

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: April 10, 2017**

**CASE NUMBER: C16-2017-0002**

☒ Y ☐ Brooke Bailey  
☒ Y ☐ William Burkhardt  
☒ Y ☐ Eric Goff  
☒ Y ☐ Melissa Hawthorne  
☒ Y ☐ Bryan King  
☒ Y ☐ Don Leighton-Burwell  
☒ Y ☐ Rahm McDaniel  
☒ Y ☐ Veronica Rivera  
☐ - ☐ James Valadez  
☒ Y ☐ Michael Von Ohlen  
☒ Y ☐ Kelly Blume (Alternate)  
☐ - ☐ Martha Gonzalez (Alternate)  
☒ Y ☐ Pim Mayo (Alternate)

**APPLICANT: Rodney Bennett**

**OWNER: Michael Boyle**

**ADDRESS: 2935 East Highway 71**

**VARIANCE REQUESTED:** The applicant has requested a variance(s) to Section 25-10-124 (B) (Scenic Roadway Sign District Regulations) to:

- A. (1. B.) increase the maximum sign area from 64 square feet (permitted) to 104 square feet (requested); and to
- B. (2.) increase the maximum sign height from 12 feet (permitted) to 24 feet (requested)

in order to add a freestanding sign within a "CS-CO", General Commercial Services, Conditional Overlay zoning district. (Scenic Sign District)

**BOARD'S DECISION:** March 13, 2107 POSTPONED TO APRIL 10, 2017 BY THE APPLICANT; April 10, 2017 The public hearing was closed on Board Member Brooke Bailey motion to Postpone to May 8, 2017, Board Member Veronica Rivera second on a 11-0 vote; POSTPONED TO MAY 8, 2017.

**FINDING:**

1. The variance is necessary because strict enforcement of the Article prohibits and reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscape, or topography, because:

OR,

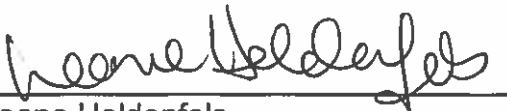
2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because:


OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because:

AND,

4. Granting a variance would not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated, because:

  
\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
\_\_\_\_\_  
William Burkhart  
Chairman

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: March 13, 2017**

**CASE NUMBER: C16-2017-0002**

☐ - ☐ Brooke Bailey (Absent)  
☒ ☐ William Burkhardt  
☒ ☐ Eric Goff  
☒ ☐ Melissa Hawthorne  
☒ ☐ Bryan King  
☒ ☐ Don Leighton-Burwell  
☒ ☐ Rahm McDaniel  
☒ ☐ Melissa Neslund  
☐ - ☐ Veronica Rivera out-not able to serve due to lack of training  
☒ ☐ James Valadez  
☐ - ☐ Michael Von Ohlen out-not able to serve due to lack of training  
☒ ☐ Kelly Blume (Alternate)  
☒ ☐ Martha Gonzalez (Alternate)  
☒ ☐ Pim Mayo (Alternate)

**APPLICANT: Rodney Bennett**

**OWNER: Michael Boyle**

**ADDRESS: 2935 SH 71 WB**

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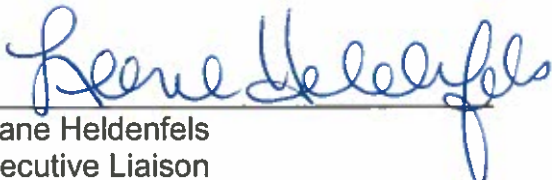
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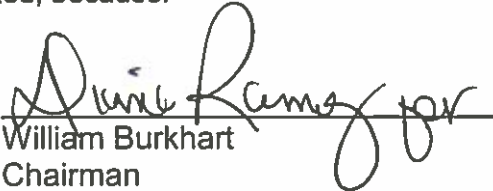
OR,

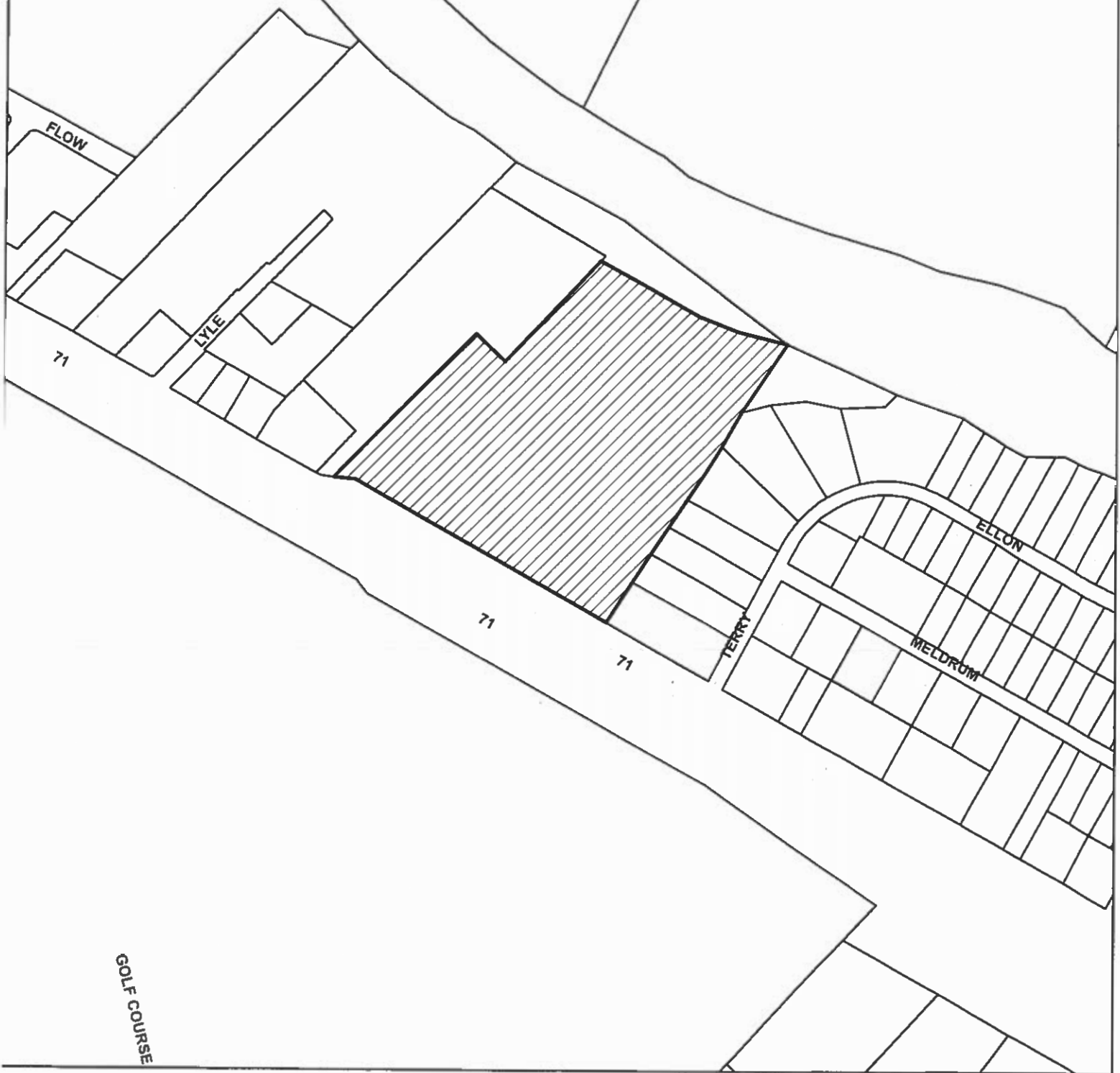
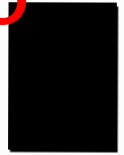
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AND,

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\_\_\_\_\_  
Leane Heldenfels  
Executive Liaison

  
\_\_\_\_\_  
William Burkhart  
Chairman



GOLF COURSE



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

**NOTIFICATIONS**

CASE#: C16-2017-0002  
LOCATION: 2935 E Highway 71



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 417'

## Board of Adjustment Sign Variance Application

**WARNING:** Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. All information is required (if applicable).

### For Office Use Only

Case # C16-2017-0002 ROW # 11673760 Tax # D315310301  
TCAD

### Section 1: Applicant Statement

Street Address: 2935 E Hwy 71

Subdivision Legal Description:

Tracts 1 thru 5 being 30.06 acres, more or less, situated in the Santiago Del Valle Grant, Abstract 24,  
Travis County, Texas.

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Sign District: SCENIC Roadway sign district

I/We ANN B LEWIS on behalf of myself/ourselves as

authorized agent for LEWIS SIGN affirm that on

Month February, Day 6, Year 2017, hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: \_\_\_\_\_

Type of Sign: PYLON SIGN

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Chapter 25-10-124-B.2

## Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. In order to grant your request for a variance, the Board must first make one or more of the findings described under 1, 2, and 3 below; the Board must then make the finding described in item 4 below. If the Board cannot make the required findings, it cannot approve a sign variance.

Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

I contend that my entitlement to the requested variance is based on the following findings:

1. The variance is necessary because strict enforcement of the Article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of the site such as dimensions, landscaping, or topography, because:

There is a line of trees that block any view of the low profile sign allowed in the scenic roadway.  
The roadway is lower on the opposite side of the  
road.

—OR—

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because:

This pylon will not impact the neighboring properties, but will make it easier for the traffic to  
locate this parking area.

—OR—

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because:

This variance will not conflict with the purpose of the ordinance

AND,

4. Granting a variance would not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated, because:

There have been other sign variances in this area of Hwy 71



**Section 3: Applicant Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: AB Lewis Date: 2-1-17

Applicant Name (typed or printed): Ann B Lewis

Applicant Mailing Address: PO Box 1665

City: Buda State: Tx Zip: 78610

Phone (will be public information): 512-361-9286

Email (optional – will be public information): ann@lewisign.com

**Section 4: Owner Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: Michael M Boyle Date: 2/13/17

Owner Name (typed or printed): Michael M. Boyle

Owner Mailing Address: 200 West Monroe Street, Suite 1500

City: Chicago State: IL Zip: 60606

Phone (will be public information): (312) 806-5563

Email (optional – will be public information): mboyle@theparkingspot.com

**Section 5: Agent Information**

Agent Name: Rodney Bennett

Agent Mailing Address: 12618 Eagle Nest Dr

City: Buda State: Tx Zip: 78610

Phone (will be public information): 512-627-7227

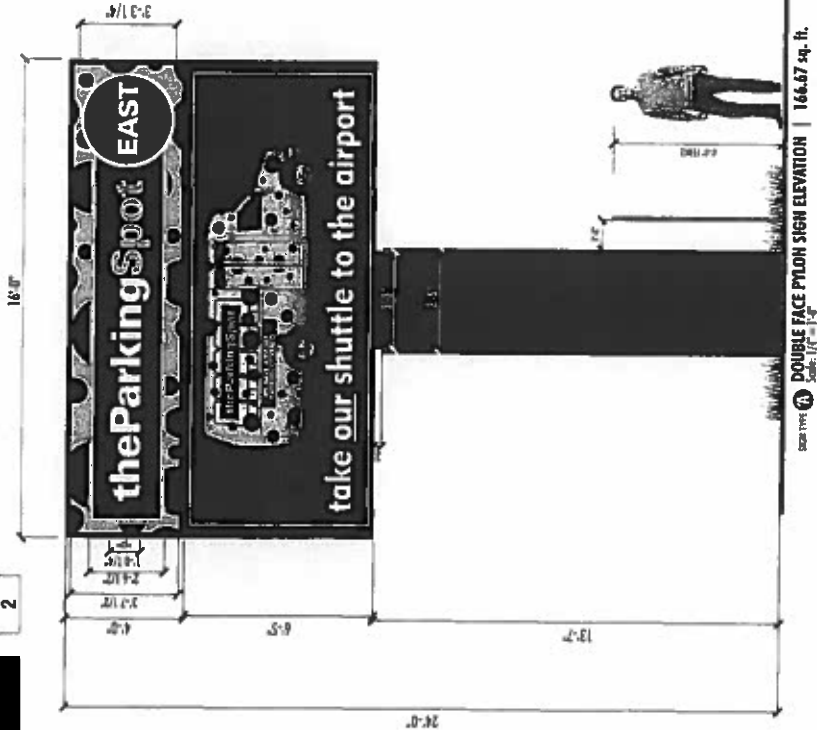
Email (optional – will be public information): jb.rbconsulting@yahoo.com

**SAVE**



**DRAWINGS ARE FOR DESIGN INTENT ONLY...**  
ENGINEERING REQUIRED TO DETERMINE ACTUAL MFG. REQUIREMENTS

OPTION  
2



Fabricated aluminum cabinet painted satin black

"THE PARKING SPOT" - 5" Deep black aluminum channel letters with black trim cap. White LED illumination. 7218 white acrylic faces w/ yellow vinyl applied to "SPOT" faces & border and background.

"EAST" - 5" Deep black aluminum channel circle with black trim cap. Flat 7218 white acrylic face having applied 2500-15A Vivid Green translucent vinyl needed for white EAST show thru copy. White LED illumination.

Wet/dry LED color message unit with 19mm pin (6'-5" x 16" cabinet)

Fabricated aluminum cladding painted satin black

- 2500-15A Vivid Green
- 2500-15B Vivid Yellow
- 2500-15C Vivid Green
- 7218 White
- Acrylic
- Black
- Heater & Trim Cap

END VIEW

**FEDERAL HEALTH SIGN COMPANY**  
www.federalhealth.com  
2300 North Highway 121 | Dallas, Texas 75229  
(817) 685-9077 | (800) 527-9495 Fax (817) 685-9103

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Portland, ME | Raleigh, NC | San Antonio, TX  
Tampa, FL | Tulsa, OK | Wichita, KS

Building Quality Signage Since 1901

Client Approval/Date: \_\_\_\_\_  
Landlord Approval/Date: \_\_\_\_\_

Account Rep: MARK WEBB  
Project Manager: LARRY TEATS  
Drawn By: J. CARPENTER

Project / Location:  
theParkingSpot (east)  
2935 EAST STATE HWY 71  
DEL VALLE, TX 78617

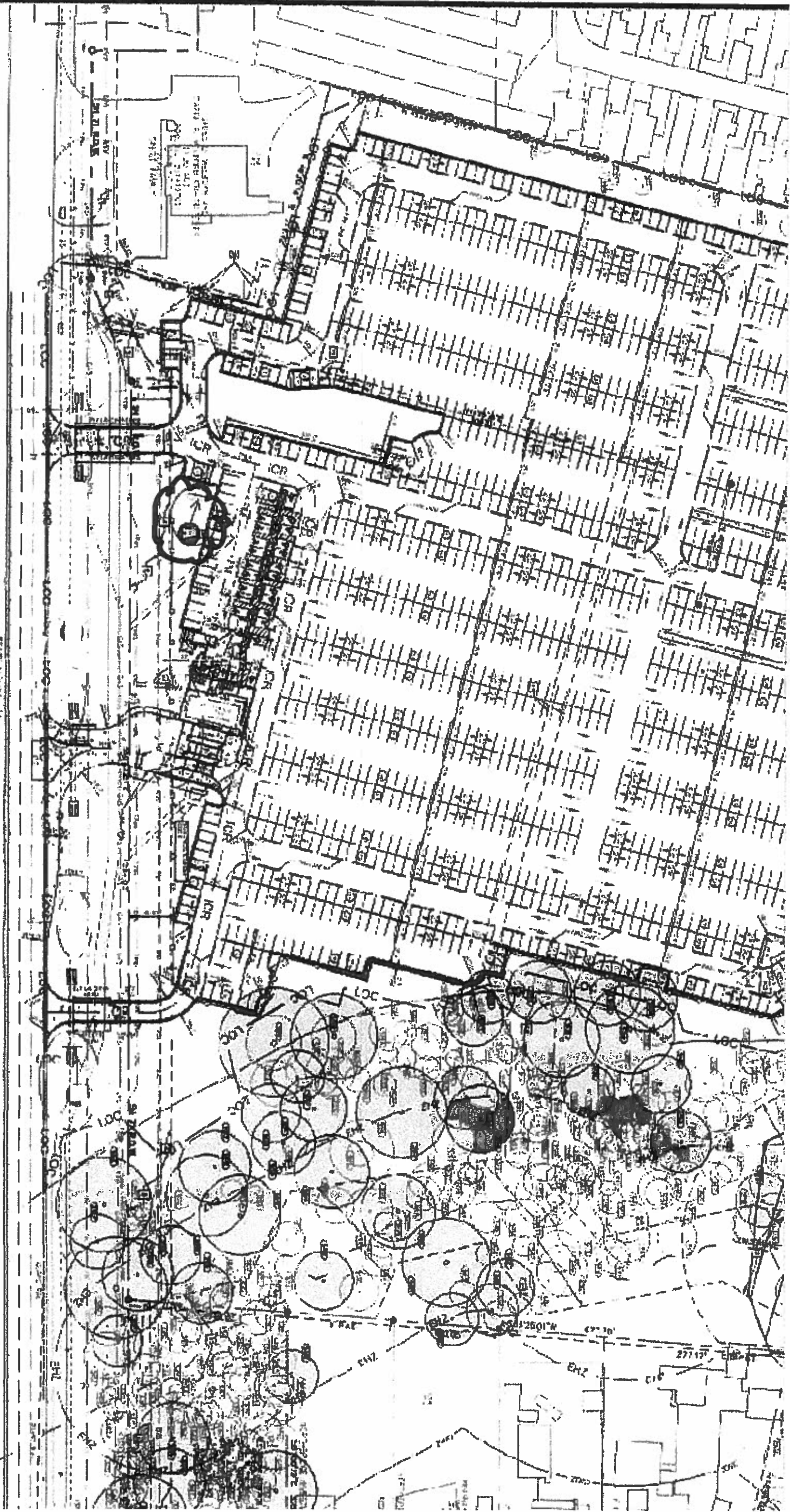
ADD Number: 23-38503-10  
Date: JULY 19, 2016  
Sheet Number: 6 of 6  
Design Number: 23-38503-10 R3

This original drawing is provided as part of a planned project and is not to be copied, reproduced, or otherwise used without the written permission of Federal Health Sign Company, LLC or its authorized agent, BHSC.

E01/9







C16-2017-0002





INFO  
PRESENTED AT  
MEETING  
APRIL 10, 2017

CLP-2011-0002







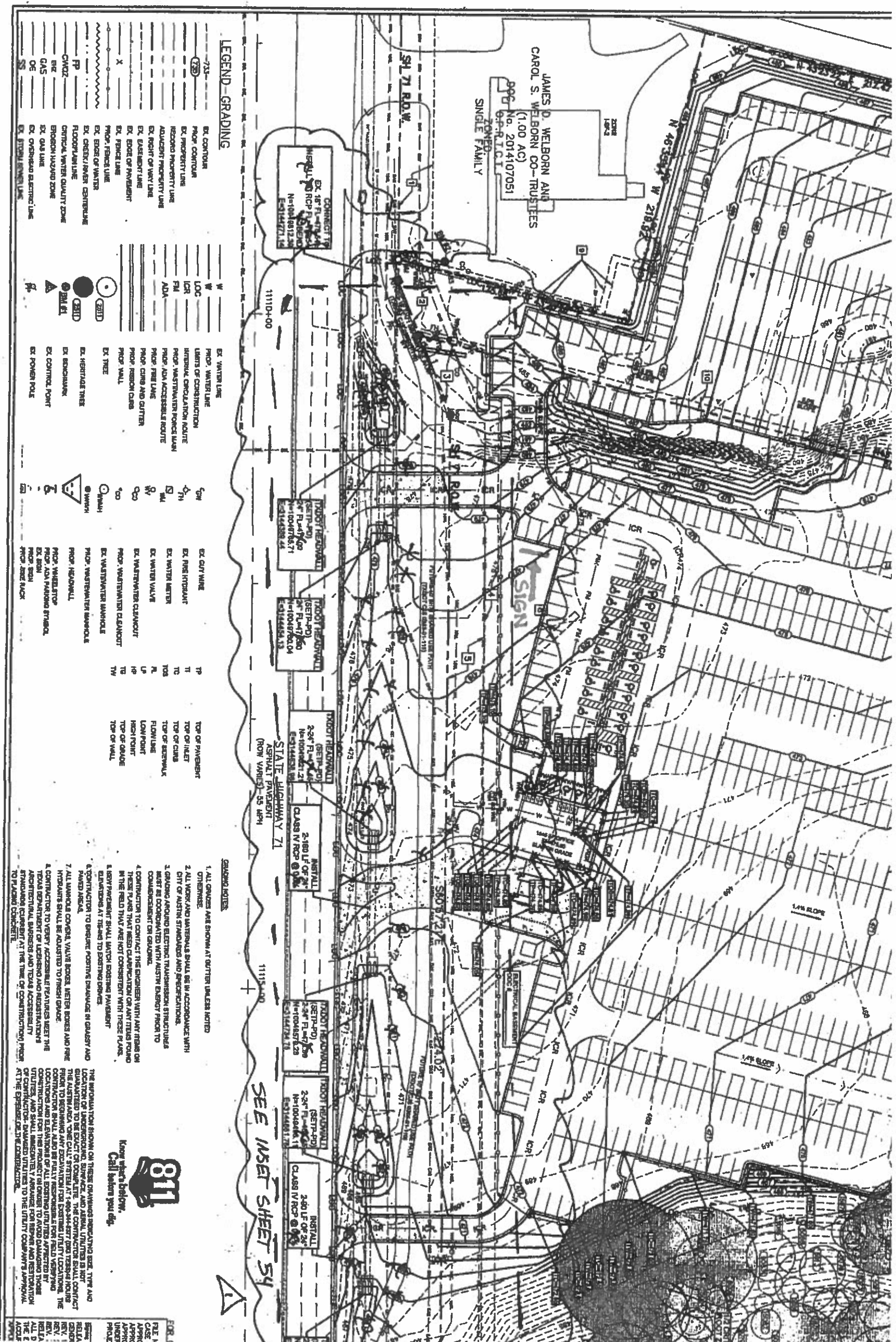












LEGEND - GRADING

733	EX. CONTOUR	W	EX. WATER LINE
734	PROP. CONTOUR	W	PROP. WATER LINE
735	EX. PROPERTY LINE	LOC	LIMITS OF CONSTRUCTION
736	RECORD PROPERTY LINE	ICR	INTERIOR CIRCULATION ROUTE
737	ADJACENT PROPERTY LINE	FI	PROP. WASTEWATER FLOW MAIN
738	EX. RIGHT OF WAY LINE	ADA	PROP. ADA ACCESSIBLE ROUTE
739	EX. EASEMENT LINE	W	PROP. FIRE LINE
740	EX. EDGE OF PAVEMENT	W	PROP. CONC. AND GUTTER
741	EX. FENCE LINE	W	PROP. FIBER GLASS
742	EX. EDGE OF WATER	W	PROP. WALL
743	EX. CREEK/RIVER CENTRELINE	W	EX. TREE
744	FLOODPLAIN LINE	W	EX. HERITAGE TREE
745	CUTBACK WATER QUALITY ZONE	W	EX. BRICKMAN
746	EX. GAS LINE	W	EX. CONTROL POINT
747	EX. OVERHEAD ELECTRIC LINE	W	EX. POWER POLE
748	EX. FIBER OPTIC LINE	W	

GRADING NOTES

1. ALL GRADES ARE SHOWN AT BUTTER UNLESS NOTED OTHERWISE.
2. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF AUSTIN STANDARDS AND SPECIFICATIONS.
3. GRADING AROUND EXISTING TRANSMISSION STRUCTURES MUST BE COORDINATED WITH AUSTIN ENERGY PRIOR TO COMMENCEMENT OF GRADING.
4. CONTRACTOR TO CONTACT THE ENGINEER WITH ANY ITEMS ON THESE PLANS THAT NEED CLARIFICATION OR ANY ITEMS FOUND IN THE FIELD THAT ARE NOT CONSISTENT WITH THESE PLANS.
5. NEW PAVEMENT SHALL MATCH EXISTING PAVEMENT ELEVATIONS AT TIES TO EXISTING DRIVEWAYS.
6. CONTRACTOR TO BRIDGE POSITIVE DRIVEWAYS IN GULF AND PAVED AREAS.
7. ALL MANHOLE CONCRETE VALVE BOXES, WATER BOXES AND FIRE HYDRANTS SHALL BE ADJUSTED TO FINISH GRADE.
8. CONTRACTOR TO VERIFY ACCESSING FEATURES MEET THE TEXAS DEPARTMENT OF LICENSING AND REGULATION ARCHITECTURAL STANDARDS AND TIES TO ACCESSIBILITY STANDARDS AT THE TIME OF CONSTRUCTION PRIOR TO PLACING CONCRETE.



SEE INSET SHEET 54







