2008-078298 TR
8600 W. US 290 Hwy.

REQUEST FOR REVOCATION OF SIGN REGISTRATION AS PER § 25-10-236

The Code Compliance Department of the City of Austin respectfully requests and recommends that the Sign Review Board take the following action:

- Revoke off-premise sign registration 2009 112444 TR issued to Acme Partnership LLP, National Media Corporation, Curtis Ford, President and Director, General Partner for the sign at the location 2009 Airport Blvd;

for the following reasons:

- The sign registrant, Acme Partnership LLP, National Media Corporation, Curtis Ford, President and Director, General Partner, has violated applicable provisions of Austin City Code relating to registration and alteration of this sign.

The violations include:

(1) Fraud or deceit in registering the sign (Violation of 25-10-236(A)(1));
(2) Intentionally making a false or misleading material statement on the application for a sign installation permit or in providing facts to support the building official's determination that a particular sign is a nonconforming sign (Violation of 25-10-236(A)(4));
(3) Installing, moving, or structurally altering or repairing a sign in violation of the City's sign regulations (Violation of 25-10-236(5);

Based on my receipt, review, and analysis of documentation and information presented to the City by the sign registrant, and which I have attached to this statement and incorporate herein as further evidence in support of the City's determination of violations of applicable sign regulations by the registrant, I have determined that the registrant intentionally made false or misleading material statements and/or intentionally provided false or misleading factual information at time of application that the registrant intended to support and mislead the building official's determination that the sign in question is a nonconforming sign rather than illegal sign or an on premise sign; that the applicant in fact intentionally registered as a nonconforming/off-premise sign an on premise sign. Despite having conducted extensive research into the history of the sign in question, I have found no permit records indicating that the sign in question was ever registered with the City as a billboard, nonconforming sign, or off-premise sign prior to the registrant's application with the City, despite that a City registration requirement for such signs has been operative for well over ten years. Were the sign in question to have been legitimately a nonconforming off-premise sign in existence and use from the time when such signs obtained amnesty, this sign would have been continuously registered and was required to be registered from that time.

No permit record indicating City authorization for installation of sign in question has been found. Because of this sign's location in the extra territorial jurisdiction, a sign installation permit would not have been required for the sign if it was installed and maintained as an on-premise sign, further supporting the determination that the historical use and only legitimate authorization for this sign is for on premise advertising of a business or property located on the same lot as the sign.

I have reviewed applicable City records and determined that this sign does not appear on the City's 1999 inventory of billboards, although numerous actual off-premise signs on the same street as the subject sign do.

I have attached the following supporting documents as further evidence to support the Sign Review Board's consideration and determination of violations by the registrant:

- 2009 registrant's application for registration of the sign as a nonconforming sign made to the Code Compliance Department;

- Registrant provided photograph showing status of a structure at the stated location circa August 2009;

- Assembled photographs showing status of a structure at the stated location circa December 2009 with historic aerial images showing historic size of structure at the location, which demonstrates unauthorized alteration of the sign during time periods represented by the registrant as associated with the registrant's sign ownership.

On this date, the 4th of August, 2010, I, Charles Boas, of sound mind and legal age, do hereby swear or affirm that the information provided above is true and correct to the best of my knowledge and belief.

Charles Boas
Registered Code Enforcement Inspector
City of Austin Code Compliance
Department

CODE ENFORCEMENT DIVISION

2009 OFF-PREMISE SIGN REGISTRATION FORM - CITY OF AUSTIN
SOLID WASTE SERVICES DEPARTMENT, CODE ENFORCEMENT DIVISION

Section 25-10-152 of the Land Development Code requires sign owners to annually register all off-premise signs (aka billboards). **Registration of the sign is not proof that the sign was legally permitted and installed**. The following information is ***required*** to register an off-premise sign.

Sign Location:

Address: 2009 AIRPORT BLVD AUSTIN, TX 78722
Legal Description: Lot 1 OLT 50 DIV B McDONALD SUBD. CEN 107 Ft Lot 3-A OLT 50 DIV A Delores SUBD
Tax Parcel ID #: 204450
Longitude/Latitude: N 30.28377 / W 97.70450
TXDOT Permit #: (if applicable)
Setback from property line 8 Feet

Sign Description:

Total Height of sign: 30 Feet
Sign Face Dimensions: 28' X 22'
Total # of sign faces: 2
# of sign trifold faces:
Date of permit for trifold conversion/construction
Facing Materials: WOOD FRAME & VINYL
# of Poles: 3
Pole Construction Material: CRESSO

Sign Illumination:

☐ not illuminated
☑ not Energy Efficient/Dark Skies Compliant
Date of Energy Efficient/Dark Skies Compliant conversion permit.

Property Owner:

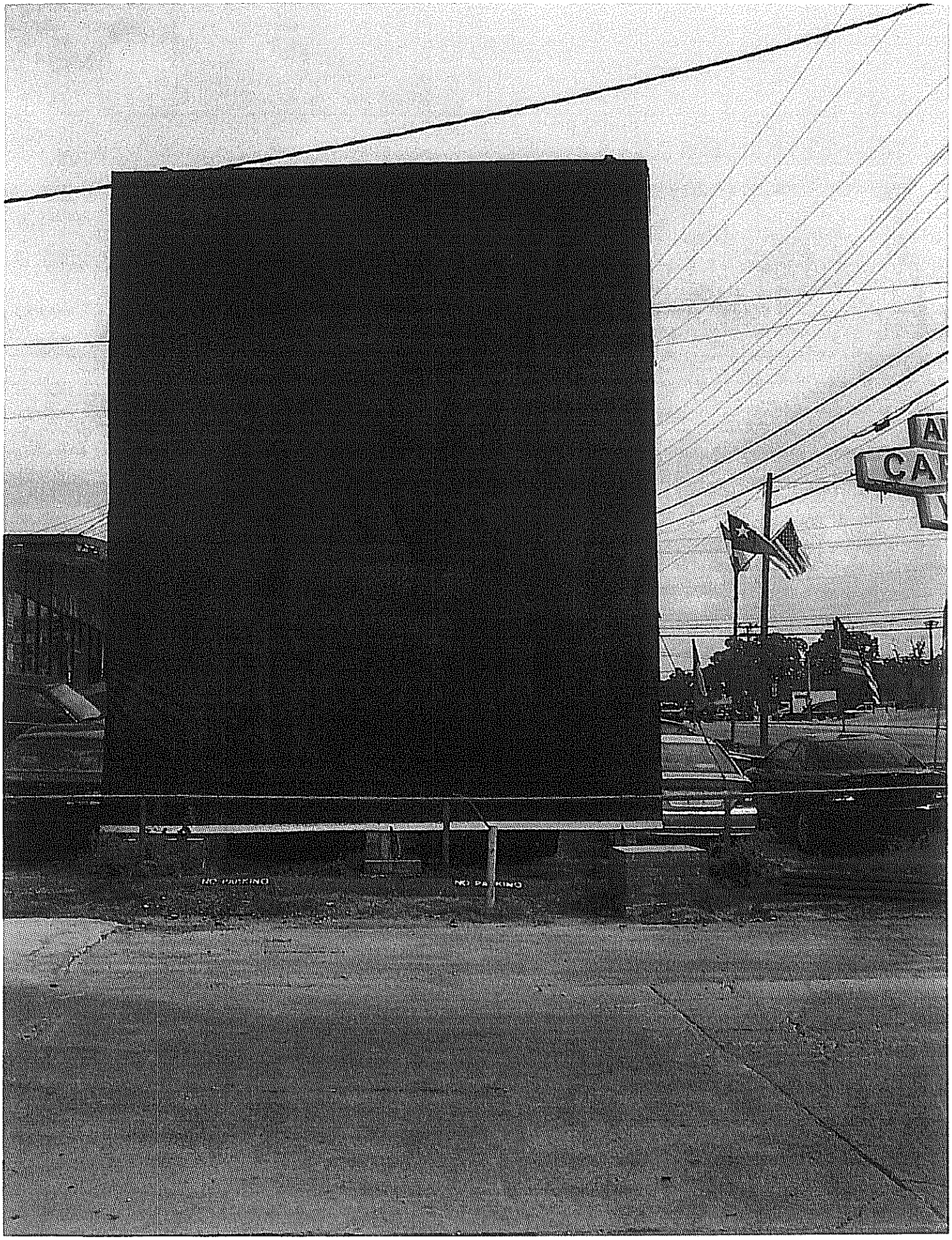
Name HALL LEVEL & MANUFACTURING WORKS
Mailing Address 1404 E. 5th ST
City, State, Zip AUSTIN, TX 78702
Email Address
Phone No. 512-797-3467
Fax No.

Sign Owner:

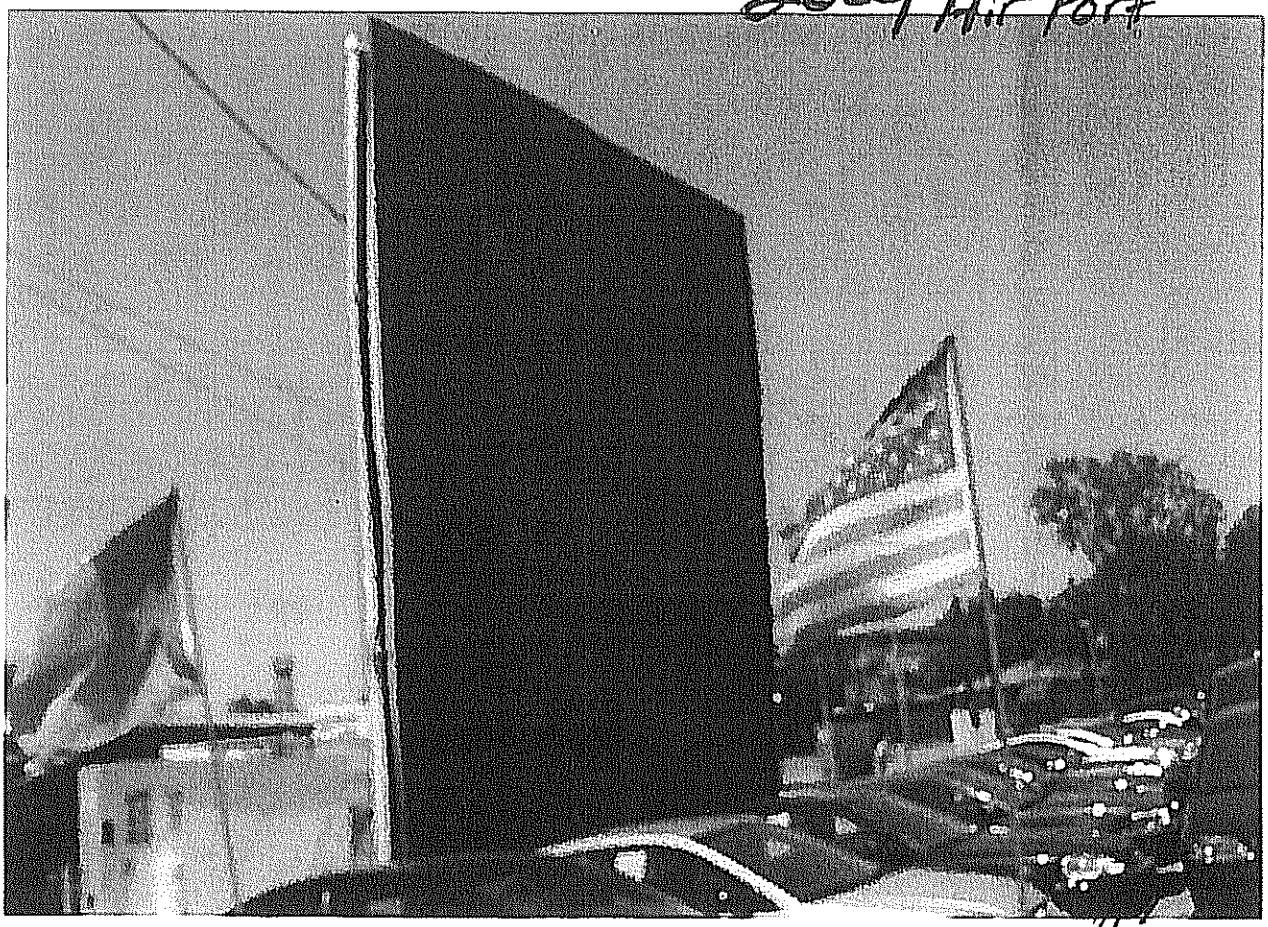
Name Acme PARTNERSHIP L.P.
Agent/Contact Person RANDY FLEMING
Address 3701 Bee CAVE ROAD SU101
City, State, Zip AUSTIN, TX 78746
Email Address randyf@mediachoice.com
Phone 979-966-2185
Fax 512-693-9904
Signature of Sign Owner/Responsible Party

Bill to:

Name Acme PARTNERSHIP L.P.
Mailing Address 3701 Bee CAVE ROAD SU 101
City, State, Zip AUSTIN, TX 78746


NO PARKING
NO PARKING

2009 Air Port



2009 Airport Blvd
Case 2009 085934 CV & 2009 112444 TR

12/03/2009
Investigator C Boas

circa 1997
2009 Airport Blvd

circa 2003
2009 Airport Blvd

circa 2006
2009 Airport Blvd

circa 2009
2009 Airport Blvd