

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

DATE: Monday October 8, 2018

CASE NUMBER: C16-2018-0006

<input checked="" type="checkbox"/>	Brooke Bailey
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Christopher Covo
<input checked="" type="checkbox"/>	Eric Golf
<input checked="" type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	Bryan King
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Rahm McDaniel
<input type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	James Valdez
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Pim Mayo (Alternate)

APPLICANT: Albert Morales

OWNER: Roberta Swischuk

ADDRESS: 1165 AIRPORT BLVD

VARIANCE REQUESTED: The applicant has requested a variance(s) to Section 25-10-191 (Setback and Structural Requirements):

A. ~~(E) to decrease the distance a sign support more than 36 inches in diameter must be set back from the street right-of-way from at least 12 feet (required) to 7.5 feet (requested); and to~~

B. (F) (1) to increase the height of a sign that is within 12 feet of a street right-of-way from not more than 30 inches (required, permitted) to 66 inches (requested); and to

C. (F) (2) to decrease clearance of a sign that is within 12 feet of a street right-of-way from at least 9 feet (required) to 0 feet (requested)

in order to erect a monument sign in a "CS-MU-NP", General Commercial Services – Mixed Use - Neighborhood Plan zoning district. (MLK)

BOARD'S DECISION: Aug 13, 2018 BOA MEETING AUG 13, 2018 POSTPONED TO SEPTEMBER 10, 2018 BY APPLICANT (RE-NOTICE MAY BE REQUIRED); Sept 10, 2018 POSTPONED TO OCTOBER 8, 2018 BY STAFF (RE-NOTICE REQUIRED)

VARIANCE REQUESTED: RENOTICE – The applicant has requested a variance(s) to Section 25-10-191 (Setback and Structural Requirements):

A. (F) (1) to increase the height of a sign that is within 12 feet of a street right-of-way from not more than 30 inches (required, permitted) to 36 inches (requested); and to

B. (F) (2) to decrease clearance of a sign that is within 12 feet of a street right-of-way from at least 9 feet (required) to 2 feet (requested)

in order to erect a freestanding sign in a “CS-MU-NP”, General Commercial Services – Mixed Use - Neighborhood Plan zoning district. (MLK)

BOARD’S DECISION: Oct 8, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Rahm McDaniel second on a 11-0 vote; GRANTED.

EXPIRATION DATE: OCTOBER 8, 2019

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: the standard 12 foot setback falls within the parking lot and there is about 30 feet of city land between the property line and city street, the setback would not be visible to individuals who are seeking counseling and mental health assistance.

OR,

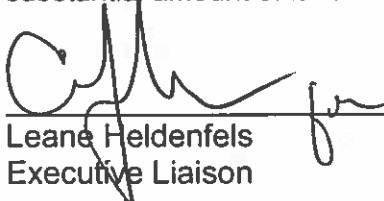
2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: airport has a slight curve that doesn't block any neighboring signage or buildings

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: the setback on the property line is sufficient for cars to have a visible view when exiting the property

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: this is a unique property with substantial amount of land within the property line and the street



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman