

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: May 10, 2010

CASE NUMBER: C16-2010-0002

☒ Y Jeff Jack Motion to Postpone June 14, 2010
☒ Y Michael Von Ohlen
☒ Y Nora Salinas
☒ Y Bryan King
☒ Y Leane Heldenfels, Chairman
☐ Clarke Hammond, Vice Chairman (absent)
☒ Y Heidi Goebel
☒ Y Melissa Whaley Hawthorne (alternate) 2nd the Motion
☒ Y Cathy French

APPLICANT: Jim Bennett

OWNER: Schnip Company

ADDRESS: 9012 RESEARCH BLVD SB Bldg C

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-131 from three (existing) to four freestanding signs for an existing Retail use in an "LI", Limited Industrial zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Jeff Jack motion to postpone to June 14, 2010, Board Member Melissa Hawthorne second on an 8-0 vote; POSTPONED JUNE 14, 2010.

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,

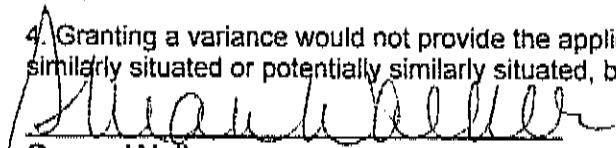
2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because:


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:


Susan Walker
Executive Liaison


Leane Heldenfels
Chairman

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C16-2010-0002 – 9012 Research
Contact: Susan Walker 974-2202
Public Hearing:
Sign Review Board, May 10, 2010

ADAM TURNER
Your Name (please print)

Western Neighborhood

Your address(es) affected by this application

[Signature] 10 May 2010
Date

Signature

Daytime Telephone: 512 784 9589

Comments: PLEASE See Attached letter
of objection

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2nd Floor
C/O Susan Walker
P. O. Box 1088
Austin, TX 78767-8810

City of Austin Planning and Development Review
% Susan Walker
PO Box 1088
Austin Tx 78767

C16-2010-0002 - 9012 Research

Objection to variance

To the Board of Adjustment/Sign Review Board,

As a resident of Wooten Park, I personally object to a free standing sign of the LED variety to be erected on Burnet Road. Generally, I support businesses and the needs of business to market themselves. However, this type of signage is substantially different than the majority of signage of Burnet Road at this time.

Further, in the evening, despite the ability to programatically 'dim down' the brightness of this type of sign, these signs are a significant distraction and safety hazard, especially when they are placed at eye-level such as this one.

The proposed sign will break the continuity of the neighborhood and create a safety hazard. Therefore, I respectfully request that this variance be turned down.

Thank you for your time and consideration,
Adam Turner
President of the Wooten Neighborhood Association
a_turner@att.net
512 784 9589

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact person listed on a notice); or*
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C16-2010-0002 - 9012 Research

Contact: Susan Walker 974-22202

Public Hearing:

Sign Review Board, May 10, 2010

PETER SOUTH POLAKIS CONSULTING

Your Name (please print)

201 POLAKIS AVE, AUSTIN 78757

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 413-3100

Comments: THIS IS FINE.

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 2nd Floor

C/O Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

CITY OF AUSTIN
APPLICATION TO SIGN REVIEW BOARD
SIGN VARIANCE

CASE # C16-2010-0002
TR-0245070701
ROW 16419666

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

PLEASE: TYPE AND COMPLETE ALL REQUESTED INFORMATION.

STREET ADDRESS: 9012 Research Blvd.

LEGAL DESCRIPTION: Subdivision - SCHNIP-1

Lot(s) A Block _____ Outlot _____ Division _____

I Jim Bennett as authorized agent for

SCHNIP CO. affirm that on 3/17 2010, hereby apply

for a hearing before the Sign Review Board for consideration:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN

A 4th freestanding sign providing for more than three free standing signs

in a LI zoning district, located within the Expressway Corridor Sign District.

If your variance request is for a reduction in setbacks or height limits, please contact Christine Esparza with the Electric Utility at 322-6112 before filing your application with this office to discuss your request. The Electric Utility will recommend the board deny your request if it will result in an encroachment into an electric easement or a NESC violation.

NOTE: 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 support documents.

VARIANCE FINDINGS: 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 a site such as its dimensions, landscaping, or topography, because: __

this site is located with frontage on Burnet Rd, and Research Blvd(U.S. Highway 183) and the buildings are located to the back of the lot, well away from the Burnet Rd entrance. The existing trees (landscaping) prevent the existing sign from being seen from southbound traffic on Burnet Rd.

OR,

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

the proposed sign is a low profile type sign that will not interfere with any other signs.

OR,

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

the proposed sign will allow proper advertising of the goods and services that are being offered by the businesses on this site and thereby help to reduce confusion of the motoring public.

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: _____

other properties do not have shared access and the trees blocking their signs.

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

Signed _____ Mail Address _____

City, State & Zip _____

Printed Name _____ Phone _____ Date _____

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

Signed _____ Mail Address _____

City, State & Zip _____

Printed Name _____ Phone _____ Date _____

VARIANCE FINDINGS: 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 a site such as its dimensions, landscaping, 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: _____

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

Signed Jim Bennett Mail Address 11505 Ridge Dr

City, State & Zip Austin, TX 78748

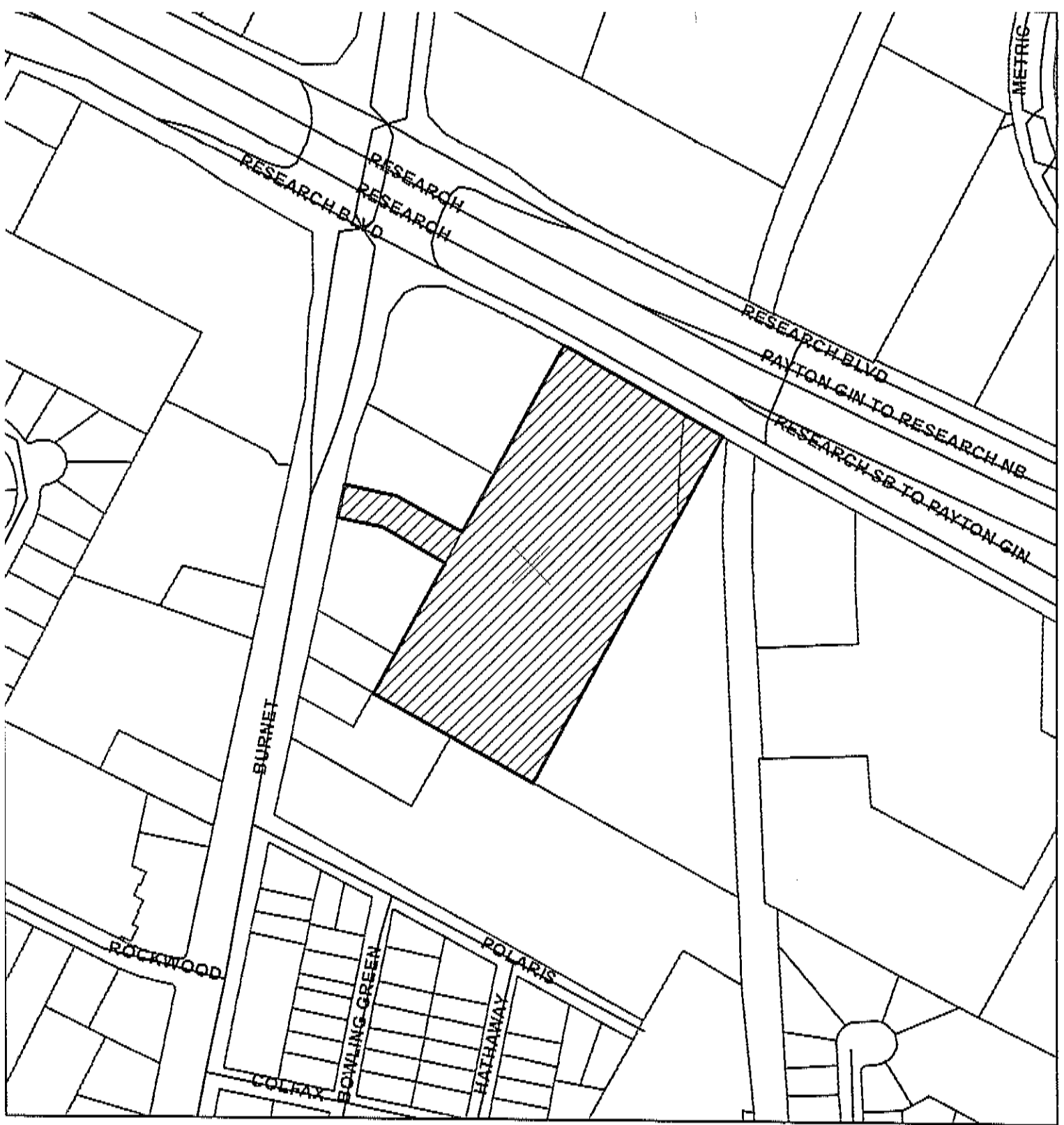
Printed Jim Bennett Phone 282-3079 Date 3/17/10

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

Signed David M. Mox Mail Address US Properties @ S. SHAW'S COVE

City, State & Zip NEW LONDON, CT. 06320

Printed _____ Phone 860-912-8777 Date 2/16/2010



Board of Adjustments

CASE#: C16-2010-0002
 ADDRESS: 9012 RESEARCH BLVD SB BLDG C
 GRID: K31
 MANAGER: SUSAN WALKER



 **SUBJECT TRACT**

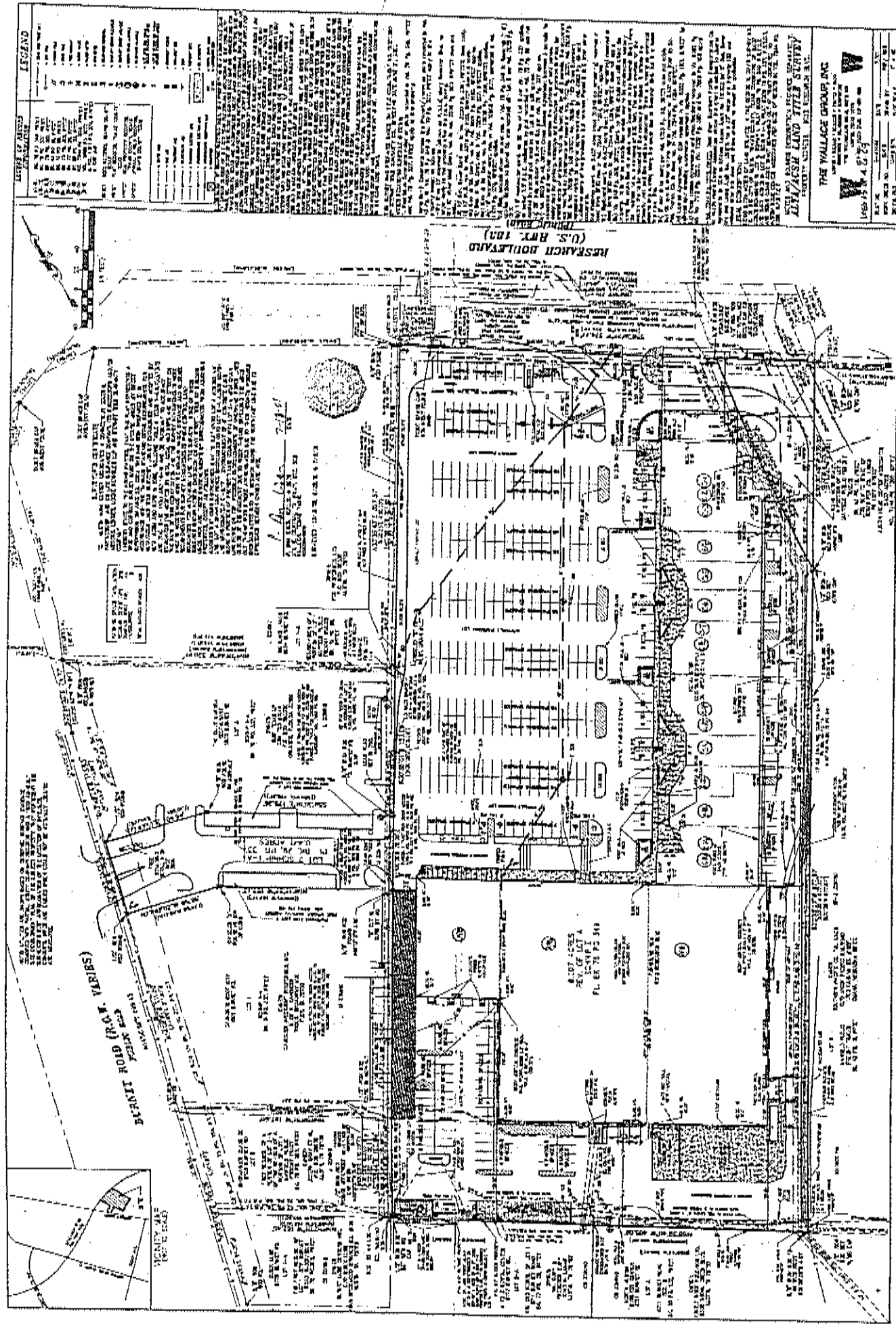
 **ZONING BOUNDARY**

1" = 300'

OPERATOR: R. PARKER

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

SL-2010-0002
942 Research Blvd.



acSLED
INCORPORATED

800-455-1955
Fax: 512-343-9211

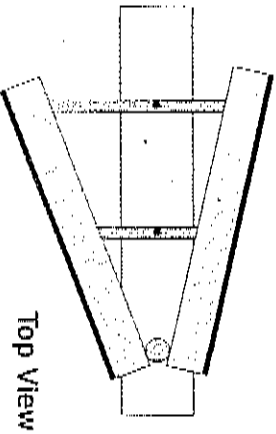
Lone Star Center
Austin, TX

27.3

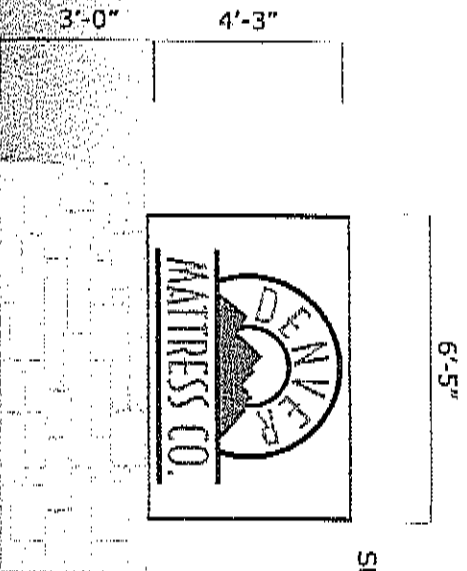
Drawing # 204896a

Approved By: _____

All sign design and concepts are not to be distributed
copied, or stored without written permission from AcSLED, Inc.
Date created: 10/25



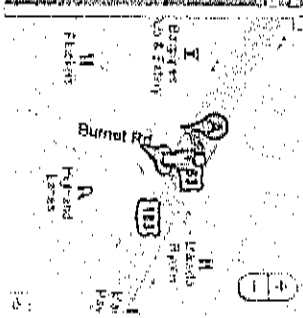
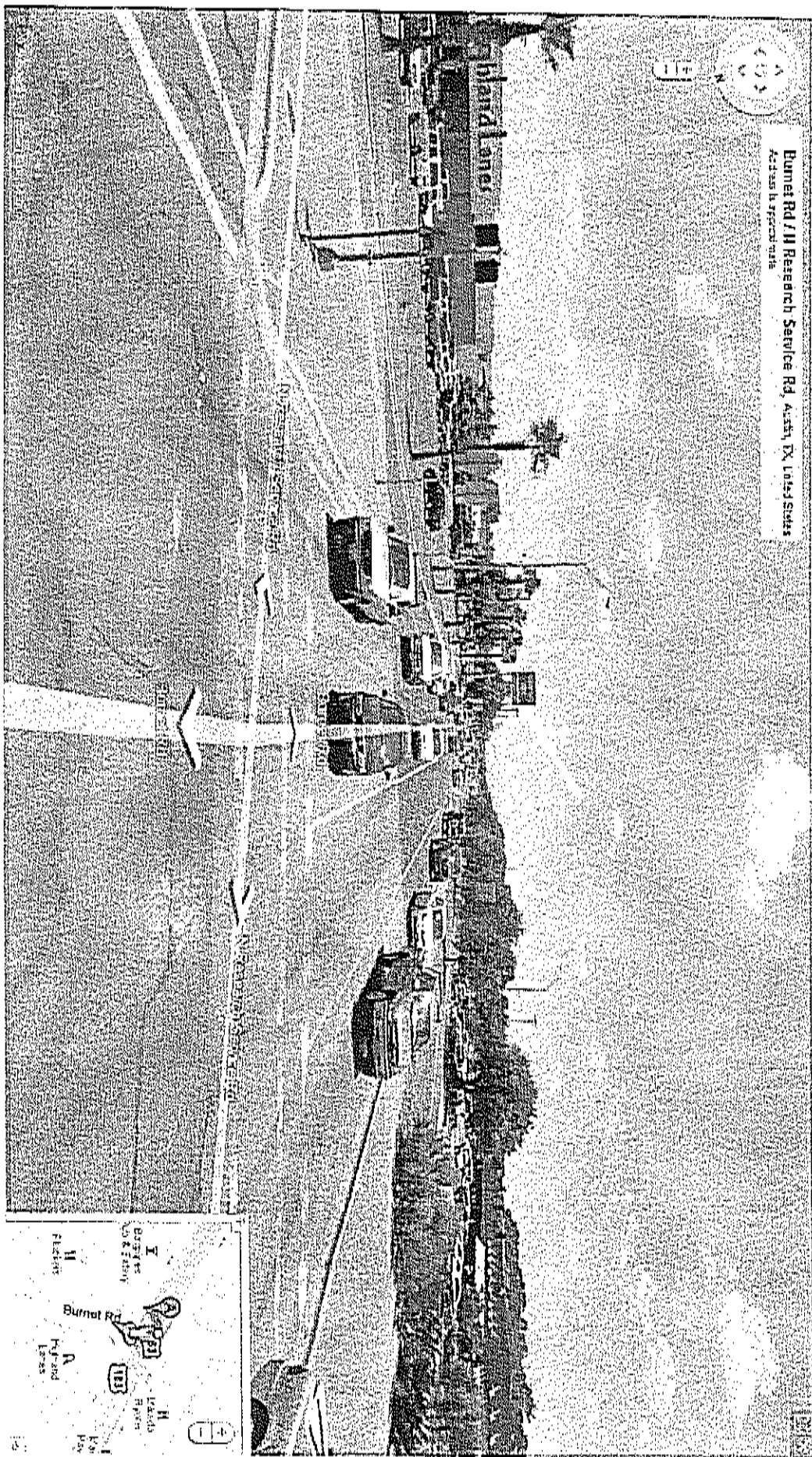
Top View



Stone Base by Others

TruColor Model# 816-6 Double-Sided

Burnet Rd / H Research Service Rd, Austin, TX 78751 State
 Ac 2 353 15 Approx 1916



3312 Burnet Rd, Austin, TX, United States
Address is not a route

