

Matthew Hadley, Chair  
Joe Phea, Vice-Chair  
D'Juana McPherson, Member  
Catherine Paulino Salcido, Member  
Shannon Spencer, Member



Danielle Craig, Alternate  
Steven Devenport, Alternate  
Tracy Thomason, Alternate  
Jose Valenciano, Alternate

**Zoning Board of Adjustment  
Regular Meeting  
November 21, 2024**

**Citizens Tower, Council Chambers  
1314 Avenue K, Lubbock, Texas**

*Pursuant to the Executive Orders of Governor Abbott, and other authority provided by the Texas Attorney General, the Zoning Board of Adjustment will convene in-person only.*

The Zoning Board of Adjustment meetings are available to all persons regardless of disability. If you require special assistance, please contact the City of Lubbock at 806-775-2108, email [cityplanning@mylubbock.us](mailto:cityplanning@mylubbock.us), or write to P.O. Box 2000, Lubbock, Texas, 79457, at least 48 hours in advance of the meeting.

The Zoning Board of Adjustment of the City of Lubbock, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Section 551.071 of the Texas Government Code.

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**8:30 a.m. – The Zoning Board of Adjustment convenes in Council Chambers and immediately recesses into Executive Session**

1. Executive Session

1.1 Hold an executive session in accordance with Texas Government Code, Section 551.071, with legal counsel for advice about pending or contemplated litigation or settlement agreement and on matters in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct conflicts with Chapter 551.

1.1.1 Texas Local Government Code Ch. 211 as applicable to the Zoning Board of Adjustment

**Adjourn from Executive Session**

**9:30 a.m. – The Zoning Board of Adjustment reconvenes in Open Session in Council Chambers**

- 1) Call to Order – Welcome and Introductions
- 2) Citizen Comments – According to HB 2840, any citizen wishing to appear before a regular meeting of the Zoning Board of Adjustment, regarding any matter posted on the Zoning Board of Adjustment Agenda, shall complete the sign-up form provided at the meeting, no later than 8:30 a.m.
- 3) Approval of Minutes
  - 3.1 October 17, 2024 Regular Meeting

4) Variances - Public Hearings  
*[Zoning Board of Adjustment has final authority for approval.]*

4.1 Case V-5145-A: Texas Republic Signs, LLC for Essential Properties

Request for a Variance to vary the maximum sign height requirement for a pole sign located on an expressway (Highway 87) from 27 feet 6 inches to 50 feet for a total variance of 22 feet 6 inches, to vary the front setback requirement from 61 feet to 33 feet 6 inches for a total variance of 27 feet 6 inches, to vary the maximum sign area from 50 square feet to 174.6 square feet for a total variance of 124.6 square feet, and to vary the maximum width from 15 feet to 16 feet for a total variance of 1 foot, on property zoned Auto-Urban Commercial District (AC), per Section 39.03.023.j, at:

- 9704 Highway 87, located west of U.S. Highway 87 and north of 98th Street, Allsups on Highway 87 Addition, Tract A.

4.2 Case V-5158: DLC Designs, LLC for Juan Maldonado & Laura Garcia

Request for a Variance to vary the minimum setback for a front-loaded garage from 20 feet to 12 feet 11 inches, for a total variance of 7 feet 1 inch, on property zoned Low Density Single-Family District (SF-2), per Section 39.02.004.c.4.A, at:

- 520 78<sup>th</sup> Street, located east of Avenue F and north of 78<sup>th</sup> Street, Martin-Ameen Addition, Block 7, Lots 9 and 10.

5) Adjourn

The above referenced NOTICE OF MEETING was posted on the bulletin board outside the south entrance of Citizens Tower 1314 Avenue K, Lubbock, Texas, on the \_\_\_\_\_ day of November 2024 at \_\_\_\_\_ A.M./P.M.

By: \_\_\_\_\_

**THE ZONING BOARD OF ADJUSTMENT MINUTES  
THURSDAY, OCTOBER 17, 2024 AT 8:30 A.M.  
IN PERSON**

**MEMBERS AND  
ALTERNATE MEMBERS  
PRESENT:**

**MATT HADLEY CHAIR, JOE PHEA VICE-CHAIR, D'JUANA  
MCPPERSON, DANIELLE CRAIG, SHANNON SPENCER,  
JOSE VALENCIANO AND STEVEN DEVENPORT**

**MEMBERS AND  
ALTERNATE MEMBERS  
ABSENT:**

**CATHERINE PAULINO SALCIDO**

**STAFF PRESENT:**

**KRISTEN SAGER AND ROSIE GRAY**

The Zoning Board of Adjustment met in regular session on Thursday, October 17, 2024 in person. **MATT HADLEY** served as **CHAIR** and gavelled the meeting to order at 8:30 a.m. **CHAIR HADLEY** gave a brief description of how the meeting would proceed.

**2) Citizen Comments**

No citizens signed up to speak.

**3) Approval of the September 19, 2024 regular meeting minutes.**

In the matter of meeting minutes from September 19, 2024, a motion was made by **JOE PHEA** and seconded by **SHANNON SPENCER** to approve the minutes as presented and the Board members voted 5 (in favor) to 0 (in opposition) to approve the motion.

**4) Variances - Public Hearings**

*[Zoning Board of Adjustment has final authority for approval.]*

**4.1 Case V-5157: Sign Resource LLC for Circle K Stores, Inc.**

Request for a Variance to vary the height requirement for a pole sign located on an expressway from 30 feet to 50 feet, for a total variance of 20 feet, to vary the side setback requirement from 107.5 feet to 20 feet, for a total variance of 87.5 feet, to vary the sign width requirement from 15 feet to 22 feet, for a total variance of 7 feet, and to vary the sign area requirement from 120 square feet to 431 square feet, for a total variance of 311 square feet on property zoned Industrial Park District (IP) per Section 39.02.023.j, at:

- 1710 North I-27, located east of North I-27 and south of North Loop 289, Hancock Addition, Tract A-1.

**DIRECTOR OF PLANNING KRISTEN SAGER** gave a presentation and answered questions from the Board.

**APPLICANT REPRESENTATIVE BRENDAN ARMBRUSTER**, 2116 Tulipwood Drive, Royse City, Texas, 75189, gave comments and answered questions from the Board.

No one appeared to speak in opposition or in favor.

In the matter of **ZBA CASE NO. V-5157**, **JOE PHEA** moved for approval of the request as presented by staff. The motion was seconded by **D'JUANA MCPHERSON** and the Board voted zero (0) in favor to five (5) in opposition to approve the motion.

Zoning Board of Adjustment Minutes

October 17, 2024

Page 2

**CASE V-5157 WAS DENIED.**

5) Adjourned

There being no further business to come before the Board, **CHAIR HADLEY** adjourned the meeting at 8:43 a.m.

Minutes Approved

Date: \_\_\_\_\_

Chair: \_\_\_\_\_

Planning Department: \_\_\_\_\_  
*S\Planning\Boards and Commissions\ZBA\Minutes\October*

## Staff Report

## Variance Case V-5145-A

Zoning Board of Adjustment Meeting

November 21, 2024

Applicant Texas Republic Signs, LLC

Property Owner Essential Properties

Council District 2

### Recommendations

- Staff recommends denial of the request.

### Prior Board or Council Action

- November 21, 2006, Ordinance No. 2006-00119: The subject property was annexed into city limits and zoned Transition District (T).
- October 10, 2023, Zone Case 3488, Ordinance No. 2023-00122: The subject property was rezoned from T to General Retail District (C-3).
- May 9, 2023, Ordinance No. 2023-00054 (effective October 1, 2023): The subject property was rezoned from C-3 to Auto-Urban Commercial District (AC) with the adoption of the Unified Development Code (UDC).
- July 18, 2024, Zone Case V-5145: The Zoning Board of Adjustment voted to deny a sign variance request by a vote of 1-4-0.

### Notification Summary

- Notifications Sent: 9
- Received In Favor: 0
- Received In Opposition: 0

### Site Conditions and History

The property was platted as Allsups on Highway 87 Addition, Tract A, on May 15, 2024, and is currently a vacant lot being redeveloped as a commercial property.

### Adjacent Property Development

The subject property is surrounded by vacant land to the south and east, zoned Heavy Commercial District (HC). The property is bound by city limits to the north and west.

### Zoning Request and Analysis

The subject property is addressed as 9704 Highway 87, located west of U.S. Highway 87 and north of 98<sup>th</sup> Street. The applicant requests a Variance to vary the maximum sign height requirement for a pole sign located on an expressway (Highway 87) from 27 feet 6 inches to 50 feet for a total variance of 22 feet 6 inches, to vary the front setback requirement from 61 feet to 33 feet 6 inches for a total variance of 27 feet 6 inches, to vary the maximum sign area from 50 square feet to 174.6 square feet for a total variance of 124.6 square feet, and to vary the maximum width from 15 feet to 16 feet for a total variance of 1 foot, on property zoned Auto-Urban Commercial District (AC), per Section 39.03.023.j.

**Current zoning:** Auto-Urban Commercial District (AC)

**Variance Request(s):** Vary the maximum sign height requirement for a pole sign located on an expressway (Highway 87) from 27 feet 6 inches to 50 feet for a total variance

of 22 feet 6 inches, to vary the front setback requirement from 61 feet to 33 feet 5 inches for a total variance of 27 feet 7 inches, to vary the maximum sign area from 50 square feet to 174.6 square feet for a total variance of 124.6 square feet, and to vary the maximum width from 15 feet to 16 feet for a total variance of 1 foot

**ITEM SUMMARY:**

The applicant requests a Variance to vary the maximum sign height requirement for a pole sign located on an expressway (Highway 87) from 27 feet 6 inches to 50 feet for a total variance of 22 feet 6 inches, to vary the front setback requirement from 61 feet to 33 feet 6 inches for a total variance of 27 feet 6 inches, to vary the maximum sign area from 50 square feet to 174.6 square feet for a total variance of 124.6 square feet, and to vary the maximum width from 15 feet to 16 feet for a total variance of 1 foot.

**CONSISTENCY WITH SURROUNDING AREA:**

There are no similar variances in the surrounding area. This request would not be consistent with the surrounding area.

**REQUIRED CRITERIA FOR CONSIDERATION OF VARIANCES:** (*found in Local Government Code Section 211.009*)

All of the following must be met to justify a variance. The applicant's justifications for these criteria, if provided, have been attached.

- *Is not contrary to the public interest.* The variance request is contrary to the public interest, as it would allow inconsistent development in the area.
- *Special conditions in which literal enforcement of the zoning ordinance would result in unnecessary hardship.* There are no special conditions of this request that would result in a hardship.
- *The spirit of the ordinance is observed and substantial justice is done.* This request would not observe the spirit of the ordinance and justice would not be done by granting this variance, as it would allow inconsistent signage in the area.

**QUESTIONS TO INCLUDE IN DECISION-MAKING:**

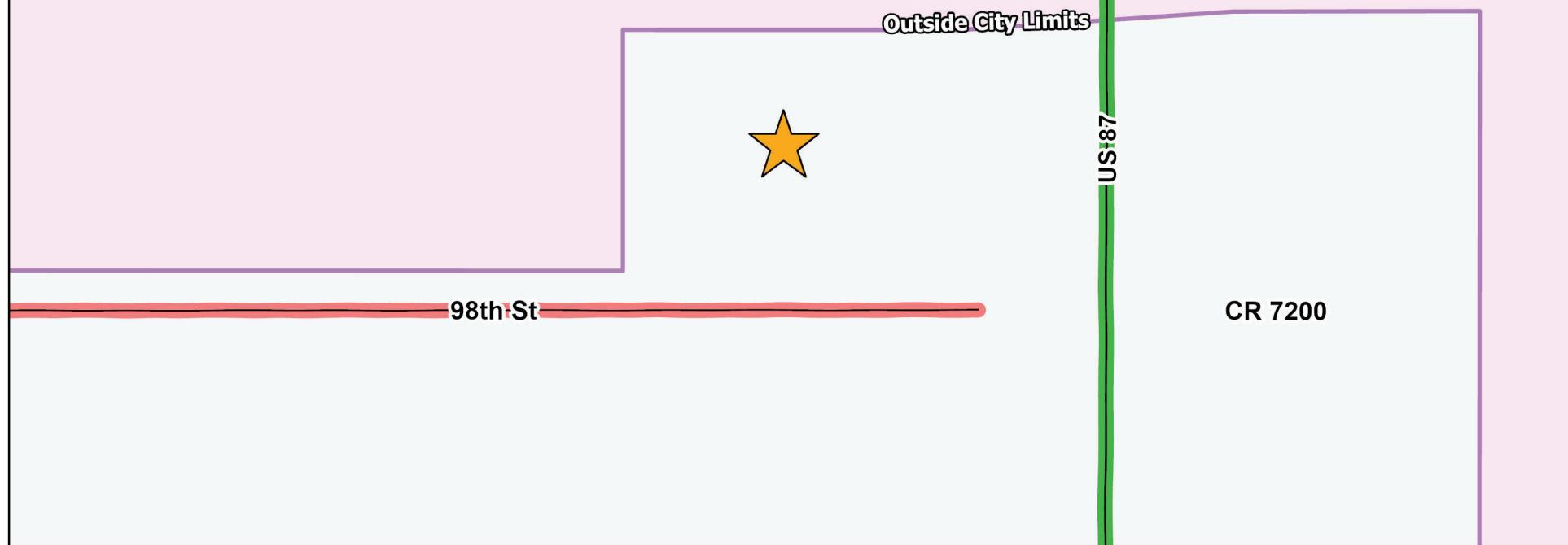
- Is the hardship expressed self-imposed or self-created?
- Is the hardship expressed purely financial?
- Would the variance result in allowing a change of use of the property not otherwise permitted?

**Staff Contacts**

Greg Hernandez  
Planner  
Planning Department  
806-775-3147  
[ghernandez@mylubbock.us](mailto:ghernandez@mylubbock.us)

Victor Escamilla  
Planning and Zoning Manager  
Planning Department  
806-775-3029  
[vescamilla@mylubbock.us](mailto:vescamilla@mylubbock.us)

# Case Number V-5145-A



## Collector

- Completed
- Partial
- Future

## Minor Arterial

- Completed
- Partial
- Future

## Modified Arterial

- Partial
- Future

## Principal Arterial

- Completed
- Partial
- Future

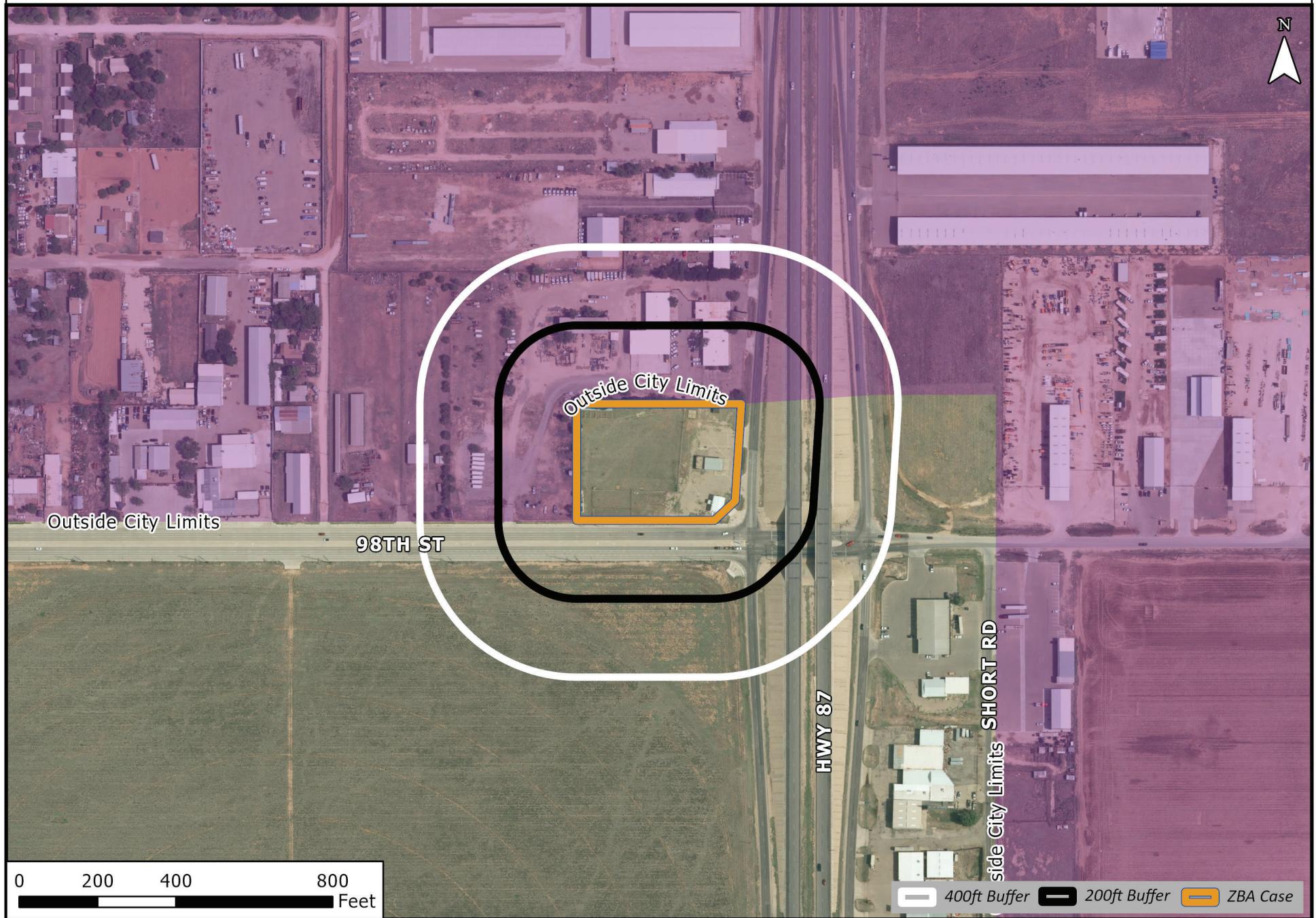
## Freeway

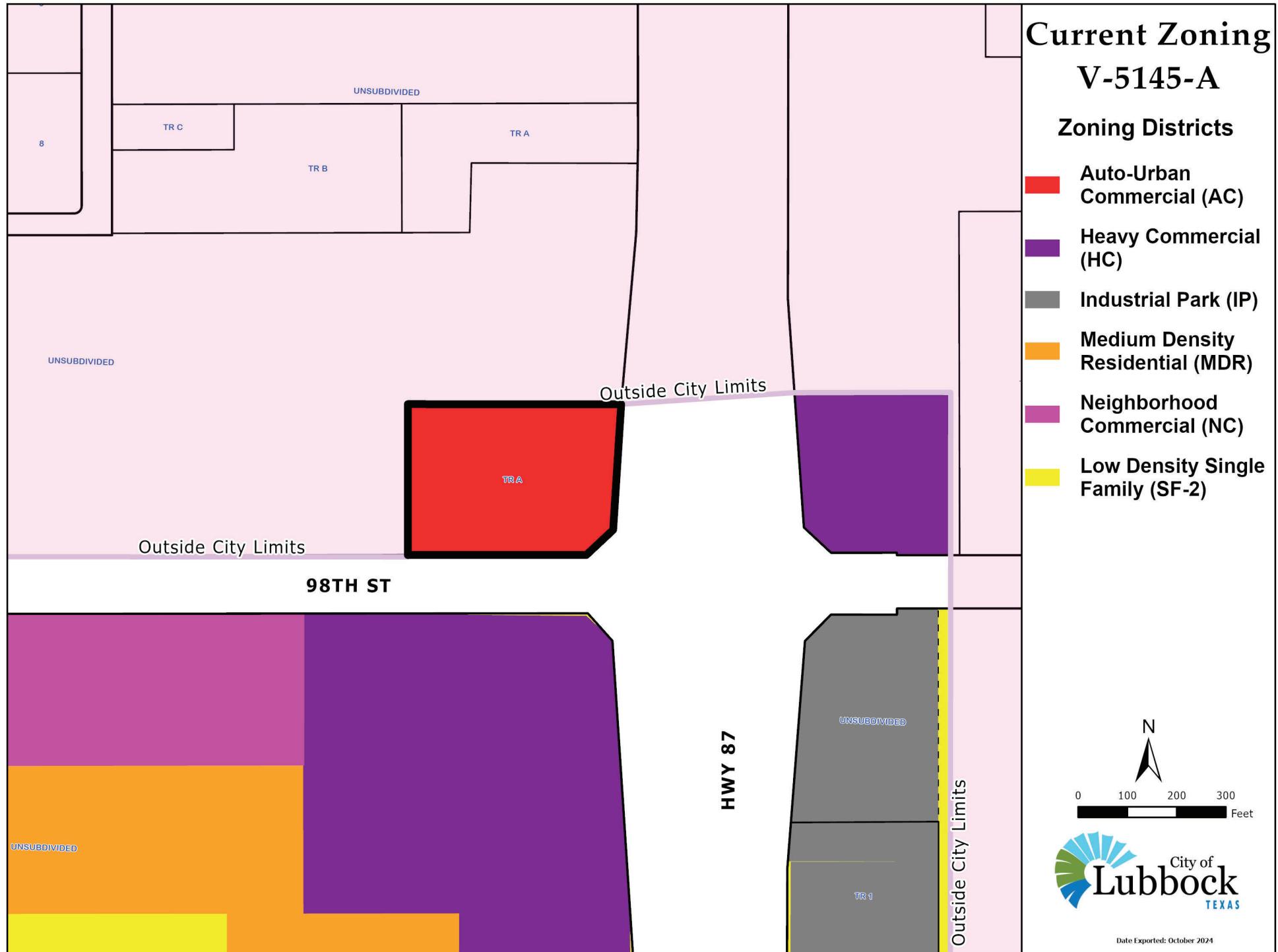
- Completed
- Partial
- Proposed Outer Loop



Date Exported: October 2024

# Case Number V-5145-A





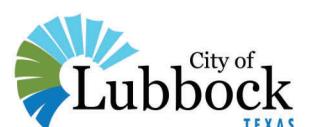
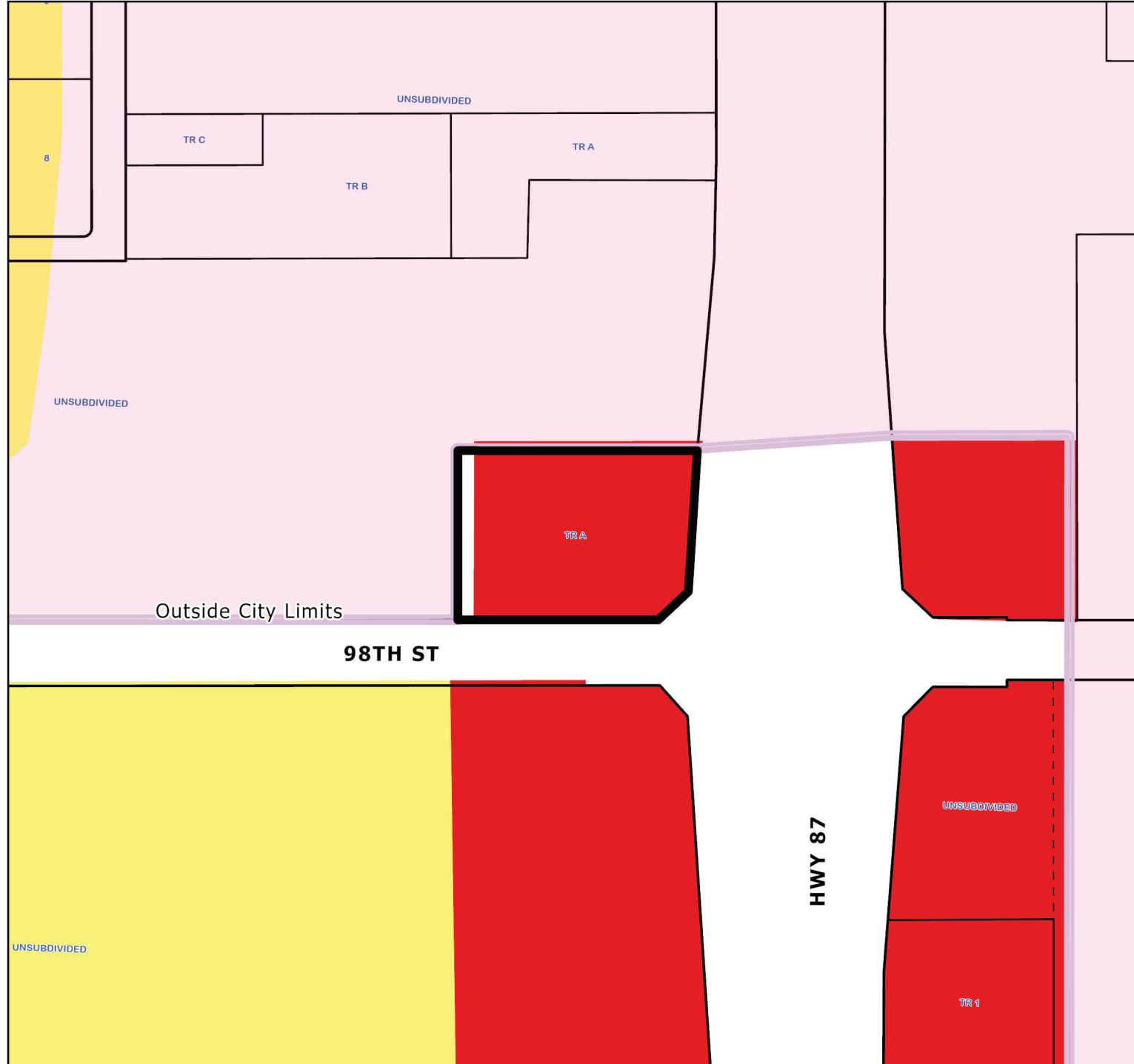
Date Exported: October 2024

# Future Land Use Plan

## Case V-5145-A

### Future Land Use Type

- Commercial
- Heavy Commercial
- Downtown
- Office
- Industrial
- Interstate Commercial
- Interstate Industrial
- Mixed Use
- Parks
- Public/ Semi-Public
- Residential Low Density
- Residential Medium Density
- Residential High Density



Date Exported: October 2024

**V-5145-A**



View west. Subject property.



View south.



View north.



View east.



Lubbock Planning Department  
PO Box 2000 / 1314 Avenue K  
Lubbock, TX 79457

### APPLICATION FOR ZONING BOARD OF ADJUSTMENT

#### Request Information

Variance (answer questions on reverse of application)  Special Exception  Appeal

Location or Address: 9704 HWY 87 LUBBOCK TX 79423

Lots/Tracts: TR E1A

Survey & Abstract: BLK E SEC 8 AB 492

Existing Land Use: VACANT Existing Zoning: C-4

Type of Request: REQUEST FOR AN ADDITIONAL 22.5' IN HEIGHT, REQUEST FOR AN ADDITIONAL 1' IN

SIGN WIDTH AND 124.6 SQ FT OF SQUARE FOOTAGE. (WHERE RESTRICTED TO 50 SQ FT, 15' IN WIDTH AND 27.5' IN HEIGHT)

#### Representative/Agent Information (if different from owner)

Firm Name: TEXAS REPUBLIC SIGNS, LLC

Name: MICHAEL B EVERETT

Address: 2211 PECH RD City: HOUSTON State: TX

ZIP Code: 77055 Telephone: 832-865-4662 Email: [REDACTED]

Applicant's Signature: Brad Everett

Date: 8-7-2024 Printed Name: MICHAEL B EVERETT

#### Owner Information

Firm Name: Essential Properties

Owner: Black Knight 24 LLC

Address: 902 Carnegie Center Blvd., Suite 520 City: Princeton State: NJ

ZIP Code: 08540 Telephone: 609-415-3505 Email: [REDACTED]

Property Owner's Signature: Peter M. Mavoides

Date: September 24, 2025 Printed Name: Peter M. Mavoides, President & CEO of Essential Properties OP G.P, LLC  
the General Partner of Essential Properties, L.P., the Manager of  
Black Knight 24 LLC

#### For City Use Only

ZBA Case No: \_\_\_\_\_

ZBA Meeting Date: \_\_\_\_\_

Type of Request: \_\_\_\_\_

Lots: \_\_\_\_\_ Blocks: \_\_\_\_\_

Addition: \_\_\_\_\_

Address: \_\_\_\_\_

If you have any questions pertaining to the Zoning Board of Adjustment process, please contact the City of Lubbock Planning Department by phone at (806) 775 - 2108 or by e-mail at [cityplanning@mylubbock.us](mailto:cityplanning@mylubbock.us).

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**Local Government Code (LGC) Sec. 211.009. AUTHORITY OF BOARD.**

- a) The board of adjustment may:
  - 1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;
  - 2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;
  - 3) *authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and*
  - 4) hear and decide other matters authorized by an ordinance adopted under this subchapter.
- b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.
- c) The concurring vote of 75 percent of the members of the board is necessary to:
  - 1) reverse an order, requirement, decision, or determination of an administrative official;
  - 2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or
  - 3) authorize a variation from the terms of a zoning ordinance.

---

**Please answer the following questions, and provide detailed explanations. (For variances only, please see LGC §211.009.a.3 above for Board's authorization authority requirements)**

1. *What is the hardship, and is it common to a larger area, such as a neighborhood?*

IF WE ARE REQUIRED TO MEET THE STRICT CODE OUR SIGN ON THE HIGHWAY WOULD NOT BE \_\_\_\_\_

SEEN DUE TO THE NEIGHBORING TREES, OVERPASS COVERS THE SIGN AND RESTRICTED SQ FOOTAGE MAKE THE SIGN UNREADABLE. \_\_\_\_\_

2. *Is the hardship expressed self-imposed or self-created?*

NO, THE HARSHSHIP IS NOT SELF IMPOSED OR SELF CREATED. \_\_\_\_\_

3. *Is the hardship expressed purely financial?*

NO, THE HARSHSHIP IS THE VISIBILITY ISSUES OF THE SIGNAGE NOT ABLE TO BE SEEN FOR A LARGE TRUCK AND \_\_\_\_\_

SMALLER VEHICLES TO NOTICE THE SIGN AND PRICE WITH ENOUGH TIME TO SAFETY MAKE THE EXIT \_\_\_\_\_

4. *Would the variance grant special advantage to the property not also available to other properties?*

NO, THIS WOULD NOT GRANT SPECIAL ADVANTAGE TO THE PROPERTY NOT ALSO AVAILABLE TO OTHER PROPERTIES. \_\_\_\_\_

5. *Would the variance result in allowing a change of use of the property not otherwise permitted?*

NO \_\_\_\_\_

\_\_\_\_\_

From: **Victoria Lewelling**  
To: **Brad Everett**  
Subject: RE: Permit Issue - 9704 HWY 87  
Date: Wednesday, August 7, 2024 4:25:17 PM  
Attachments: **image002.jpg**  
**image001.jpg**

Hello,

Yes, thank you for the site plan. I'm going to also include the equations so you can be sure of the math this time

Sign #1 Pole on frontage or expressway

Height = 27.5 feet  
(Formula =  $990/200$  plus 1 foot of sign height for each 40 ft of lot frontage. In no case shall sign height exceed 35 feet)  
( $300/40$  feet) 7.5 feet plus 20 feet)

Setback from east property line = 33.55 feet

(Formula = 1.22 for each foot of sign height)  
( $1.22 \times 27.5$ )

Setback from north property line = 75 feet

(Formula = 25 of the lot frontage)  
( $300 \times 25$ )

Sign area = 50sqft

Sign #2 Pole on arterial or collector

Height = 25.55 feet  
( $990/20 = 5$  ft plus 1 foot of sign height for each 20 ft of lot frontage. In no case shall sign height exceed 30 feet)  
( $411/20 = 20.55$  feet, plus 5)

Setback from south property line = 36.5 feet

(10 ft or 1.43 ft for each foot of sign height, whichever is greater)  
( $1.43 \times 25.55$ )

Setback from west property line = 102.75 feet

(25 of the lot frontage)  
( $411 \times 25$ )

Sign area = 120 sqft

Victoria Lewelling | Planner  
O (806) 775-2120  
[Vlewelling@mylubbock.us](mailto:Vlewelling@mylubbock.us)  
1314 Avenue K  
Lubbock, TX 79401

From: Brad Everett <[Brad@texaspublicsigns.com](mailto:Brad@texaspublicsigns.com)>  
Sent: Wednesday, August 7, 2024 3:30 PM  
To: Victoria Lewelling <[Vlewelling@mylubbock.us](mailto:Vlewelling@mylubbock.us)>  
Subject: RE: Permit Issue - 9704 HWY 87

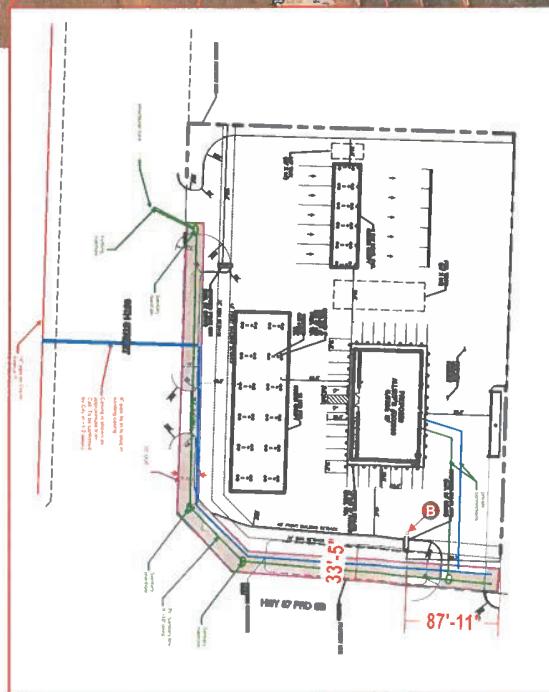
**WARNING: This message was sent from outside the City of Lubbock's email system.**

**It could contain harmful attachments or links to harmful web pages**

Thank you for taking my call. Do you mind looking at this again and tell me what the setbacks will need to be as well as confirm the heights they can have.

Variance  
Was Calculated  
on those information

ALLSUPS # 102480  
9704 HWY 87  
LUBBOCK TX 79423



**B MID RISE**



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PAGE: 1



2211 Pech Rd. Houston, TX 77055  
[Texasrepublicsigns.com](http://Texasrepublicsigns.com)  
832-727-5415

Customer:  
ALLSUPS # 102480

**Address:**  
9704 HWY 87  
LUBBOCK TX 79423

**City of Lubbock**

## Design

Date Create

W.O. #:

## REVISIONS

Rev 1: 8-01-2024 Revised STA and  
ST B. -JG

Rev 2:

Rev 3

10

1

#### CUSTOMER APPROVAL

Todd Signature

Dot

THIS SIGN

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODE. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

## ELECTRICAL REQUIREMENTS

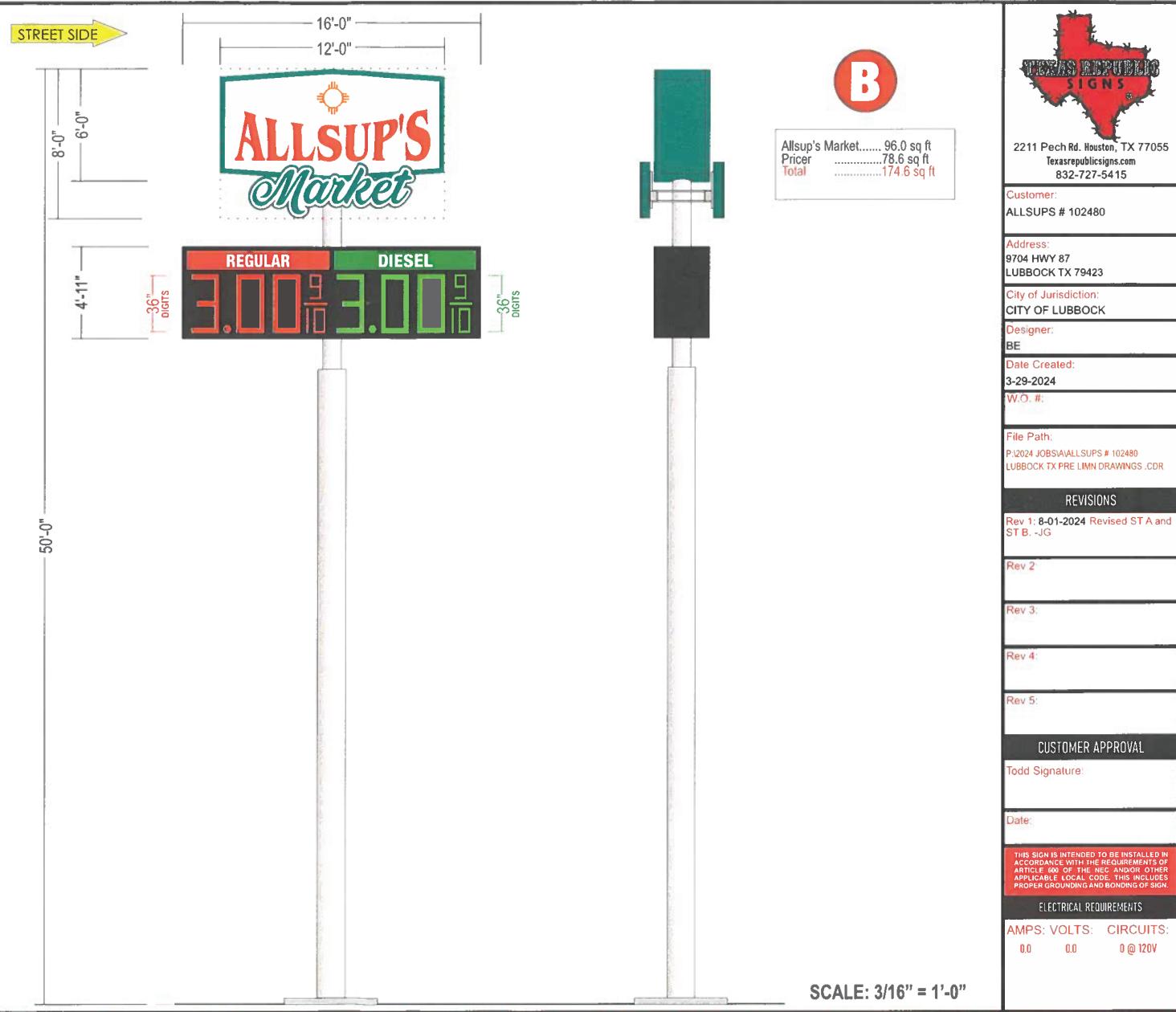
AMPS: VOLTS: CIRCUITS:

**SCOPE OF WORK:**

- PROVIDE AND INSTALL NEW LED INTERNALLY ILLUMINATED D/F FLEX FACE ALUMINUM CABINET W / APPLIED ALLSUP'S GRAPHICS.
- PROVIDE AND INSTALL NEW D/F ALUMINUM CABINET PRICE SIGN W/ LED ABLE DIGITS.
- PROVIDE NEW STEEL POLE DIRECTLY BURIED INTO NEW CONCRETE FOOTING AS PER ENGINEERING.
- PRIME AND PAINT STEEL POLE WHITE.

**COLOR CHART**

PANTONE ORANGE 021
PANTONE 485C
PANTONE 321C
SW WHITE
PANTONE 186C
PANTONE 7727C
BLACK



2211 Pech Rd. Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

**Customer:**  
ALLSUPS # 102480

**Address:**  
9704 HWY 87  
LUBBOCK TX 79423

**City of Jurisdiction:**  
CITY OF LUBBOCK

**Designer:**  
BE

**Date Created:**  
3-29-2024

**W.O. #:**

**File Path:**  
P:\2024\JOBS\ALLSUPS # 102480  
LUBBOCK TX PRE LIMN DRAWINGS.CDR

**REVISIONS**

Rev 1: 8-01-2024 Revised ST A and ST B: -JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

**CUSTOMER APPROVAL**

Todd Signature:

Date:

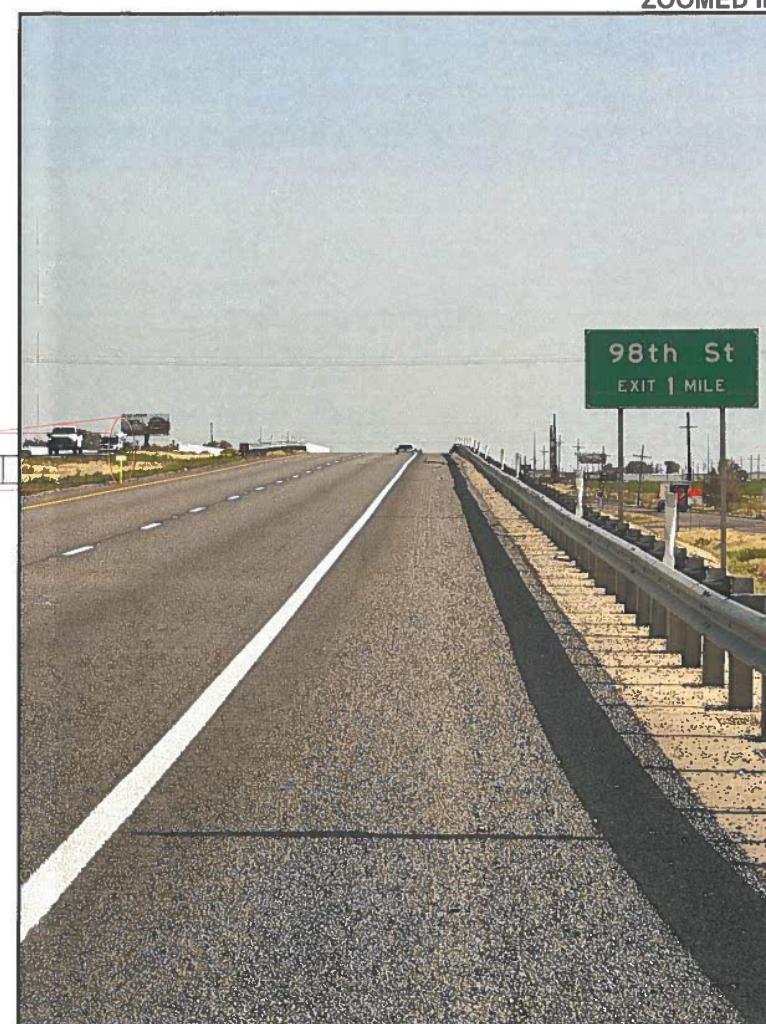
**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA 70, AND/OR OTHER APPLICABLE LOCAL CODE. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.**

**ELECTRICAL REQUIREMENTS**

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

1 MILE FROM EXIT NORTHBOUND



ZOOMED IN



2211 Pech Rd, Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

Date Created:  
3-29-2024  
W.O. #:

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LUBBOCK TX\PRE LIMN DRAWINGS.CDR

REVISIONS

Rev 1: 8-01-2024 Revised STA and  
ST B.-JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

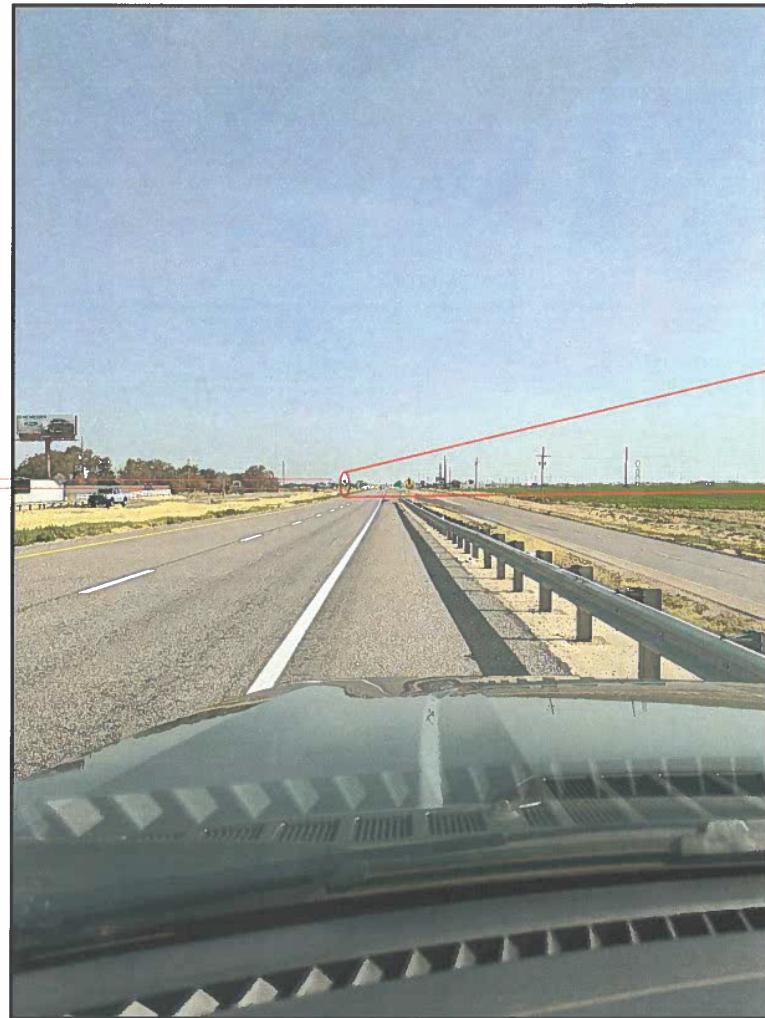
THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE NATIONAL ELECTRICAL  
CODE (NEC) AND/OR OTHER  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN

ELECTRICAL REQUIREMENTS

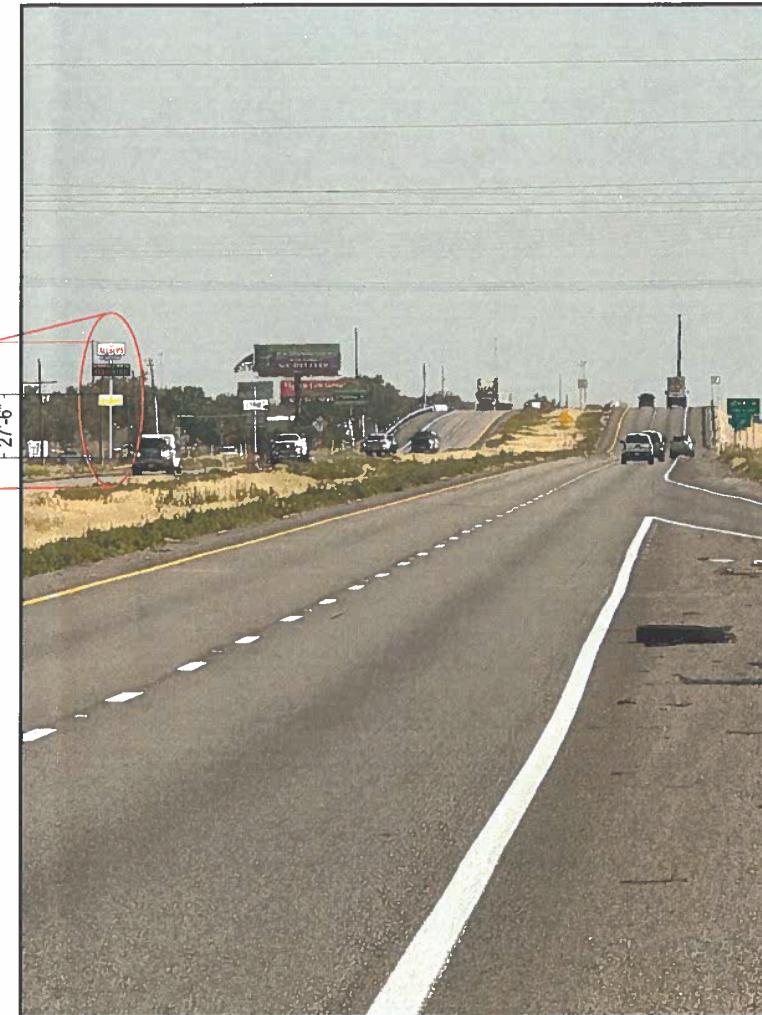
AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

.75 MILE FROM EXIT NORTHBOUND



SCALE: 1" = 8265.0"



SCALE: 1" = 645.0"

ZOOMED IN



2211 Pech Rd, Houston, TX 77055  
Texasreplicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

Date Created:  
3-29-2024

W.O. #

File Path:  
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LUBBOCK TX PRE LIMN DRAWINGS.CDR

REVISIONS

Rev 1: 8-01-2024 Revised STA and  
ST B.-JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE NATIONAL ELECTRICAL  
CODE (NEC) AND/OR OTHER  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

## .50 MILE FROM EXIT NORTHBOUND



SCALE: 1" = 5730.0"



SCALE: 1" = 813.0"

ZOOMED IN



2211 Pech Rd, Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

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ST B. -JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE REQUIREMENTS OF  
ARTICLE 690 OF THE NEC AND/OR OTHER  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN.

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

.25 MILE FROM EXIT NORTHBOUND



ZOOMED IN



2211 Peach Rd, Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

Date Created:  
3-29-2024

W.O. #:

File Path:  
P:\2024\JOBS\ALLSUPS # 102480  
LUBBOCK TX PRE LIMN DRAWINGS.CDR

REVISIONS

Rev 1: 8-01-2024 Revised STA and  
ST B.-JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE REQUIREMENTS OF  
ARTICLE 690 OF THE NEC AND/OR OTHER  
APPLICABLE LOCAL CODE THAT INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN.

ELECTRICAL REQUIREMENTS

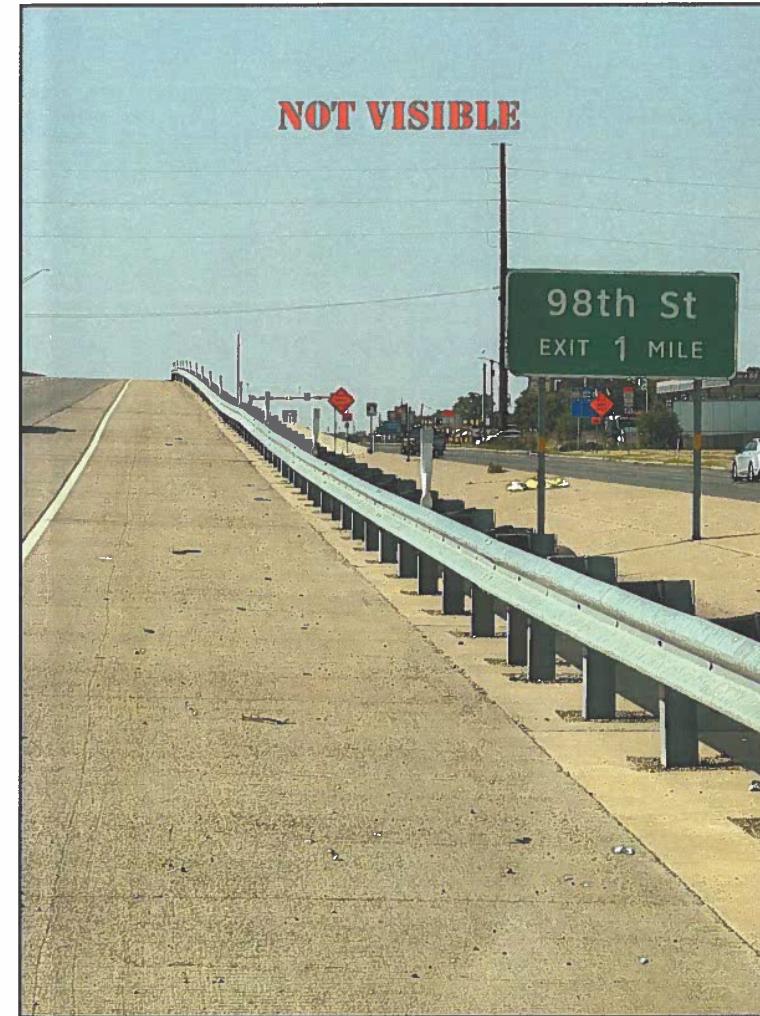
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0.0 0.0 0 @ 120V

50'

1 MILE FROM EXIT SOUTHBOUND



SCALE: 1" = 6893.0"



SCALE: 1" = 1494.0"

ZOOMED IN



2211 Pech Rd, Houston, TX 77055  
Texaspublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

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REVISIONS

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ST B.-JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE  
ARTICLE 690 OF THE NEC AND/OR OTHER  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN.

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

.75 MILE FROM EXIT SOUTHBOUND



SCALE: 1" = 2288.0"



SCALE: 1" = 590.0"



2211 Peach Rd, Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

Date Created:  
3-29-2024

W.O. #:

File Path:  
P:\2024\JOBS\1\ALLSUPS # 102480  
LUBBOCK TX\PRE LIMN DRAWINGS.CDR

REVISIONS

Rev 1: 8-01-2024 Revised ST A and  
ST B. ~JG

Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 690 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODE. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 12V

50'

.50 MILE FROM EXIT SOUTHBOUND



SCALE: 1" = 3230.0"



SCALE: 1" = 305.0"

ZOOMED IN



2211 Pech Rd, Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

Designer:  
BE

Date Created:  
3-29-2024

W.O. #:

File Path:  
P1024 JOBSIAALLSUPS # 102480  
LUBBOCK TX PRE LIMN DRAWINGS.CDR

REVISIONS

Rev 1: 8-01-2024 Revised ST A and  
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Rev 2:

Rev 3:

Rev 4:

Rev 5:

CUSTOMER APPROVAL

Todd Signature:

Date:

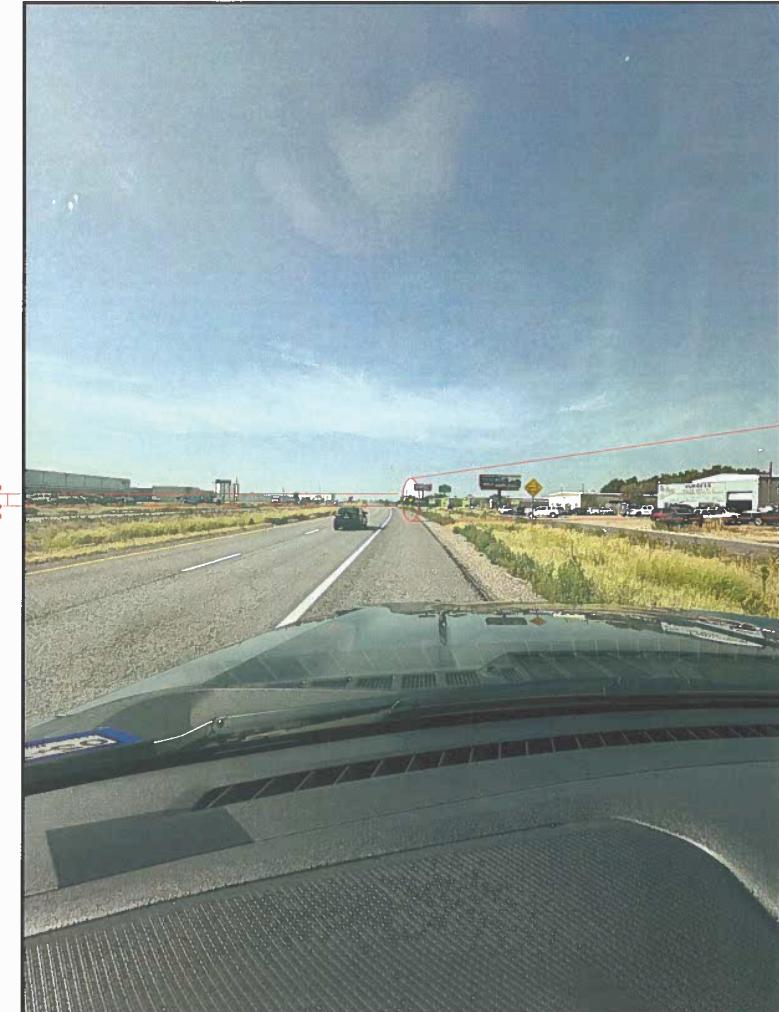
THIS SIGN IS INTENDED TO BE INSTALLED IN  
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ARTICLE 690 OF THE NEC AND/OR OTHER  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

50'

.25 MILE FROM EXIT SOUTHBOUND



SCALE: 1" = 6150.0"



SCALE: 1" = 658.0"

ZOOMED IN



2211 Pech Rd. Houston, TX 77055  
Texasrepublicsigns.com  
832-727-5415

Customer:  
ALLSUPS # 102480

Address:  
9704 HWY 87  
LUBBOCK TX 79423

City of Jurisdiction:  
CITY OF LUBBOCK

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CUSTOMER APPROVAL

Todd Signature:

Date:

THIS SIGN IS INTENDED TO BE INSTALLED IN  
ACCORDANCE WITH THE REQUIREMENTS OF  
APPLICABLE STATE AND LOCAL CODES AND  
APPLICABLE LOCAL CODE. THIS INCLUDES  
PROPER GROUNDING AND BONDING OF SIGN.

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:  
0.0 0.0 0 @ 120V

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## **SPECIAL WARRANTY DEED**

STATE OF TEXAS §  
§ KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF LUBBOCK §  
§

THAT **BW GAS & CONVENIENCE REAL ESTATE, LLC**, a Delaware limited liability company, whose mailing address is 138 Conant St., Beverly, MA 01915, hereinafter referred to as "Grantor," for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** cash, and other good and valuable consideration to Grantor in hand paid by **BLACK KNIGHT 24 LLC**, a Delaware limited liability company, whose mailing address is 902 Carnegie Center Blvd. #520, Princeton, New Jersey 08540, hereinafter referred to as "Grantee," has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the said Grantee all that certain lot, tract, or parcel of land more particularly described on **Exhibit A** attached hereto.

TOGETHER WITH all of the improvements, tenements, hereditaments, and appurtenances belonging or in any way appertaining to such real property, and all of Grantor's right, title and interest in and to (i) any and all property lying in a bed of any street, road or avenue, open or proposed, in front of or adjoining such real property to the center line thereof, (ii) any strips and gores of land adjacent to, abutting or used in connection with such real property, (iii) all mineral, oil and gas rights, water rights, sewer rights and other utility rights allocated to such real property, not previously reserved or conveyed of record; (iv) all leases and rental agreements relating to the real property (and improvements thereon) or any portion thereof and (v) any easements and rights, if any, inuring to the benefit of such real property or to Grantor in connection therewith (the land and all of the foregoing being hereinafter referred to as the "**Property**").

This conveyance is expressly made and accepted subject to the exceptions set forth in **Exhibit B** attached hereto and made part hereof by reference and all taxes due and payable, which Grantee assumes and agrees to pay (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever, subject to the Permitted Exceptions, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

[SIGNATURES ON THE FOLLOWING PAGE]

EXECUTED as of this 20<sup>th</sup> day of June, 2024.

**BW GAS & CONVENIENCE REAL ESTATE, LLC,**  
a Delaware limited liability company

By:

Thomas Brown, Senior Managing Director

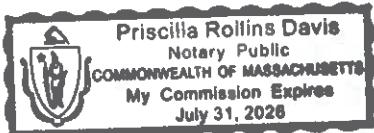
COMMONWEALTH OF MASSACHUSETTS §

§

COUNTY OF ESSEX §

§

This instrument was acknowledged before me on this the 20<sup>th</sup> day of June, 2024, by Thomas Brown, Senior Managing Director of BW Gas & Convenience Real Estate, LLC, a Delaware limited liability company, in such capacity and on behalf of said company.



Priscilla Rollins Davis

Notary Public, Commonwealth of Massachusetts

**Exhibit A**

**Legal Description**

Tract A, Allsup's on Highway 87 Subdivision, an addition to the City of Lubbock, Lubbock County, Texas, according to the map or plat thereof recorded May 15, 2024 under County Clerk File No. 2024019752, Official Public Records, Lubbock County, Texas.

## **Exhibit B**

### **Permitted Exceptions**

1. All leases, grants, exceptions or reservations of oil, gas, coal, lignite and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the public records.
2. Mineral reservations recorded in Volume 802, Page 113, Deed Records, Lubbock County, Texas.
3. Notice of Petroleum Contaminated Site dated March 26, 2004, recorded in Volume 9022, Page 10, Official Public Records, Lubbock County, Texas.

## Staff Report

Variance Case V-5158

Zoning Board of Adjustment Meeting

November 21, 2024

Applicant DLC Designs, LLC

Property Owner Juan Maldonado & Laura Garcia

Council District 2

### Recommendations

- Staff recommends approval of the request.

### Prior Board or Council Action

- September 11, 1958, Ordinance No. 2535: The subject property was annexed into city limits.
- August 27, 1959, Zone Case 774, Ordinance No. 2883: The subject property was zoned Single-Family District (R-1)
- May 9, 2023, Ordinance No. 2023-00054 (effective October 1, 2023): The subject property was rezoned from R-1 to Low Density Single-Family District (SF-2) with the adoption of the Unified Development Code (UDC).

### Notification Summary

- Notifications Sent: 55
- Received In Favor: 0
- Received In Opposition: 0

### Site Conditions and History

The subject property was originally platted as Martin-Ameen Addition, Block 7, Lots 9 and 10, on February 11, 1946. A single-family house on the subject property was constructed in 1975.

### Adjacent Property Development

The surrounding properties are zoned SF-2 and developed with single-family homes, with a vacant lot to the north.

### Zoning Request and Analysis

The property is addressed as 520 78th Street, located east of Avenue F and north of 78th Street, Martin-Ameen Addition, Block 7, Lots 9 and 10. The applicant requests a Variance to vary the minimum setback for a front-loaded garage from 20 feet to 12 feet 11 inches, for a total variance of 7 feet 1 inch, on property zoned Low Density Single-Family District (SF-2), per Section 39.02.004.c.4.A.

Current zoning: Low Density Single-Family District (SF-2)

Variance Request(s): Vary the minimum setback for a front-loaded garage from 20 feet to 12 feet 11 inches, for a total variance of 7 feet 1 inch

#### ITEM SUMMARY:

The applicant is requesting a Variance to vary the minimum setback for a front-loaded garage from 20 feet to 12 feet 11 inches, for a total variance of 7 feet 1 inch. The purpose for this placement is the existence of a well house, located just to the east of the proposed garage. The required paved, off-street parking will be preserved to the north.

**CONSISTENCY WITH SURROUNDING AREA:**

The request is consistent with the surrounding area and will not change the character of the existing developments.

**REQUIRED CRITERIA FOR CONSIDERATION OF VARIANCES: (found in Local Government Code Section 211.009)**

All of the following must be met to justify a variance. The applicant's justifications for these criteria, if provided, have been attached.

- *Is not contrary to the public interest.* The variance request is not contrary to the public interest as it would not grant special advantage to the property not also available to other properties in the area.
- *Special conditions in which literal enforcement of the zoning ordinance would result in unnecessary hardship.* The location of an existing well house may constitute a hardship. Additionally, in this area, the dedicated width of Avenue F exceeds the standard design for residential streets. However, the paved curb-to-curb width matches the residential standard. As a result, the parkway abutting Avenue F is of greater width than that of a standard residential corner lot. Therefore, the front-loaded garage will maintain a satisfactory distance from the paved curb.
- *The spirit of the ordinance is observed and substantial justice is done.* This request would observe the spirit of the ordinance. Justice would be done by granting this variance.

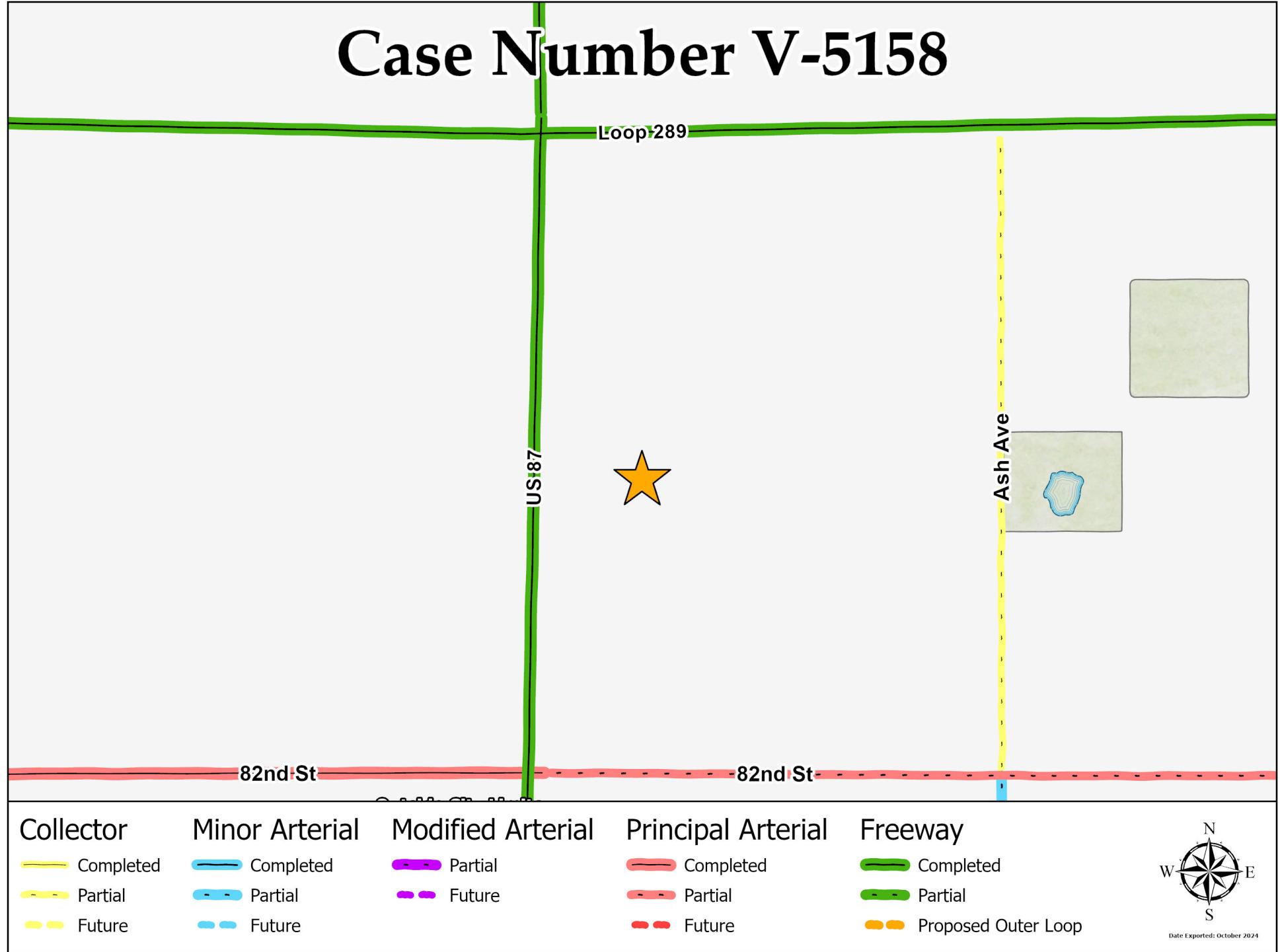
**QUESTIONS TO INCLUDE IN DECISION-MAKING:**

- Is the hardship expressed self-imposed or self-created?
- Is the hardship expressed purely financial?
- Would the variance result in allowing a change of use of the property not otherwise permitted?

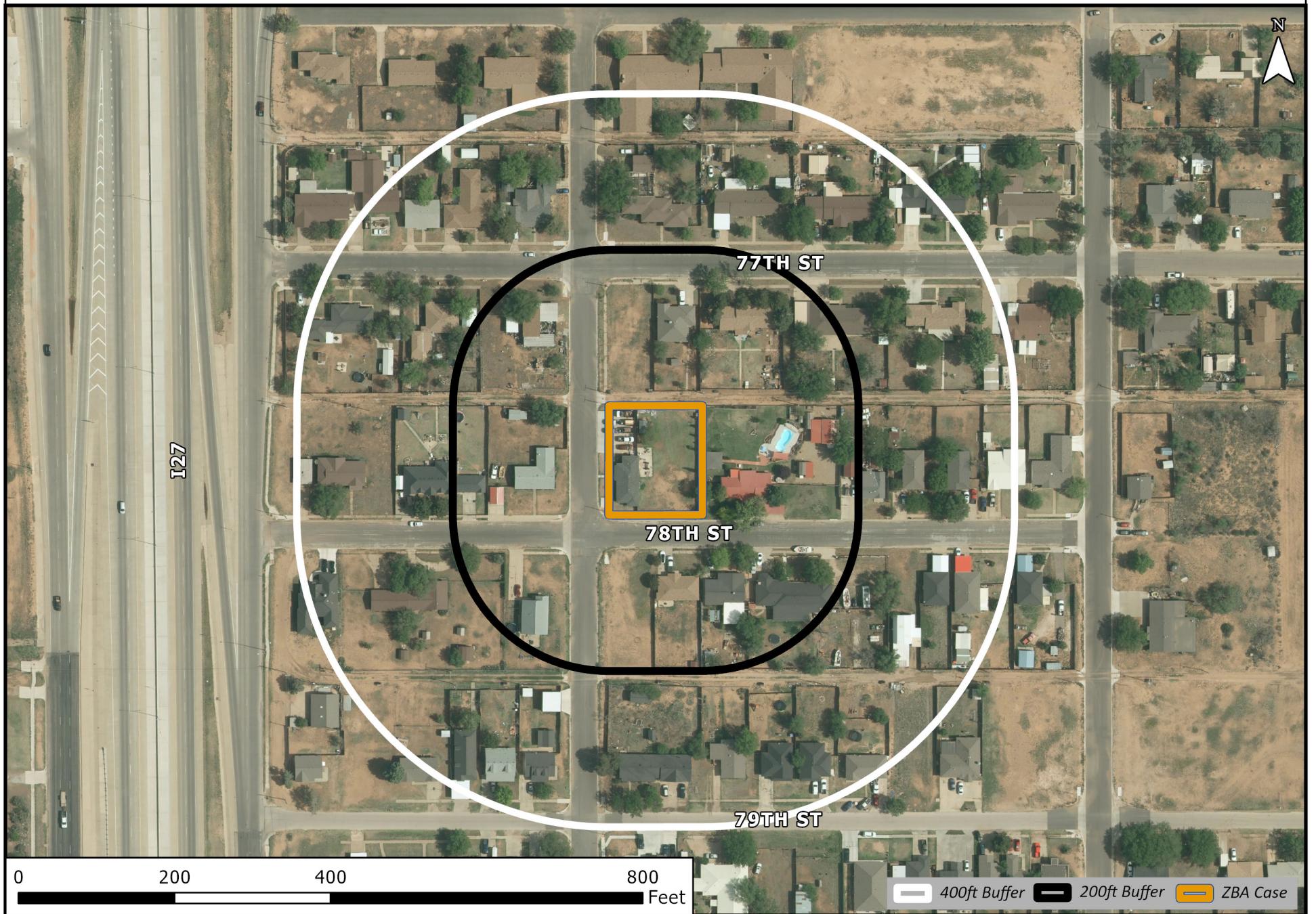
**Staff Contacts**

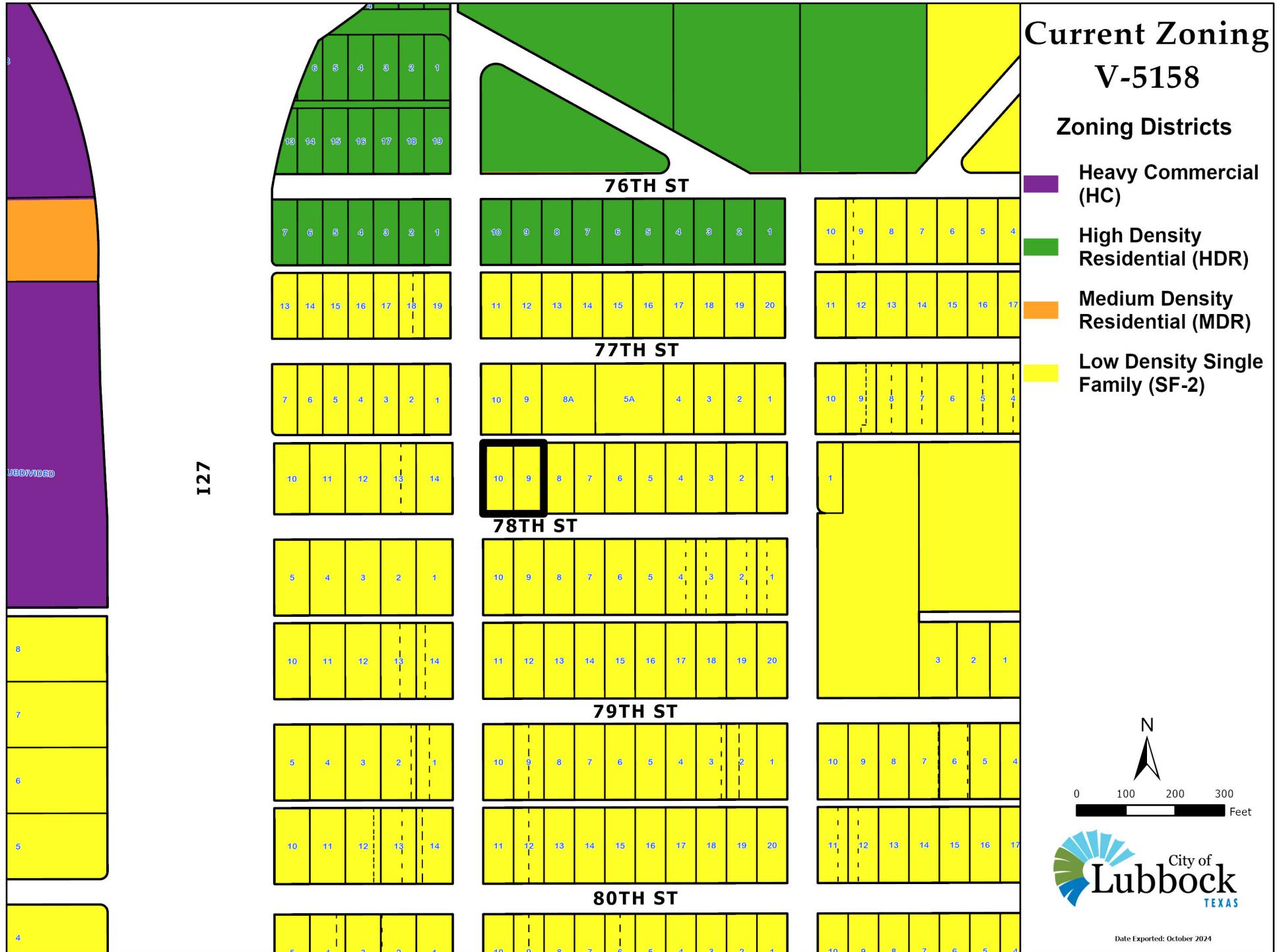
Shane Spencer	Victor Escamilla
Planner	Planning and Zoning Manager
Planning Department	Planning Department
806-775-2103	806-775-3029
<a href="mailto:sspencer@mylubbock.us">sspencer@mylubbock.us</a>	<a href="mailto:vescamilla@mylubbock.us">vescamilla@mylubbock.us</a>

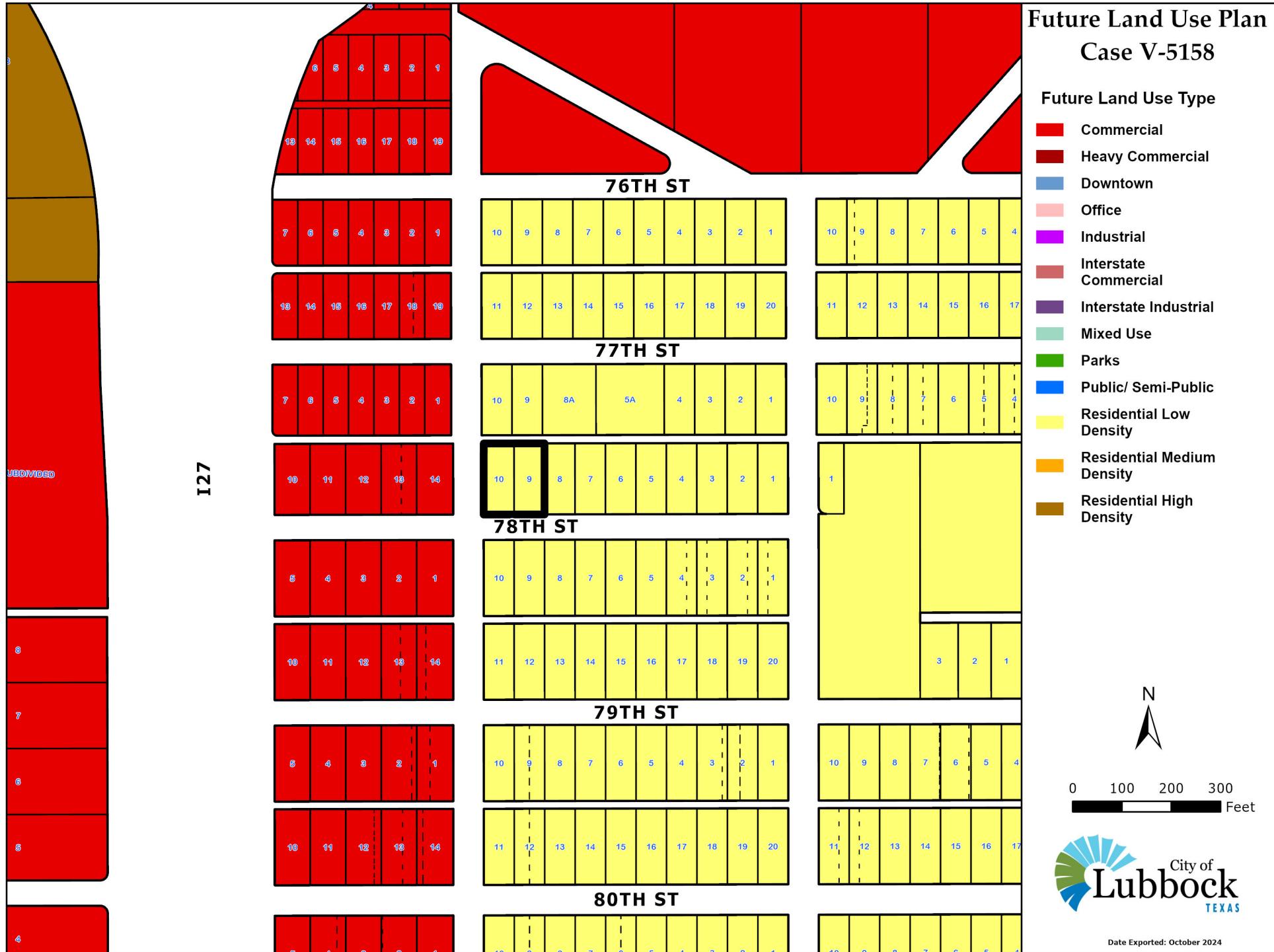
# Case Number V-5158



# Case Number V-5158







V-5158



View east. Subject property.



View south.



View north.



View west.



Lubbock Planning Department  
PO Box 2000 / 1314 Avenue K  
Lubbock, TX 79457

APPLICATION FOR ZONING BOARD OF ADJUSTMENT

**Request Information**

Variance (answer questions on reverse of application)  Special Exception Appeal

Location or Address: 520 78th Street

Lots/Tracts: MARTIN AMEEN BLK 7 L 9 & 10

Survey & Abstract:

Existing Land Use: Residential Existing Zoning: Residential Low Density

Type of Request: Amendment to the front 20' setback to be 12'-11"

**Representative/Agent Information (if different from owner)**

Firm Name: DLC Designs, LLC

Name: Amanda J King

Address: 1318 N King Ave City: Lubbock State: TX

ZIP Code: 79403 Telephone: 806-518-0207 Email: [REDACTED]

Applicant's Signature: Amanda J King

Date: 08/27/2024 Printed Name: Amanda J King

**Owner Information**

Firm Name:

Owner: Juan Maldonado & Laura Garcia

Address: 520 78th St. City: Lubbock State: TX

ZIP Code: 79404 Telephone: 806-543-3902 Email: [REDACTED]

Property Owner's Signature: [REDACTED]

Date: 08/27/2024 Printed Name: Laura Garcia

**For City Use Only**

ZBA Case No:  ZBA Meeting Date:

Type of Request:

Lots:  Blocks:

Addition:

Address:

If you have any questions pertaining to the Zoning Board of Adjustment process, please contact the City of Lubbock Planning Department by phone at (806) 775 - 2108 or by e-mail at [cityplanning@mylubbock.us](mailto:cityplanning@mylubbock.us).

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**Local Government Code (LGC) Sec. 211.009. AUTHORITY OF BOARD.**

- a) The board of adjustment may:
  - 1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;
  - 2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;
  - 3) *authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and*
  - 4) hear and decide other matters authorized by an ordinance adopted under this subchapter.
- b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.
- c) The concurring vote of 75 percent of the members of the board is necessary to:
  - 1) reverse an order, requirement, decision, or determination of an administrative official;
  - 2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or
  - 3) authorize a variation from the terms of a zoning ordinance.

---

**Please answer the following questions, and provide detailed explanations. (For variances only, please see LGC §211.009.a.3 above for Board's authorization authority requirements)**

1. *What is the hardship, and is it common to a larger area, such as a neighborhood?*

This is an older neighborhood and the property lines are set much further in than typical. Refer to the site plan.

---

2. *Is the hardship expressed self-imposed or self-created?*

No.

---

3. *Is the hardship expressed purely financial?*

No, it is logistic. The garage cannot be set further back into the property due to where the well house is located.

---

4. *Would the variance grant special advantage to the property not also available to other properties?*

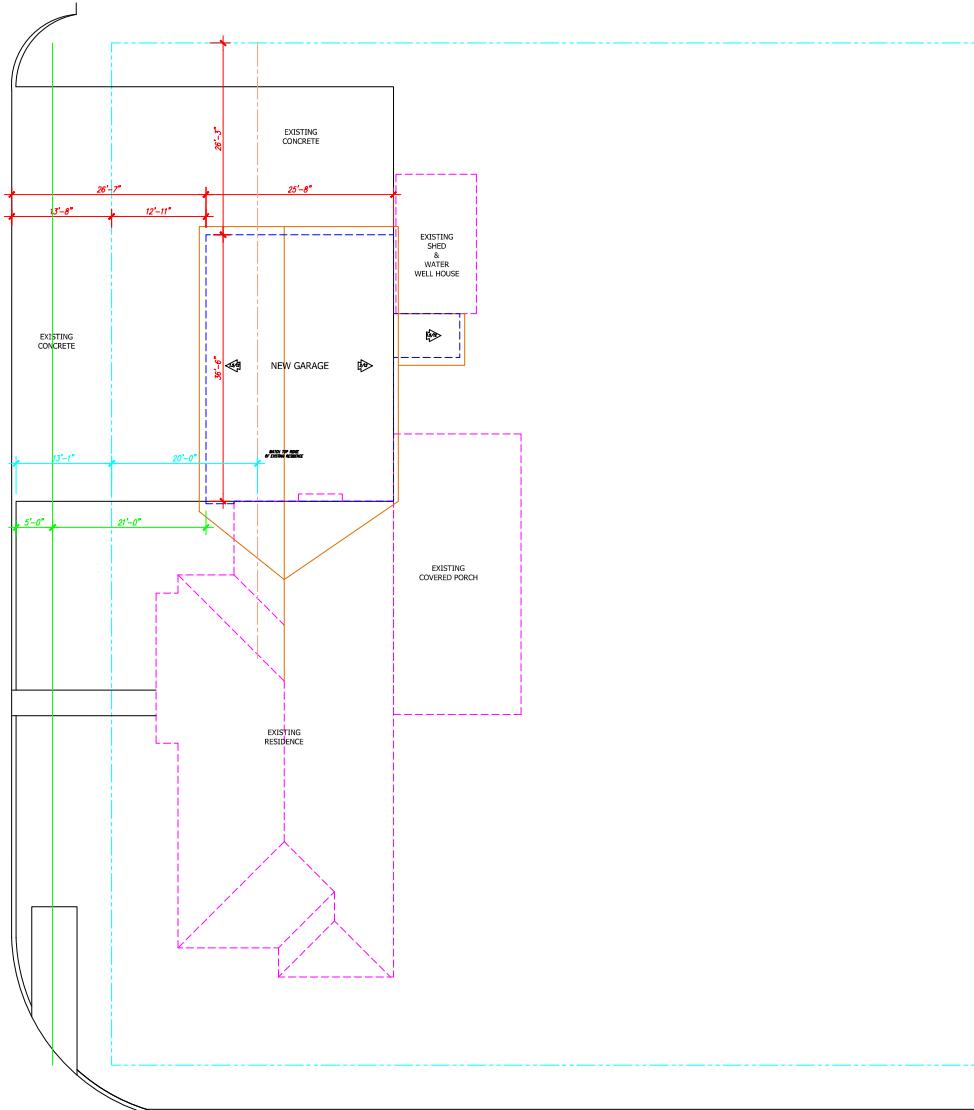
No, this would make it easier for other property owners with the same property line locations.

---

5. *Would the variance result in allowing a change of use of the property not otherwise permitted?*

No.

---



**CONSTRUCTION DISCLAIMER:**  
CONTRACTOR ASSUMES ALL RESPONSIBILITY TO REVIEW AND CONSTRUCT ACCORDING TO LOCAL BUILDING CODE. ANY DISCREPANCIES OR AMBIGUOUS ITEMS TO BE BROUGHT TO THE DESIGNERS ATTENTION.

**Site General Notes:**

1. SLOPE ALL GRADES AWAY FROM BUILDING AND AWAY FROM SIDE PROPERTY LINES. ALL DRAINAGE TO BE DIRECTED TO FRONT OR REAR PROPERTY LINES.
2. PROVIDE 4" PVC SLEEVES AS REQUIRED FOR LANDSCAPE IRRIGATION.
3. SITE CONCRETE TO BE 3000 PSI REINFORCED WITH 6X6 GAGE FIBER MESH OVER COMPACTED SUB GRADE.
4. SITE CONCRETE TO BE 3000 PSI REINFORCED WITH 6X6 GAGE FIBER MESH OVER COMPACTED SUB GRADE.
5. VERIFY STRUCTURES, LANDSCAPING OR CONCRETE WORK TO BE REMOVED.

**House Information:**  
ALL DATA GIVEN ARE APPROXIMATE  
GARAGE/STORAGE S.F. - 470 F<sup>2</sup>  
**NOTE:**  
■■■■■ DIMENSIONS SHOW TYPICAL SETBACK  
■■■■■ DIMENSIONS SHOW ACTUAL SETBACK  
■■■■■ DIMENSIONS SHOW THE REQUESTED SETBACK

Residential Garage Addition  
520 78th Street  
Lubbock, TX 79424

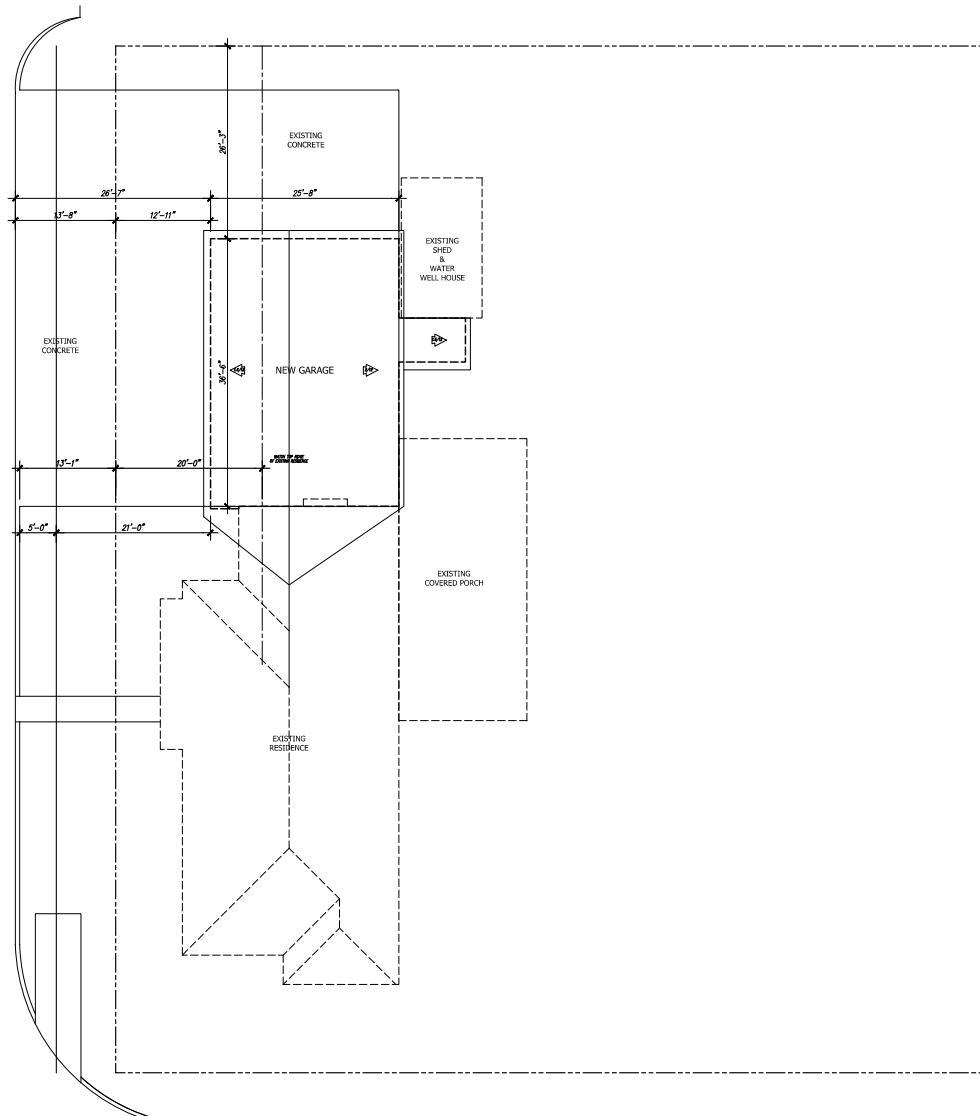
PROJECT NO. 22408  
DATE: 05-05-2024

SHEET NO. A1.0

1 OF 7

**DLC**  
DESIGNS

1318 N King Ave.  
Lubbock, TX 79403  
806.516.3711  
jame.ddesigns@gmail.com



Site General Notes:

1. SLOPE ALL GRADES AWAY FROM BUILDING AND  
AWAY FROM SIDE PROPERTY LINES. ALL  
DRAINS MUST BE DRAINED TO FRONT OR  
REAR PROPERTY LINES.
2. PROVIDE 4" PVC SLEEVES AS REQUIRED FOR  
LANDSCAPE IRRIGATION.
3. PROVIDE CONTROL JOINTS AT DRIVEWAY AT  
20'10" SQUARE MAX. AND AT ALL POUR  
TERMINATIONS. PROPOSED CONTROL AND  
EXPANSION JOINT LAYOUT.
4. SITE CONCRETE TO BE 3000 PSI REINFORCED  
WITH 1/2" REINFORCING MESH OVER  
COMPACTED SUB GRADE.
5. VERIFY STRUCTURES, LANDSCAPING OR  
CONCRETE WORK TO BE REMOVED.

House Information:

ALL DATA GIVEN ARE APPROXIMATE  
GARAGE/STORAGE S.E. - 470 FT<sup>2</sup>

NOTE:  
ALL PLATE HEIGHTS ARE FROM ELEVATION 0'-0".

**DLC**  
DESIGNS

1318 N. King Ave.  
Lubbock, TX 79403  
326.516.3737  
jaine@designs@gmail.com

Residential Garage Addition  
520 78th Street  
Lubbock, TX 79424

PROJECT NO. 220038  
DATE: 05-06-2024

SHEET NO.

**A1.0**

1 OF 7

