

**CITY OF AUSTIN**  
**Board of Adjustment- Sign Variance**  
**Decision Sheet**  
**ITEM03**

**DATE: January 13, 2025**

**CASE NUMBER: C16-2024-0002**

Y  Thomas Ates (D1)  
 Y  Bianca A Medina-Leal (D2)  
 Y  Jessica Cohen (D3)  
 Y  Yung-ju Kim (D4)  
 -  Melissa Hawthorne (D5) - ABSTAINED  
 Y  Jeffery Bowen (D6)  
 Y  Janel Venzant (D7)  
 -  Margaret Shahrestani (D8) OUT  
 Y  Brian Poteet (D9)  
 Y  Michael Von Ohlen (D10)  
 -  Marcel Gutierrez-Garza (M)  
 -  VACANT (Alternate) (M)  
 -  Suzanne Valentine (Alternate) (M) OUT  
 -  VACANT (Alternate) (M)

**APPLICANT: Michael J Whellan**

**OWNER: Mark Worsham**

**ADDRESS: 12221 MOPAC EXPY SVRD NB**

**VARIANCE REQUESTED:** The applicant is requesting a sign variance(s) from the Land Development Code:

*Section 25-10-124 (Scenic Roadway Sign District):*

- (B) to allow more freestanding signs from one (1) (maximum allowed) to eight (8) (requesting) (existing)
- (B) (1) (b) to increase the maximum sign area on a lot from 64 square feet (maximum allowed) to 90 square feet (requesting)
- (B) (2) to increase overall sign height from 12 feet (maximum allowed) to 17 feet (requesting),
- (F) to allow for internally sign illumination for three (3) signs (requesting)
- (G) to decrease signs from the right-of-way of at least 12 feet (minimum required) to 3 feet (requesting)

*Section 25-2-191 (Sign Setback Requirements)*

- (E) to decrease the setback of 12 feet from the street right-of-way (minimum allowed) to 0 feet (requesting)

- (F) (1) to increase height of not more than 30 inches (maximum allowed) to 17 feet (requesting)
- (F) (2) to reduce clearance of at least nine (9) feet (minimum allowed) to zero (0) feet (requesting).

in order to remodel Free-standing sign(s) for Emergency Services/Hospital Services in a “PUD”, Scenic Roadway Sign District.

**Note:** 25-10-124 - SCENIC ROADWAY SIGN DISTRICT REGULATIONS.

(A) This section applies to a scenic roadway sign district.

(B) One freestanding sign is permitted on a lot.

(1) The sign area may not exceed the lesser of:

(a) 0.4 square feet for each linear foot of street frontage; or

(b) 64 square feet.

(2) The sign height may not exceed 12 feet.

(C) Wall signs are permitted.

(D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building.

(E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways.

(F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters.

(G) In addition to the sign setback requirements established by [Section 25-10-191](#) (Sign Setback Requirements), a sign or sign support must be installed at least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a sign permitted by [Section 25-10-102\(F\)](#) (Signs Associated with Political Elections).

Source: Sections 13-2-867 and 13-2-868; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. [20170817-072](#), Pt. 10, 8-28-17.

25-10-191 – SIGN SETBACK REQUIREMENTS.

(A) A sign installed in compliance with this section is not required to comply with building setback requirements established elsewhere in this title.

(B) A sign support 12 inches or less in diameter is not required to be set back from a street right-of-way.

(C) A sign support more than 12 inches and not more than 24 inches in diameter must be set back at least three feet from a street right-of-way.

(D) A sign support more than 24 inches and not more than 36 inches in diameter must be set back at least five feet from the street right-of-way.

(E) A sign support more than 36 inches in diameter must be set back at least 12 feet from the street right-of-way.

(F) Except for a wall sign, a sign within 12 feet of a street right-of-way must have either:

(1) a height of not more than 30 inches; or

(2) a clearance of at least nine feet.

(G) This section does not apply to a sign permitted by [Section 25-10-102\(F\)](#) (Signs Associated with Political Elections).

Source: Section 13-2-886; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. [20170817-072](#), Pt. 22, 8-28-17.

**BOARD’S DECISION: November 14, 2024 Postponed to December 9, 2024 due to the absence of a sufficient number of Board Members required for a formal vote on each case**

**VARIANCE REQUEST: RENOTICE**

The applicant is requesting a sign variance(s) from the Land Development Code:

*Section 25-10-124 (Scenic Roadway Sign District):*

- (B) to allow more freestanding signs from one (1) (maximum allowed) to eight (8) (requesting) (existing) **All locations – Presentation 03/2 (map), 03/3, 03/9, 03/19**

- (B) (1) (b) to increase the maximum sign area on a lot from 64 square feet (maximum allowed) to 112 square feet (requesting)  
**64 sq. ft. to 112 sq. ft. for location 2 – Presentation 03/9**  
**64 sq. ft. to 70 sq. ft. for location 3 – Presentation 03/19**
- (B) (2) to increase overall sign height from 12 feet (maximum allowed) to 17 feet (requesting),  
**12 ft. to 15 ft. for location 2 – Presentation 03/9**  
**12 ft. to 14 ft. 6 in. for location 3 – Presentation 03/19**
- (F) to allow for internally sign illumination for three (3) signs (requesting)  
**locations 1, 2, & 3 – Presentation 03/2 (map)**
- (G) to decrease signs from the right-of-way of at least 12 feet (minimum required) to 3 feet (requesting)  
**locations 1, 2, & 3 – Presentation 03/2 (map)**

*Section 25-2-191 (Sign Setback Requirements)*

(E) to decrease the setback of 12 feet from the street right-of-way (minimum allowed) to 0 feet (requesting)

**locations 1, 2, & 3 – Presentation 03/2 (map)**

(F) (1) to increase height of not more than 30 inches (maximum allowed) to 17 feet (requesting)

**30 in. to 15 ft. for location 2 – Presentation 03/9**

**30 in. to 14 ft. 6 in. for location 3 – Presentation 03/19**

- (F) (2) to reduce clearance of at least nine (9) feet (minimum allowed) to zero (0) feet (requesting).

**locations 1, 2, & 3 – Presentation 03/2 (map)**

in order to remodel Free-standing sign(s) for Emergency Services/Hospital Services in a “PUD”, Scenic Roadway Sign District.

**Note:** 25-10-124 - SCENIC ROADWAY SIGN DISTRICT REGULATIONS.

(A) This section applies to a scenic roadway sign district.

(B) One freestanding sign is permitted on a lot.

(1) The sign area may not exceed the lesser of:

(a) 0.4 square feet for each linear foot of street frontage; or

(b) 64 square feet.

(2) The sign height may not exceed 12 feet.

(C) Wall signs are permitted.

(D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building.

(E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways.

(F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters.

(G) In addition to the sign setback requirements established by [Section 25-10-191](#) (Sign Setback Requirements), a sign or sign support must be installed at least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a sign permitted by [Section 25-10-102\(F\)](#) (Signs Associated with Political Elections).

Source: Sections 13-2-867 and 13-2-868; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. [20170817-072](#), Pt. 10, 8-28-17.

**25-10-191 – SIGN SETBACK REQUIREMENTS.**

(A) A sign installed in compliance with this section is not required to comply with building setback requirements established elsewhere in this title.

(B) A sign support 12 inches or less in diameter is not required to be set back from a street right-of-way.

(C) A sign support more than 12 inches and not more than 24 inches in diameter must be set back at least three feet from a street right-of-way.

(D) A sign support more than 24 inches and not more than 36 inches in diameter must be set back at least five feet from the street right-of-way.

(E) A sign support more than 36 inches in diameter must be set back at least 12 feet from the street right-of-way.

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(1) a height of not more than 30 inches; or

(2) a clearance of at least nine feet.

(G) This section does not apply to a sign permitted by [Section 25-10-102\(F\)](#) (Signs Associated with Political Elections).

Source: Section 13-2-886; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. No. [20170817-072](#), Pt. 22, 8-28-17.

**BOARD'S DECISION: December 9, 2024, POSPONED TO JANUARY 13, 2025; January 13, 2025 -The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen's motion to Approve as noted in red; Board member Brian Poteet second on 8-1-0 votes (Vice Chair Melissa Hawthorne Abstained); GRANTED AS NOTED IN RED.**

**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: N/A

OR,

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

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: **Section 25-10-1(A)(4) seeks to protect the safety and efficiency of the City's transportation system by reducing confusion and distractions to pedestrians and motorists, Improving the visibility of the hospital's emergency room wayfinding signs reduces confusion and helps motorists navigate to the appropriate hospital wing more quickly and efficiently.**

AND,

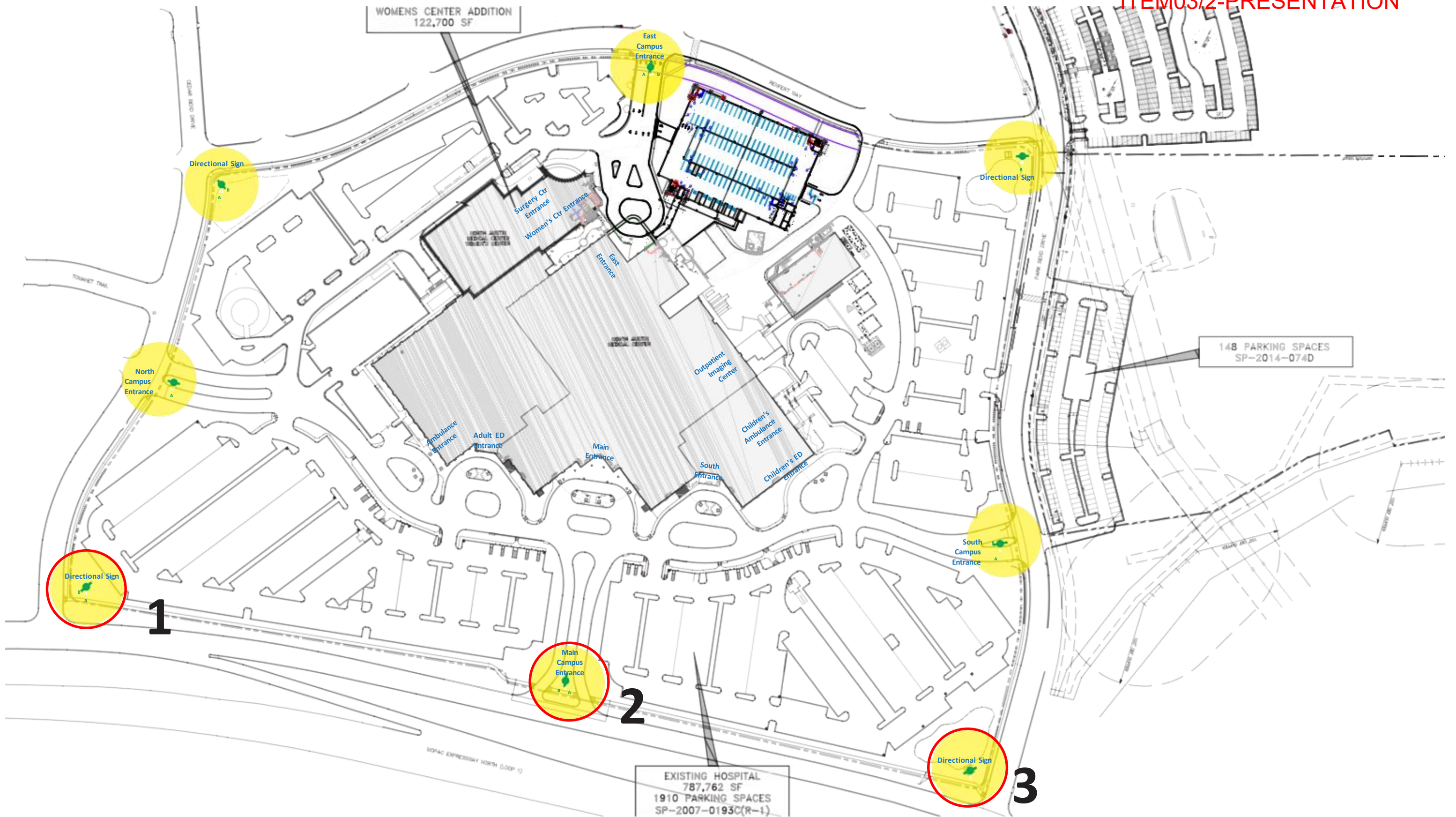
4. Granting a variance would not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated, because: N/A



Elaine Ramirez  
Executive Liaison

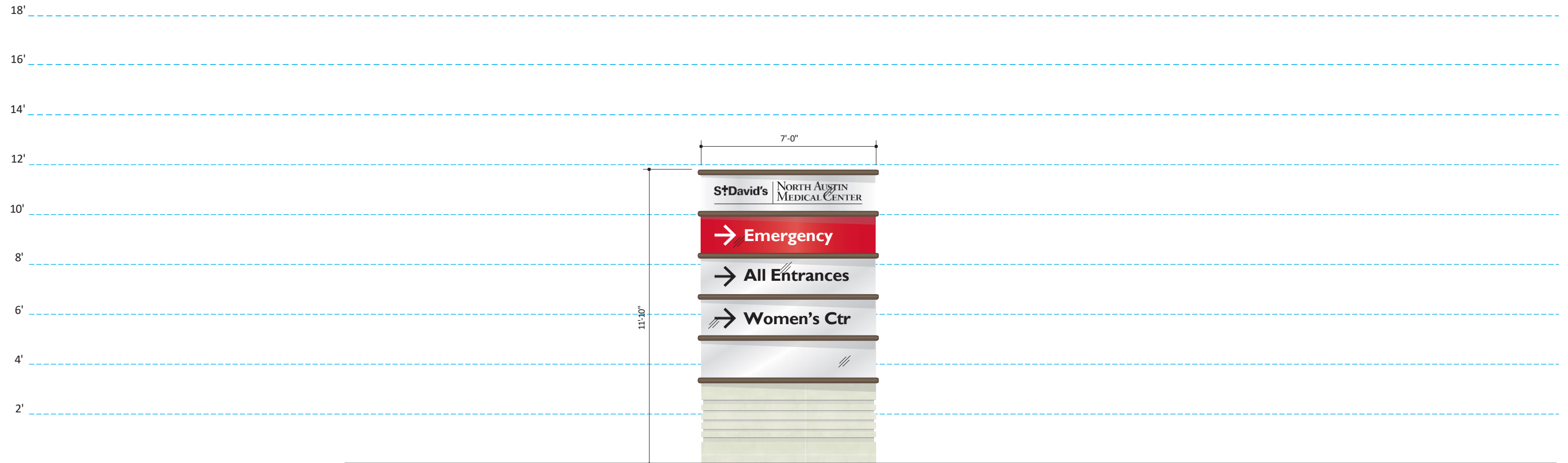
Diana Ramirez for

Jessica Cohen  
Madam Chair



|   |   |
|---|---|
| <b>Allowable:</b>   | <b>Proposed:</b>  |
| Height:<br>12'-0"   | Height:<br>11'-10"  |
| Square Footage:<br>64 sf  | Square Footage:<br>58 sf  |
| Illumination:<br>No internal face illumination  | Illumination:<br><i>*Internal face illumination</i>   |
| Set Back:<br>At least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. | Set Back:<br><i>3 feet from curb in the right-of-way; 0 feet from the right-of-way.</i><br><i>*Red Text = Proposed design does not meet current code requirements</i> |

**LOCATION 1:**  
Directional at Mopac and Cedar Bend



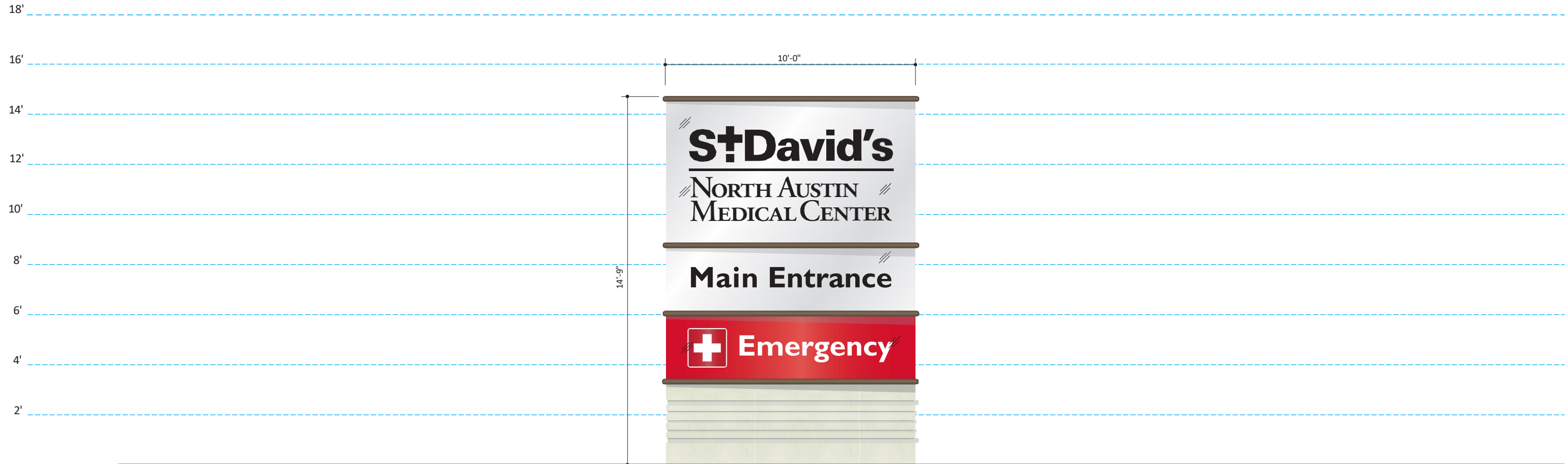
**LOCATION 1:**  
Directional at Mopac and Cedar Bend

**LOCATION 2:**  
Main Entrance Monument

|   |   |
|---|---|
| <b>Allowable:</b>   | <b>Proposed:</b>  |
| Height:<br>12'-0"   | Height:<br><b>*14'-9"</b>   |
| Square Footage:<br>64 sf  | Square Footage:<br><b>*111 sf</b>   |
| Illumination:<br>No internal face illumination  | Illumination:<br><b>*Internal face illumination</b>   |
| Set Back:<br>At least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. | Set Back:<br><b>3 feet from curb in the right-of-way; 0 feet from the right-of-way.</b><br><i>*Red Text = Proposed design does not meet current code requirements</i> |



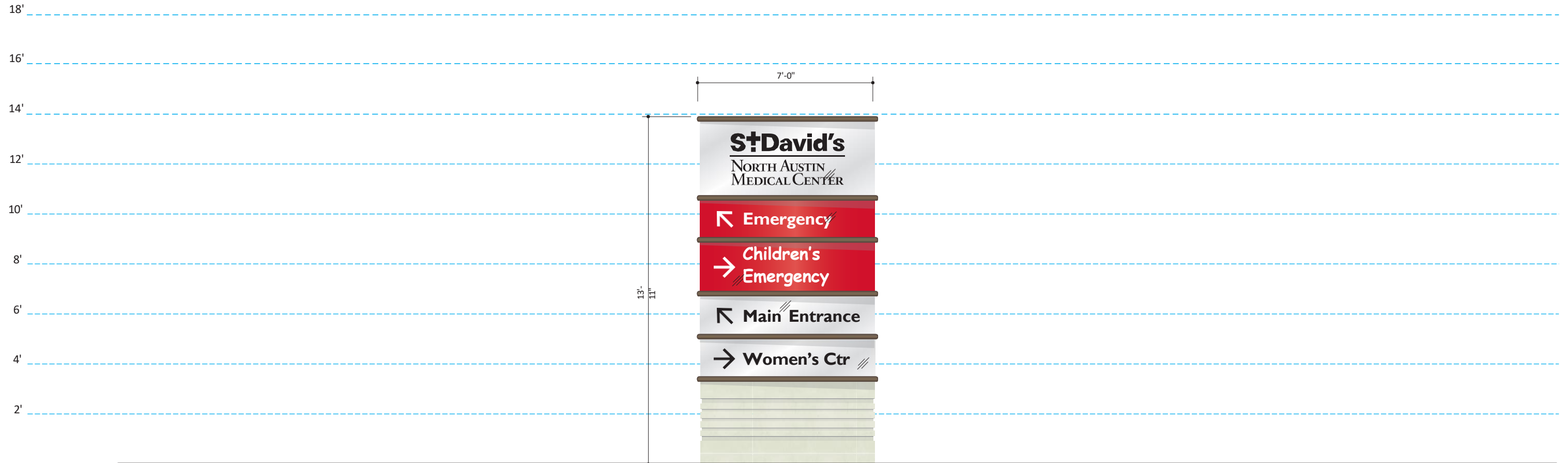
Existing Condition: 10'-10"(h) x 8'-7"(w)



**LOCATION 2:**  
Main Entrance Monument

|   |   |
|---|---|
| <b>Allowable:</b>   | <b>Proposed:</b>  |
| Height:<br>12'-0"   | Height:<br><b>*13'-11"</b>  |
| Square Footage:<br>64 sf  | Square Footage:<br><b>*66 sf</b>  |
| Illumination:<br>No internal face illumination  | Illumination:<br><b>*Internal face illumination</b>   |
| Set Back:<br>At least 12 feet from the street right-of-way, or at least 25 feet from street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. | Set Back:<br><b>3 feet from curb in the right-of-way; 0 feet from the right-of-way.</b><br><i>*Red Text = Proposed design does not meet current code requirements</i> |

**LOCATION 3:**  
Directional at Mopac and Park Bend



**LOCATION 3:**  
Directional at Mopac and Park Bend