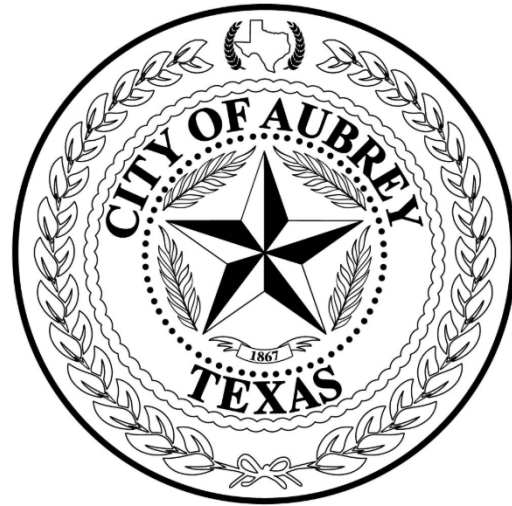


Sign Board Meeting

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
June 23, 2026
6:00 PM



**(Notice of Potential Quorum for City Council, Planning & Zoning Commission, Library Board, Municipal Development District, Parks & Recreation Board, and Home Rule Charter Commission - even though a quorum of the members of these boards may or may not be present, no official action will be taken by their members.)*

Notice Regarding Participation of Board

Pursuant to Section 551.127, Texas Government Code, one or more Board Members may attend this meeting remotely using videoconferencing technology. A quorum of the Board will be physically present at the location provided above.

Call to Order - Determine if a Quorum is Present:

Invocation & Pledge of Allegiance: Pledge of Allegiance to the Texas Flag - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state, under God, one, and indivisible."

Community Announcements: Items of community interest may include recognizing Citizens and Staff for outstanding contributions to the community, a reminder about an upcoming event that is organized or sponsored by the governing body, and announcements of an imminent threat to public safety that has arisen after the posting of this agenda.

Citizen Input: Any person may address the Board. If your comments are concerning an agenda item, you may wait until the discussion on that item if you prefer. Once recognized by the chairperson, please step forward to the speaker's podium, state your name and address and speak directly into the microphone so that people in the room can hear comments and see presentations. Citizen comments are limited to three (3) minutes per individual unless additional time is otherwise required by law. No discussion or action may be taken at this meeting on any

item not listed on the agenda, other than to make statements of factual information or recite existing policy in response to a citizen's inquiry.

*****EXECUTIVE SESSION***** In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

1. **Section 551.071(1) and (2) Consultation with Attorney.** For Council to seek the advice of its attorney about pending or contemplated litigation or a settlement offer and to consult with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act:
 - Prohibited Signs

Motion to Recess into Executive Session.

Reconvene into Open Session: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider and take appropriate action, if any, regarding any items discussed in Executive Session.

New Business: New items requested for consideration.

2. Hold a Public Hearing, Consider, and Act on a request from Michael Moore of Flying M Investments LLC, property owner, on an application for a waiver to Chapter 17, "Sign Regulations", Article 17.02, "Administration", Section 17.02.003, "Prohibited Signs" of the City of Aubrey, Code of Ordinances to allow installation of a pole sign, advertising the business located at 8720 Massey Road, Pilot Point, Texas. The property consists of 22.8 acres located in Thomas Chambers Survey, Abstract No. 223, legally described as Lot 2, Block A, Flying M Addition, and is generally located west of US 377 and south of Belew Road within the City of Aubrey Extraterritorial Jurisdiction (ETJ), Denton County, Texas. Denton County Parcel ID 764926 (Flying M Investments LLC)

-ADJOURN-

I, Jenny Hicks, City Secretary, certify that this Notice of Meeting was posted, per the Open Meetings Act, on the official bulletin board at the City Hall of the City of Aubrey, Texas and on the City's website at www.aubreytx.gov in accordance with Chapter 551, Texas Government Code, and shall remain posted until the meeting is adjourned.

I certify that the attached notice and agenda of items to be considered by the Sign Board of the City of Aubrey, Texas was removed by me from the official bulletin board of the City of Aubrey, Texas, 107 South Main St, Aubrey, Texas on the ____ day of _____, 2026.

(The Sign Board reserves the right to adjourn into closed session at any time during the course of this meeting to consult with its attorney regarding any of the matters listed on this document, as authorized by Texas Government Code Section 551.071 Consultation with Attorney.)

This facility is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, need to contact the ADA Coordinator at least 48-hours prior to the meeting. Please e-mail your request to: swilliams@aubreytx.gov.gov or call (940) 440-9343 ext 106. BRAILLE IS NOT AVAILABLE.



**Sign Board Meeting
Staff Report
June 23, 2026**

Agenda Item

Hold a Public Hearing, Consider, and Act on a request from Michael Moore of Flying M Investments LLC, property owner, on an application for a waiver to Chapter 17, "Sign Regulations", Article 17.02, "Administration", Section 17.02.003, "Prohibited Signs" of the City of Aubrey, Code of Ordinances to allow installation of a pole sign, advertising the business located at 8720 Massey Road, Pilot Point, Texas. The property consists of 22.8 acres located in Thomas Chambers Survey, Abstract No. 223, legally described as Lot 2, Block A, Flying M Addition, and is generally located west of US 377 and south of Belew Road within the City of Aubrey Extraterritorial Jurisdiction (ETJ), Denton County, Texas. Denton County Parcel ID 764926 (Flying M Investments LLC)

Staff Contact

Muzaib Riaz, Sr. Planner
mriaz@aubreytx.gov
940-440-9343

Summary

The subject property is currently operated as Texas Premier Storage, an RV, boat and commercial vehicle storage business, located west of US 377 and south of Belew Road within the City of Aubrey ETJ, Denton County, Texas, and addressed as 8720 Massey Road, Pilot Point, Texas. The City of Aubrey Sign Regulations are applicable within the City's ETJ in accordance with Section 17.01.003, "Jurisdiction and Applicability" within Chapter 17, "Sign Regulations" of the City of Aubrey Code of Ordinances.

The applicant is proposing an illuminated pole sign that is 20.2 feet wide and 11 feet tall with an area of approximately 222 square feet, mounted on a steel pole that is approximately 19 feet high, resulting in a total sign height of 30 feet. The sign will be mounted on the north-east corner of the property, roughly 75 feet south of Belew Road and 25 feet west of US 377 as shown in the attached exhibits.

The applicant states in the application that the hardship arises from the property's proximity to an elevated railroad right-of-way with a protected tree line, which allegedly prevents other sign types from providing sufficient visibility, particularly for motorists traveling southbound on US 377.

The City of Aubrey Sign Regulations (Chapter 17 of the Aubrey Code of Ordinances) expressly prohibit pole signs. A pole sign is defined as: "a freestanding sign that is detached from a building and is supported by one or more structural elements that are either: (1) architecturally dissimilar to the design of the sign; or (2) less than 1/4 the width of the sign." Because the prohibition is expressly stated and applies to all situations — not a dimensional limit, setback, or procedural requirement — this waiver request does not seek relief from a quantitative standard. It seeks permission to install a sign type that the City has determined shall not be allowed. Therefore, the applicant is not eligible for a waiver.

Analysis:

Section 17.02.008, "Waivers and Appeals" of Chapter 17, "Sign Regulations", established the following criteria when granting a waiver:

1. Special conditions exist which are unique to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity. The Sign Board may attach such conditions to granting all or a portion of any waiver necessary to achieve the purpose of this section;
-

2. The strict interpretation of the provisions of this section would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of this section;
3. The special conditions and circumstances necessitating the request for waiver do not result from the actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences;
4. Granting the waiver will meet the objectives of the section and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and
5. Granting of the waiver will be in harmony with the spirit and purpose of this chapter, the Zoning Ordinance and the Comprehensive Plan of the City.

The applicant notes the proximity of the property to an elevated railroad right-of-way with a protected tree line as the basis for the hardship, and notes that no other sign type provides sufficient visibility, especially for the southbound travelers on US 377. The sign regulations require that the waiver be based on special conditions which are unique physical characteristics that distinguish it from other properties in the same district and that were not created by the property owner's own actions such as unusual topography, irregular lot shape, and encumbering easements uniquely affecting the subject lot.

The presence of the railroad right-of-way is a physical feature of the area that was known at the time the property was acquired and the business was established. The proximity of the property to the railroad does not constitute a self-created hardship, but it is the staff's opinion that it also does not rise to the level of "special conditions" unique to this lot in the manner intended by the regulations. Many properties in the vicinity face comparable visibility constraints. The applicant has not demonstrated how this property is uniquely disadvantaged compared to other similarly situated lots. Further, the sign plans provided by the applicant includes a picture of the proposed sign location along the US 377 corridor which does not show any trees obstructing the sign from the public view as shown below.



The Aubrey Sign Regulations prohibition on pole signs provides an express a policy determination that pole signs are not in the public interest. While the applicant has the option to request a waiver under the Ordinance, a waiver may not be granted to an express prohibition in the Sign Ordinance. Granting a waiver to allow a prohibited sign would also be contrary to the public interest and the spirit of the Ordinance and would be contrary to the City's policy determination. The regulations represent Council's judgment that pole signs are inconsistent with community aesthetics, traffic safety, and land use compatibility goals. The spirit of the Aubrey Sign Regulations, as reflected in the prohibition of pole signs, is to regulate the visual environment of the city and prevent the proliferation of a sign type deemed incompatible with the community character.

Notifications:

At the time of agenda report preparation, one (1) letter in support and no letters in opposition had been received.

Recommendation:

It is the opinion of staff that the request for a pole sign at 8720 Massey Road does not meet the criteria for granting a waiver to allow a prohibited pole sign, and is recommended for denial.

Action Options:

The Sign Board may:

1. Approve the waiver request; or
2. Deny the waiver request.

Attachments:

1. Location/Notification Map
2. Application
3. Sign Plans
4. Plat with Setbacks
5. Notification Response Letter

Financial Summary

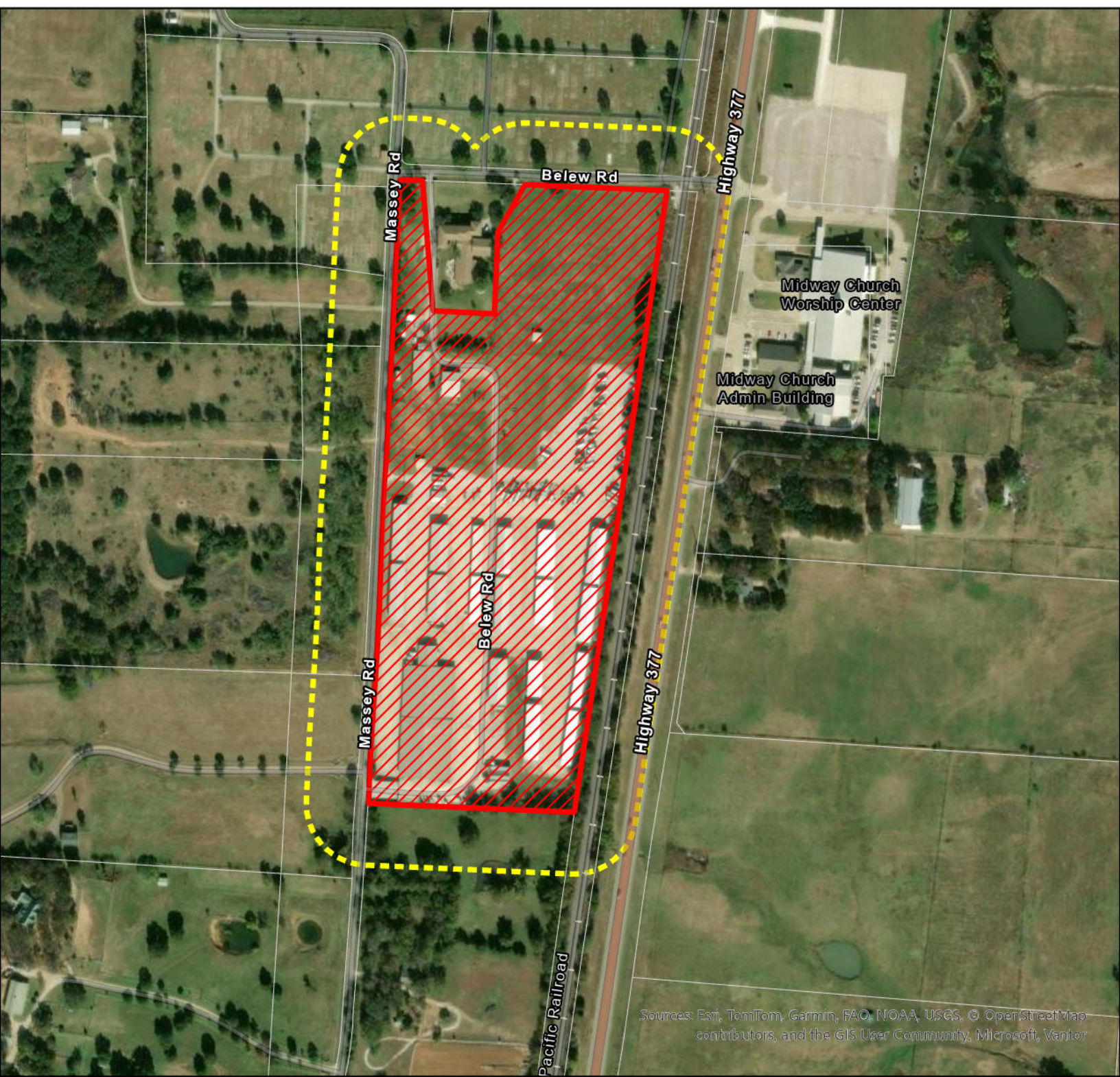
Staff Recommended Action

Denial

Staff Recommended Motion

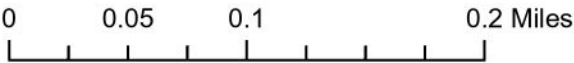
Motion to deny the waiver request to allow a pole sign at 8720 Massey Road.

8720 Massey Road Notification Map



Legend

-  200ft_Buffer
-  8720 Massey Road
-  Parcels





VARIANCE REQUEST APPLICATION

Encroachment into required setback ___ Lot area/depth/width___ Other___

Application Checklist

Application

Application Fee \$300 + \$10 lot/acre

Fee for Property Owner Mailings (\$10/letter)

Fee for Legal Notice \$150

Property Detail from Denton Central Appraisal District

Aerial Photograph or Plat

Development Plan (if applicable)

Received a minimum of 30-days prior to Board meeting

REQUEST: allow pole sign

LOCATION/ADDRESS: 8710 Massey Rd

SUBDIVISION/LOT/BLOCK: FLYING M ADDITION / Lot 1/ Block A

Note that a variance is permitted only where literal enforcement of the provision of the Zoning Ordinance would result in an unnecessary hardship, and where such variance is necessary to permit a specific lot which differs from other lots in the same district by being of such restricted area, shape or slope that it cannot be developed in a manner commensurate with the development patterns upon other lots in the same district. (Hardships cannot be self-created or for financial reasons alone).

VARIANCE APPLICATION

I/WE, the undersigned owner(s) (Print) Michael Moore
of all property within described do hereby file this, my/our Application for a Variance under the provisions of the Zoning Ordinance of the City of Aubrey, Texas on said property, so there may be permitted on said property the following Variance:

Pole sign

Said property is currently zoned: Commercial

Proposed development plans are/are not submitted herewith, explanation if any.

Explanation of hardship:

because of the properties proximity to the Elevated railroad with a protected tree line,
no other sign means provide sufficient visibility , primarily while heading south on 377.

I/We REPRESENT AND CERTIFY that I/We own said property and have full authority to make and file this application. I/We acknowledge that the variance application fee is non-refundable.

Michael Moore
SIGNATURE(S)

4/15/26
DATE

skyeg1@yahoo.com
E-MAIL ADDRESS

469-878-7488
PHONE NUMBER

OFFICE USE ONLY BELOW

- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting
 - ☐ Legal notice published in official newspaper 15-days prior to meeting

Date Received: _____

Receipt #: _____

Check #: _____

Received by: _____

BOAT & RV STORAGE

TEXAS PREMIER STORAGE

Secure • Gated • 24/7 Access

(940) 686-1570

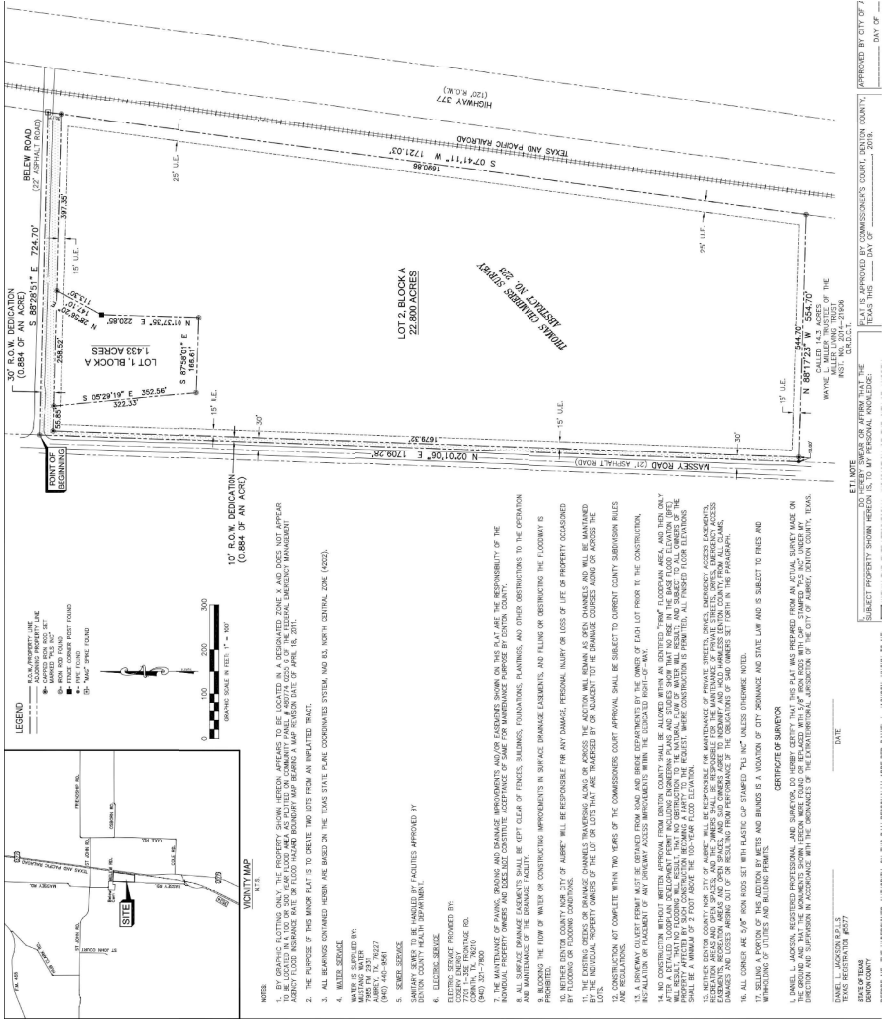
www.texaspremierstorage.com

Located at Belew Rd. & Rte 377 in Pilot Point

JOB DESCRIPTION	DATE	BY	REV	SE	PAGE
Pylon	03-03-26	LL			1
CUSTOMER NAME	Texas Premier Storage				
CUSTOMER CONTACT	XX				
ADDRESS	8720 Massey Rd, Pilot Point, TX 76258				
PHONE # EMAIL	XX				
Sales PERSON	Arnon Pracht				
JOB #	XX				
				16580 US 380, Suite 703 Krum, TX. 7624 940-783-0721 FUI 98902 TDLR# 19154	
				SIGN EXCLUSIVE INDEPENDENT FROM OTHERS	



PYLON



SITE PLAN

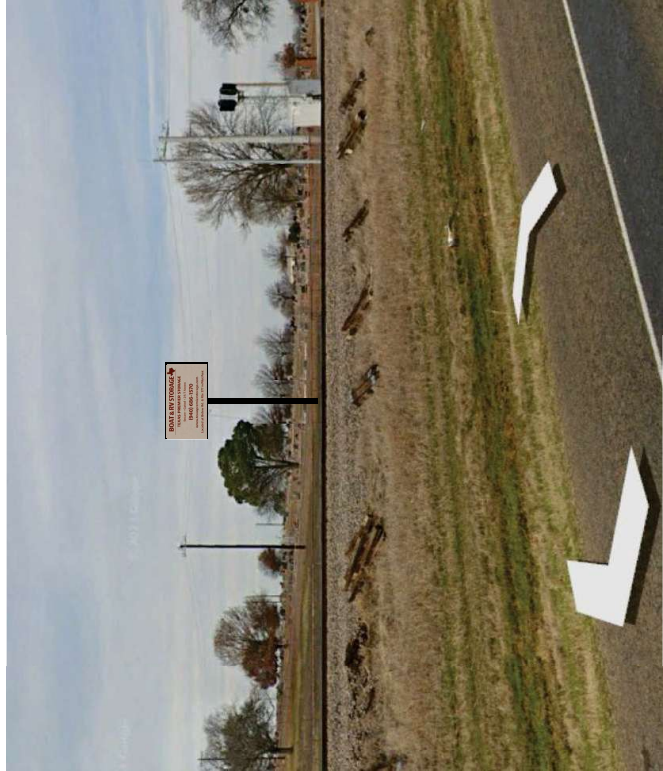
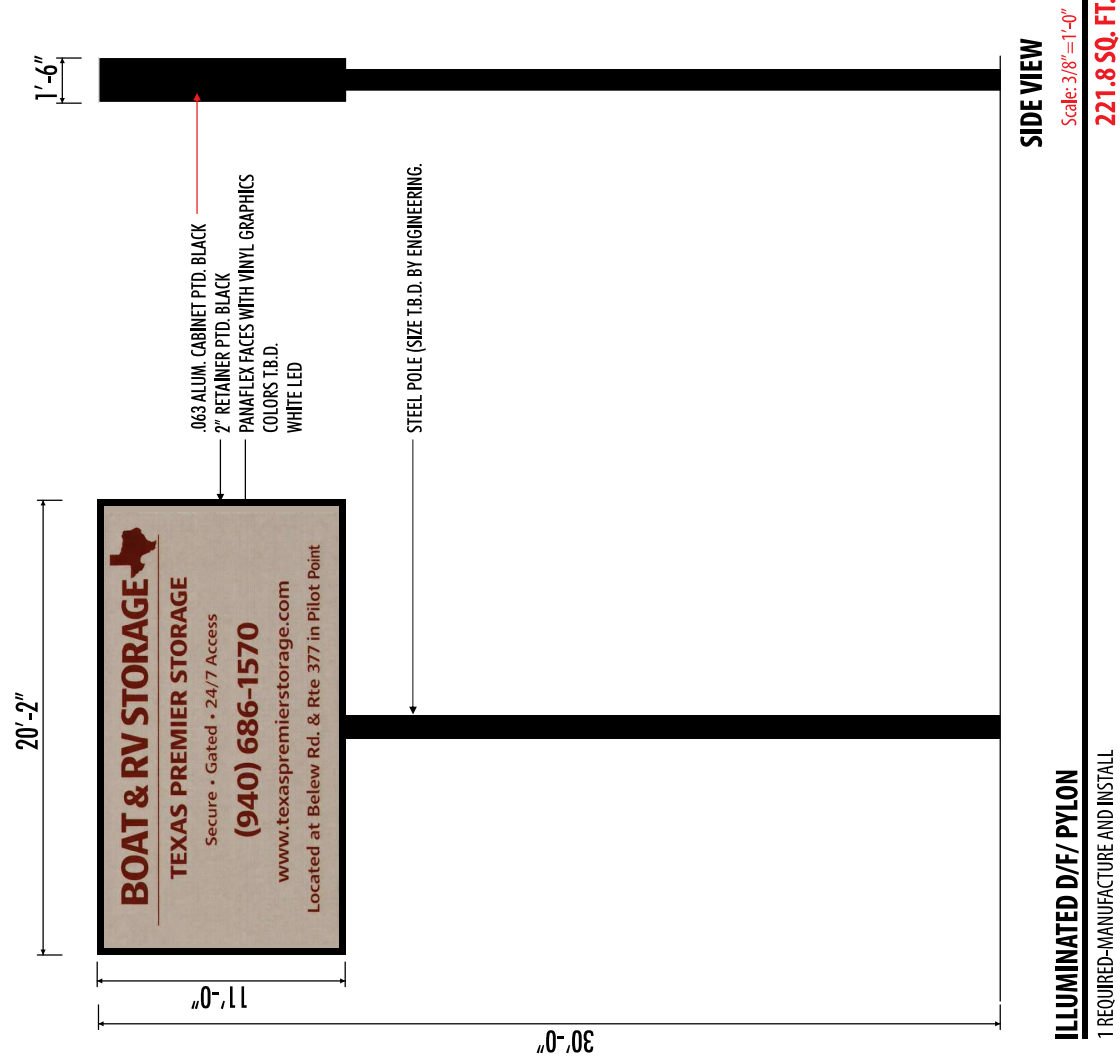
JOB DESCRIPTION	DATE	BY	REV
Pylon	03-03-26	LL	
CUSTOMER NAME			
CUSTOMER CONTACT			
ADDRESS			
PHONE #/EMAIL			
SUBMITTER			
JOB #			

16580 US 380, Suite 703	
Krum, TX, 7624	
940-783-0721	
FUI 98902 TDLR# 19154	

SE

SIGN EXCLUSIVE
INDEPENDENT FROM OTHERS

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NTS

SIDE VIEW

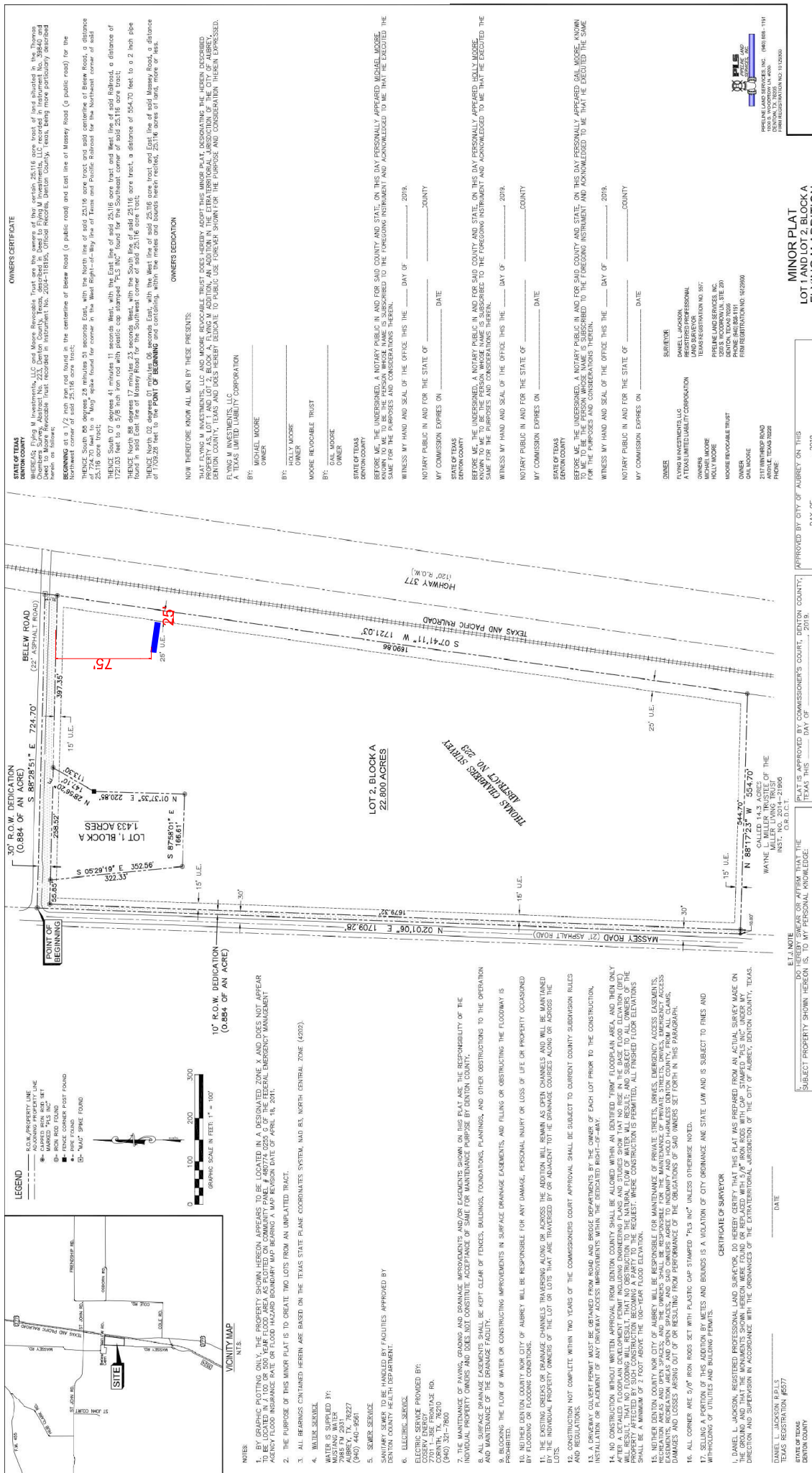
Scale: 3/8"=1'-0"
221.8 SQ. FT.

ILLUMINATED D/F/ PYLON

1 REQUIRED-MANUFACTURE AND INSTALL

JOB DESCRIPTION	DATE	BY	REV
Pylon	03-03-26	LL	R1
CUSTOMER NAME	Texas Premier Storage		
CUSTOMER CONTACT	XX		
ADDRESS	8720 Massey Rd. Pilot Point, TX 76258		
PHONE # EMAIL	XX		
SALSPERSON	Arron Pracht		
JOB #	XX		

16580 US 380, Suite 703 Krum, TX. 7624 940-783-0721 FUI 98902 TDLR# 19154	SE SIGN EXCLUSIVE INDEPENDENT FROM OTHERS	PAGE 2
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SE

SIGN EXCLUSIVE

INDEPENDENT FROM OTHERS

16580 US 380, Suite 703
Krum, TX, 76241
940-783-0721
FUI 98902 TDLR# 19154

BY REV

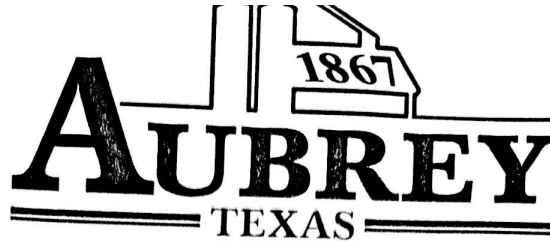
AP

DATE

STATE OF TEXAS

DENOT COUNTY

Page 13 of 14



Notice of Public Hearing

A public hearing will be conducted on the date and time stated in this notice for the following:

An application for a variance to Chapter 17, Sign Regulations, Article 17.02, Administration, Section 17.02.003, "Prohibited Signs", Subsection (12), Pole Signs, to allow a "Pole Sign" for the business at 8720 Massey Road, Pilot Point, Texas, 76258. The property consists of approximately 22.800 acres of land legally described as Lot 2, Block A, Flying M. Addition and is generally located west of US 377 and south of Belew Road, within the City of Aubrey Extraterritorial Jurisdiction, Denton County, Texas. Denton County Parcel ID 764926. (*Texas Premier Storage*)

Property Owner/Applicant: Flying M Investments LLC

	BOARD OF ADJUSTMENT (BOA)
Date:	Tuesday, June 23, 2026
Time:	6:00 pm
Location:	Aubrey City Council Chambers 226 Countryside Dr. Aubrey, TX 76227

You are receiving this notice because you are a property owner within 200 feet of the boundary of the proposed request. As with all such requests, the **Board of Adjustment** is seeking public comment regarding this matter. All interested persons are invited to attend and make comments. If you are unable to attend the public hearing, you may submit written comments prior to the close of the Public Hearing. Property owners whose names do not appear on the County Appraisal District's records may require a notarized statement affirming ownership. For more information, call 940-440-9343.

You may return this form with your remarks to the **Planning Department, 107 S. Main Street, Aubrey, Texas 76227** or via email: citysecretary@aubreytx.gov. Please indicate support or opposition to the proposal and any additional remarks, as well as your name and address for the record.

Your Name:

Gail Moore

Your Address:

9535 Belew Rd, Pilot Point, TX 76258



I SUPPORT THE REQUEST



I OPPOSE THE REQUEST

Remarks:

I support it. let them build it.