maximum size and 12' variance from maximum height at 1203 Main Steet, ABST 3 HENDRICK ARNOLD SVY 59 TR 40\*\*RIVER\*\* 4.53 ACRES, River Oak Inn.

**SUBMITTED BY:** Stephanie Biggs

**APPROVED FOR AGENDA:** Stan

---

**BACKGROUND:**

Ravi Patel has submitted a sign variance request for River Oak Inn located at 1203 Main St. The existing sign installed by the previous owner is non-conforming at 96 square feet with a total height of 15'.

He will be refacing the sign, and, in this situation, it should be brought into compliance with current code. However, he is seeking a 46-sf variance and also bring the overall height to 23', requiring an 8' variance as allowed under Ordinance 419 Section 3.07.012 (A) (ii).

It will be a free-standing sign, backlit with soft LED bulbs (non-digital).

---

**FISCAL ANALYSIS:**

None

---

**RECOMMENDATION:**

The Findings Required for Variance are as follows:

- That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land;
- That the variance is necessary for the prevention and enjoyment of a substantial property right of the applicant;
- That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and
- That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.

Mr. Patel has provided written responses to these findings. Mr. Patel's and staff's responses to those statements, a conceptual site plan, ground level & aerial photos are included.

**Subject: Request for Variance Approval for External Sign Height**

To,

Jon Davis

City Inspector

Bandera, TX 78003

I am writing to formally request approval for a variance concerning the height of the external sign located at 1203 Main St, Bandera, TX 78003. As you may be aware, recent changes in the city ordinance mandate a maximum sign height of 15 feet. However, our existing sign stands at 22 feet, having been grandfathered in under previous regulations.

We appreciate the city's efforts to maintain uniformity and safety within the community through updated ordinances. Nevertheless, we respectfully submit that enforcing the new height restriction would significantly impact our business operations and pose safety concerns.

Firstly, the current sign's height has been instrumental in attracting customers and effectively advertising our services/products. Reducing its height to comply with the new ordinance would diminish its visibility, thereby affecting foot traffic and ultimately our revenue.

Moreover, lowering the sign height would render it more vulnerable to damage. Lowering the height exposes the sign to increased risk of vandalism, accidents, or environmental wear and tear. A taller sign not only enhances visibility but also reduces the likelihood of damage due to its elevated position.

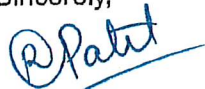
We are committed to the safety and aesthetic appeal of our signage and are willing to explore alternative solutions that address the city's concerns while safeguarding our business interests. These may include reinforcing the sign structure, enhancing its design to mitigate potential hazards, or any other measures deemed appropriate by the city.

In light of the above considerations, we kindly request that the city grant us a variance to maintain the current height of our external sign. We assure you of our continued cooperation and willingness to work towards a mutually beneficial solution.

Thank you for your attention to this matter. Should you require any further information or clarification, please do not hesitate to contact me at 607-768-1030

We look forward to a favorable resolution to this request.

Sincerely,



Ravi Patel

River Oak Inn Motel

**Findings required for variance:**

**1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land**

We believe there are special circumstances regarding our motel's location and the nature of our business that secure approval for the outside sign. The motel was established before the ordinance was passed, and its operations have been in line with community standards since then. Denying the update of outside sign would significantly impact on our ability to attract customers and operate the business effectively. We respectfully request approval, as strict adherence to the ordinance would deprive us of the reasonable use of our land and hinder our ability to remain competitive in the market.

Staff is of the opinion that the same result can be achieved with a sign that conforms to the current ordinance.

**2. That the variance is necessary for the prevention and enjoyment of a substantial property right of the applicant**

The variance is crucial for safeguarding and enhancing a substantial property right integral to our motel's operation and viability. The proposed sign is essential for visibility and advertising, which are fundamental aspects of our business. Without it, we would be significantly disadvantaged compared to neighboring establishments and would risk a decline in revenue which might force us to close the business as we are still not even close to break even for the business due to tough market economy. Granting the variance would not only preserve our property rights but also contribute to the overall economic vitality of the area. We respectfully urge approval of the variance to ensure the continued success and enjoyment of our property.

Staff is of the opinion that the same result can be achieved with a sign that conforms to the current ordinance.

**3. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.**



We firmly believe that granting the variance will not pose any risk to public health, safety, or welfare, nor will it cause harm to neighboring properties. The proposed sign complies with all safety regulations and will be installed in a manner that ensures it does not obstruct visibility or create any hazards for pedestrians or motorists. Additionally, it will be designed to harmonize with the aesthetics of the surrounding area and have the feel of Cowboy capital.

The sign, if approved, would stand at 23'. Tall enough that if an accident caused it to fall, it could fall onto Main St.

Furthermore, the sign will contribute positively to the local economy by attracting customers to our motel, thereby supporting nearby businesses, and enhancing the overall vitality of the community. We have taken all necessary precautions to ensure that the variance will not be injurious to the area and respectfully request its approval

Staff is of the opinion that the same result can be achieved with a sign that conforms to the current ordinance.

**4. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.**

We are confident that granting the variance for our motel sign will not disrupt the orderly subdivision of other land in the area as stipulated by the ordinance. Our request pertains specifically to our property and the installation of a sign that is essential for the operation of our business. It is designed and positioned in a manner that respects the zoning regulations and does not encroach upon the subdivision plans or rights of neighboring properties.

We have thoroughly reviewed the ordinance requirements and ensured that our request for the variance aligns with the broader goals of maintaining orderly development in the area. The proposed sign will enhance the visibility and accessibility of our motel without compromising the integrity of land subdivision processes in accordance with the ordinance. We respectfully request approval of the variance, confident that it will not impede the orderly subdivision of other land in the area.

Staff agrees but is of the opinion that the same result can be achieved with a sign that conforms to the current ordinance.







