

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

DATE: Monday December 10, 2018

CASE NUMBER: C16-2018-0008

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

APPLICANT: Jason Thumlert

OWNER: Capital Metropolitan Transit Authority

ADDRESS: 901 East 5TH ST

VARIANCE REQUESTED: The applicant has requested a variance(s) to Section 25-10-133 (University Neighborhood Overlay Zoning):

A. (C) to exceed 100 square feet of sign area (required/permitted) with 150 square feet of sign area for 3 signs (requested); and to

B. (F) to allow an electrified wall sign to be affixed to the subject building above the second floor (requested) rather than providing a non-electric and engraved, cut into the building surface or otherwise inlaid to become part of the building when located above the second floor (required)

in order to provide signage for a mixed use building in a "TOD-CURE-NP", Transit Oriented District/Plaza Saltillo – Central Urban Redevelopment - Neighborhood Plan zoning district. (East Cesar Chavez)

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Eric Goff second on a 9-1-2 vote (Board members Board members Bryan King nay and Christopher Covo, Melissa Hawthorne recused); GRANTED.

EXPIRATION DATE: December 10, 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 variance is necessary because it allows signage of appropriate size to be seen by vehicles passing by on IH35 at high speeds and volumes and allows signs to be visible from the elevated lanes of IH#% which are higher than the 2nd floor of our building

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: other nearby properties have existing signs of similar size and height and our request would be in keeping with the character of the area

OR,


3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: it will provide wayfinding in a safe manner, enhancement to the functionality of the project, and signage addressing the project being located in the auto and retail dominant corridor on IH35 & 5th Street.

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: the signage regulations & standards are intended to permit signs that through their design numeration and location will optimize communication, promote a sound, healthy environment for housing & commerce & preserve the architectural character of the city. Granting the requested variances gives the signage proper scale for both pedestrians and traffic and does not confer any special privilege.



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman