CASE # C18-2010-0005
ROW-10577731
TP-0262000302

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
SIGN VARIANCE

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

PLEASE: PRINT OR TYPE; USE BLACK INK; AND COMPLETE ALL REQUESTED INFORMATION.

STREET ADDRESS: 5301 W. Duval Rd

LEGAL DESCRIPTION: Subdivision – Fort Addition, Amended Plat of

Lot(s) 2, A Block _____ Outlot _____ Division Hood & Pendergrass

I/We Mark Pullin on behalf of myself/ourselves as authorized agent for Windsor Nursing + Rehab affirm that on 8-1, 2010, hereby apply for a hearing before the Board of Adjustment for consideration:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

Erect third pylon sign on property

in a GO-CO zoning district.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. In order to grant your requeste 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:

See attached document

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:

N/A

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:

See attached document

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 [signature] Mail Address 116 Beechwood

City, State & Zip Victoria, TX 77901

Printed Mark Pullin Phone (361)575-5731 Date txsignshop@suddenlink.net

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 _____ Phone_____ Date_____

TX Sign Shop – Sign Variance

Variance Findings:

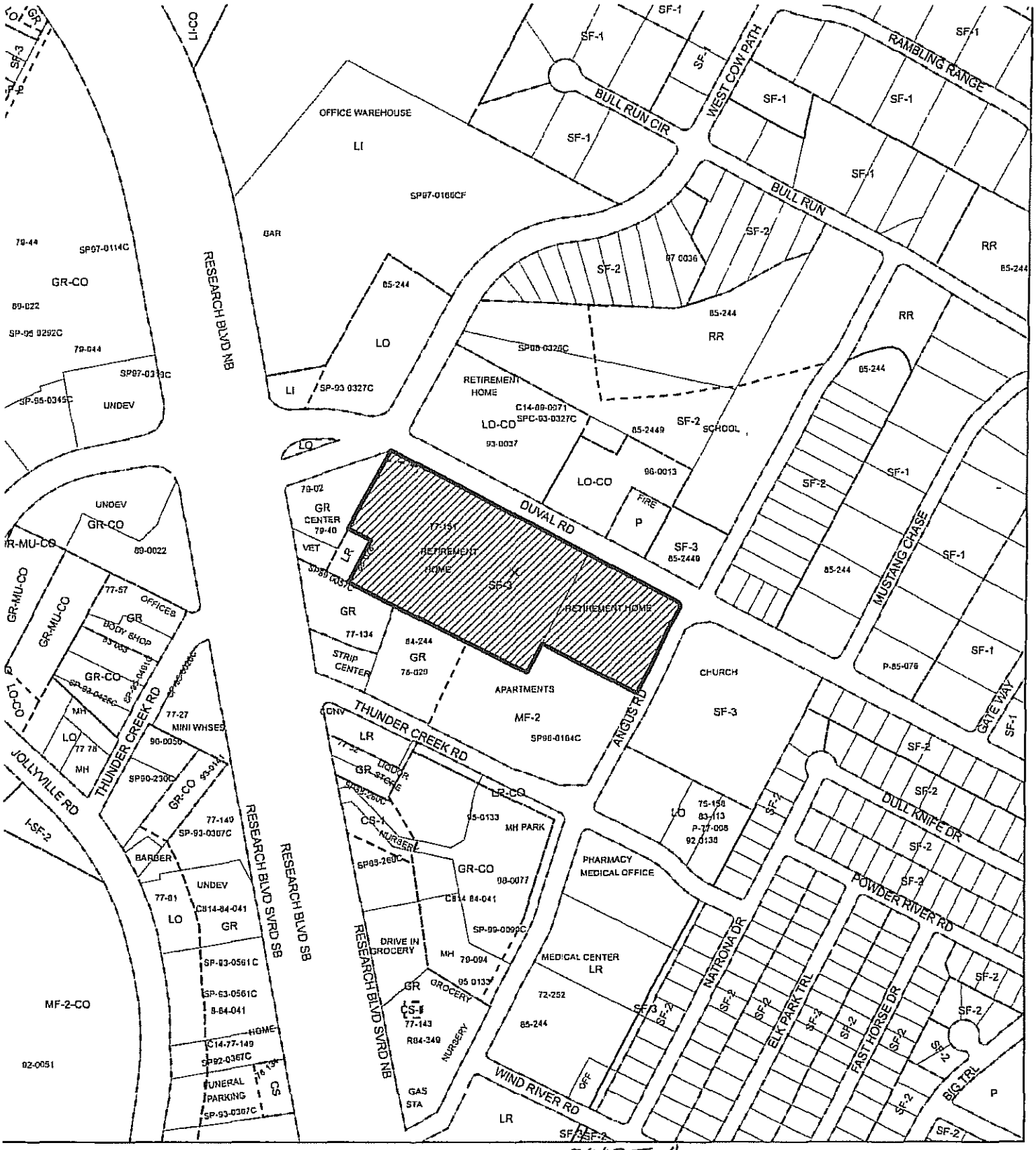
1. The variance is necessary because strict enforcement of the Article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping, or topography, because:

   A. **The property is unique due to its extreme length bordering Duval Road as well as Angus St. The property is 1056'/feet long on Duval Road and 325'/feet on Angus St.**
   B. **The property is also unique in its use as there are three (3) separate entities in operation on the lot. Access to each pod or building is restricted with security type access so the general public will not be able to access the other two (2) pods when entering the first. The pods are separate in their operations as the first on the Angus Street end is corporate offices and doctor/nursing offices. The second pod is utilized for the nursing and rehabilitation center and the third pod on the Hwy 183 end is used for assisted living.**
   C. **It is necessary for each individual part of the facility to maintain identification for ease of public direction. The third sign (proposed) will be strictly for use by the corporate office/doctors' offices with no identification for the nursing and rehabilitation. This will keep public traffic from entering the corporate side of the facility and eliminate confusion.**
   D. **The unique use of three (3) separate operations on this property does not allow for special privileges but grants each operation their own identification.**

AND,

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

   A. **The unique use of three (3) separate operations on this property does not allow for special privileges but grants each operation their own identification.**



ZONING EXHIBIT A

N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR. S MEEKS

1" = 400'

ZONING CASE# C14-2008-0064
ADDRESS 5301 DUVAL RD
SUBJECT AREA 9.117 ACRES
GRID J35
MANAGER S. SIRWAITIS

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

City of Austin
One Texas Center, 505 Barton Springs Rd. Austin, Texas 78704
P.O. Box 1088 Austin, Texas 78767
Phone: (512) 974-2797 Fax: (512) 974-3327

LAND INFORMATION ADDRESSING SERVICE
CITY SERVICE ADDRESS VALIDATION

Date: *June 2, 2010*

The Following Is A Valid Address:

Address : 5301 DUVAL RD

City : AUSTIN, TX

*Please contact the United States Postal Service or go to www.usps.com for the correct zip code for this address.

Legal Description:

Subdivision : FORT ADDITION, AMENDED PLAT OF LOT 2, AND LOT A, OF HOOD AND PENDERGRAS SUBDIVI

Block ID :

Lot ID : A

Tax parcel ID : 0262000301

ROW ID # 308420

Jurisdiction:

AUSTIN FULL PURPOSE

County:

TRAVIS

Comments:

Signed: Kelly Delisio

KELLY DELISIO

SP-93-0327C
3LO
COW
RETIREMENT
HOME
C14-89-0071
SPC-93-0327C
LO-CO
93-0037
RR
NORTHWEST ELEMENTARY
SCHOOL
SF-2
85-2449
LO
2
96-0013
FIRE
STATION
SCHOOL
SF-3
85-2449
DUVAL
5301 Duval
79-02
SP88-0283
RETAIL
CENTER
79-40
VET.
LR
88-078
77-151
RETIREMENT
HOME
A
GO-CO
SP89-0057C
RETAIL CENTER
2-A
GR
77-134
2008-0064
RETIREMENT HOME
1
84-244
APARTMENTS
78-029
STRIP
CENTER
RESEARCH BLVD
THUNDER CREEK
CONV.
STORE
LR
LR-CO
APARTMENTS
LOT B MF-2
SP96-0164C
ANGUS
CHURCH
SF-3
75-252
SF-2
SF-1
85-244
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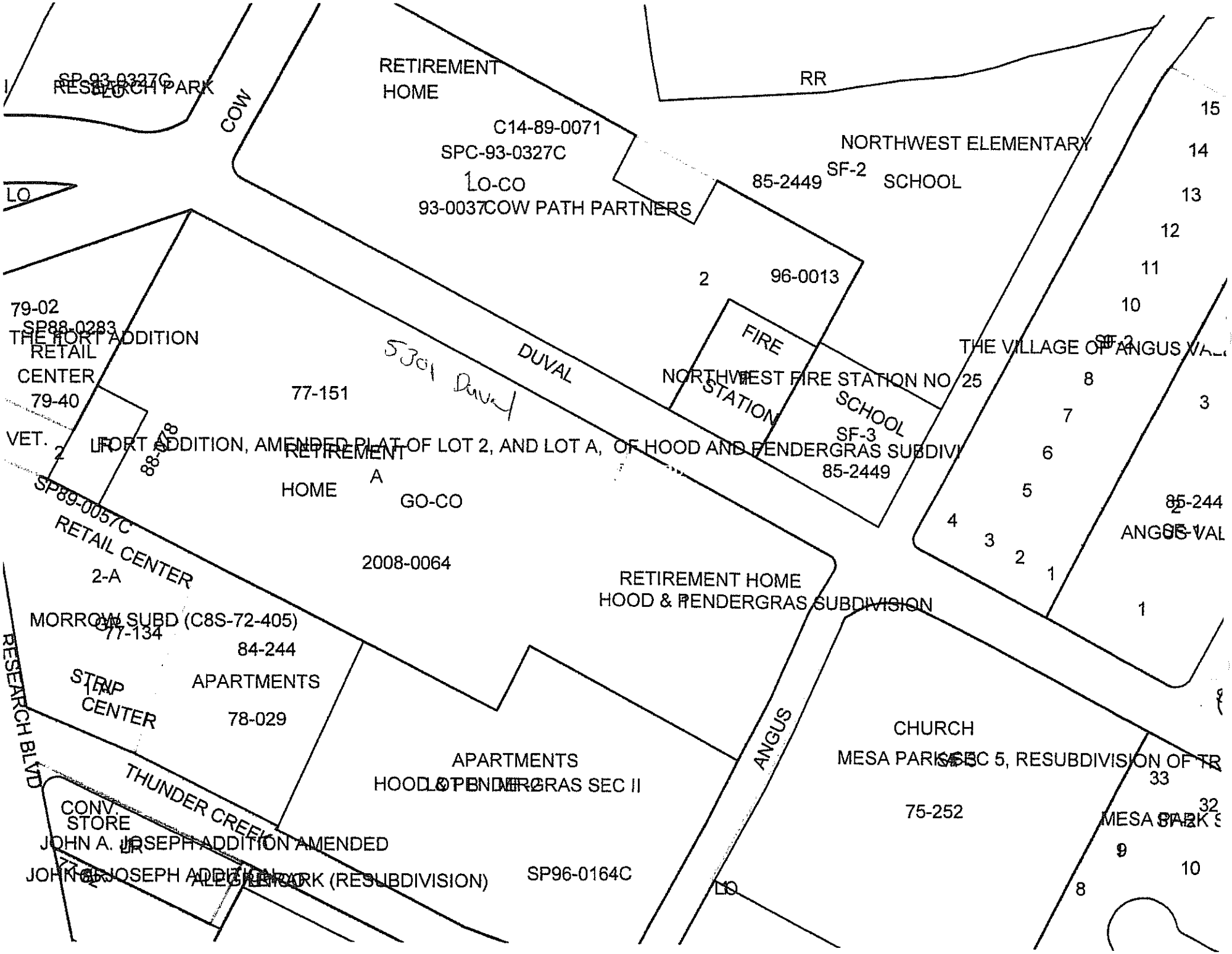

RESEARCH PARK
SP-93-0327C
COW
RETIREMENT HOME
C14-89-0071
SPC-93-0327C
LO-CO
93-0037
COW PATH PARTNERS
RR
NORTHWEST ELEMENTARY SCHOOL
SF-2
85-2449
15
14
13
12
11
10
2
96-0013
79-02
SP88-0283
THE FORT ADDITION
RETAIL CENTER
79-40
VET.
2
LR
88-078
77-151
5301 Duval
DUVAL
FIRE STATION
NORTHWEST FIRE STATION NO 25
SCHOOL
SF-3
85-2449
THE VILLAGE OF ANGUS VAL
SF-2
8
7
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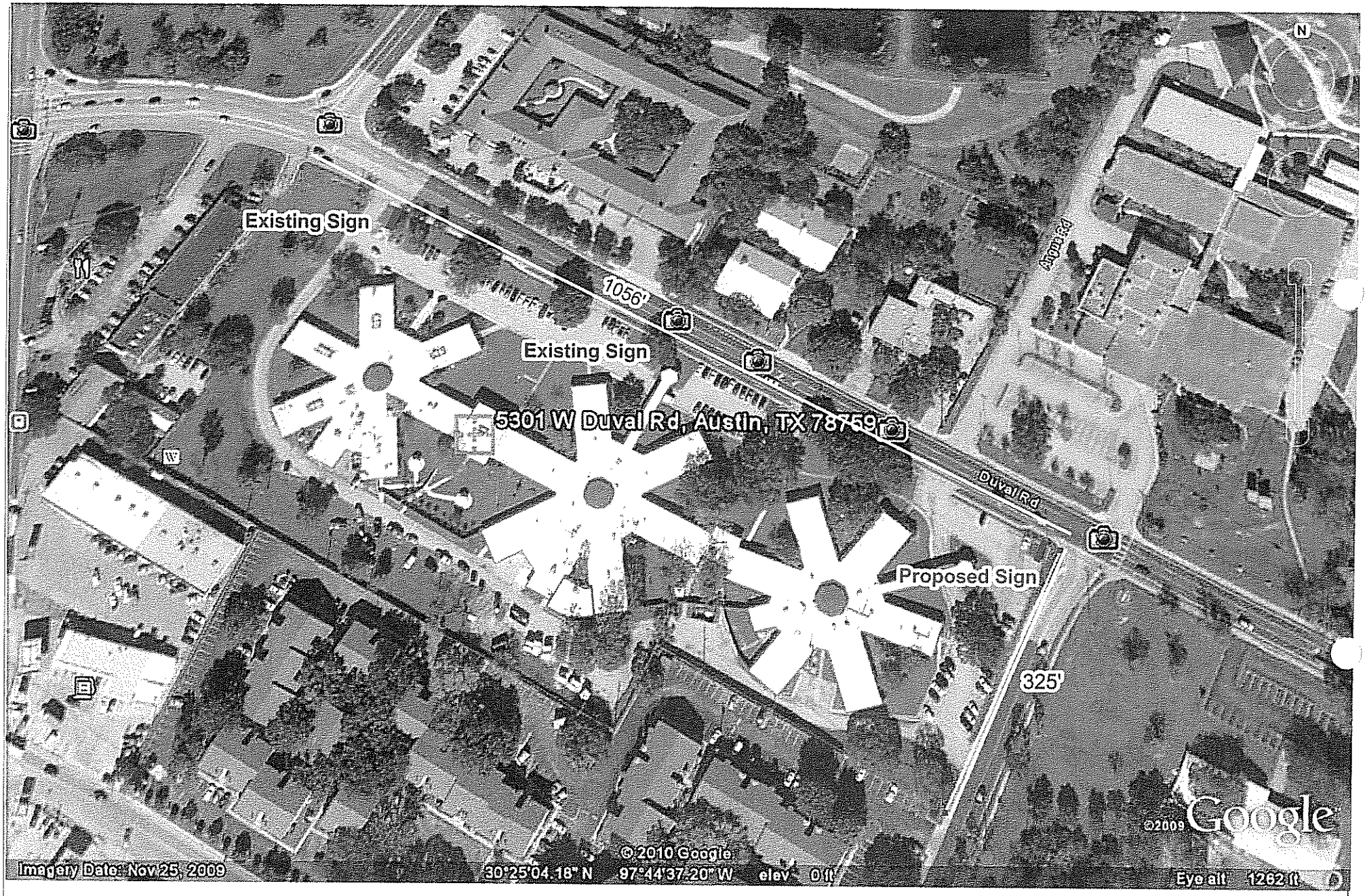
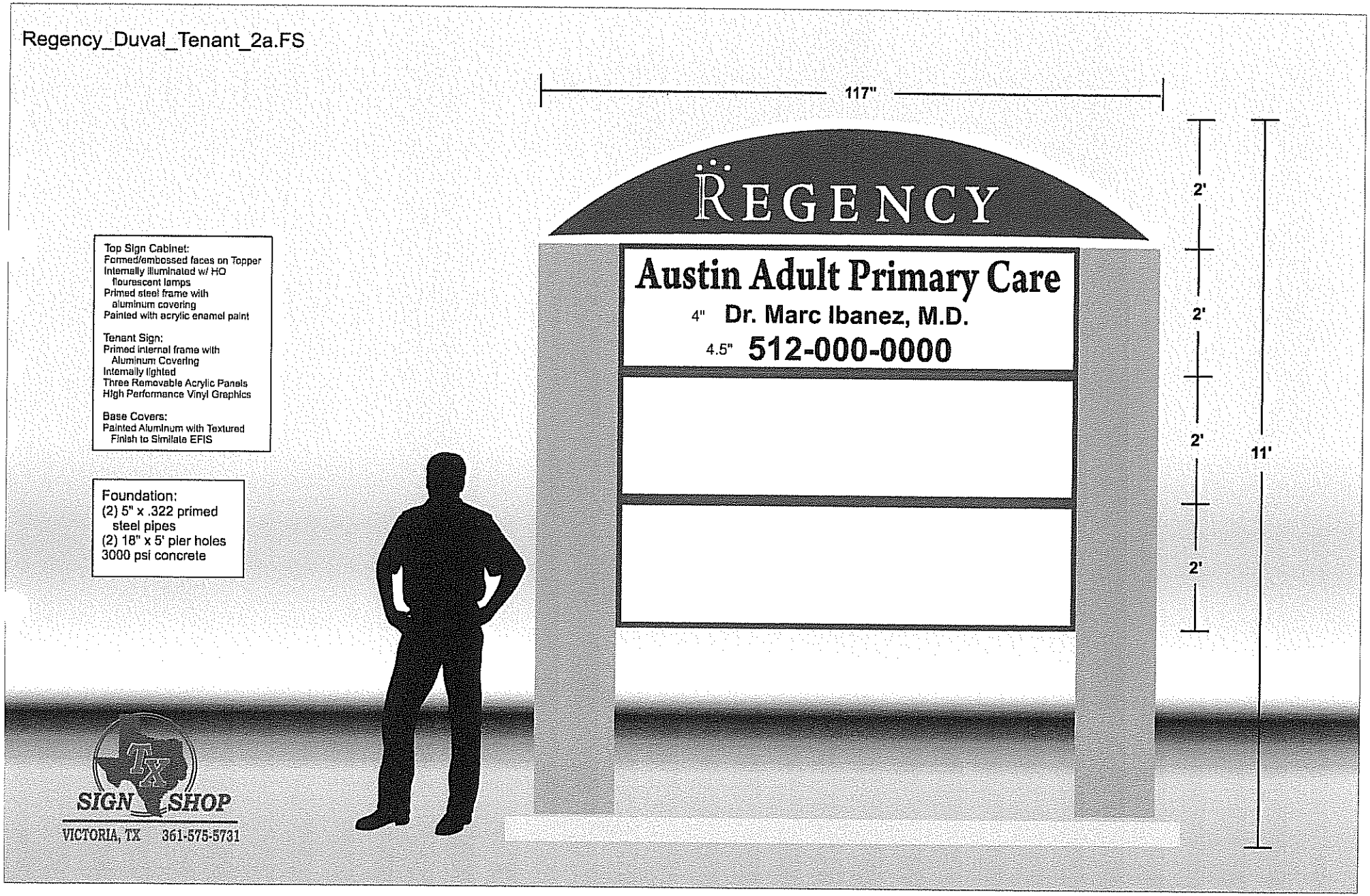
2
1
3
85-244
ANGUS VAL
FORT ADDITION, AMENDED PLAT OF LOT 2, AND LOT A, OF HOOD AND PENDERGRAS SUBDIVI
RETIREMENT HOME
A
GO-CO
2008-0064
SP89-0057C
RETAIL CENTER
2-A
MORROW SUBD (C8S-72-405)
77-134
84-244
APARTMENTS
78-029
STRIP CENTER
RESEARCH BLVD
RETIREMENT HOME
HOOD & PENDERGRAS SUBDIVISION
1
ANGUS
CHURCH
MESA PARK SEC 5, RESUBDIVISION OF TR
75-252
33
32
MESA PARK S
9
10
8
APARTMENTS
HOOD & PENDERGRAS SEC II
THUNDER CREEK
CONV. STORE
JOHN A. JOSEPH ADDITION AMENDED
JOHN A. JOSEPH ADDITION
ALEGRE PARK (RESUBDIVISION)
SP96-0164C
LO


Existing Sign
1056'
Existing Sign
5301 W Duval Rd, Austin, TX 78759
Duval Rd
Proposed Sign
325'
Airport Rd
N
©2009 Google
Imagery Date: Nov 25, 2009
30°25'04.18" N 97°44'37.20" W elev 0 ft
© 2010 Google
Eye alt 1262 ft

Regency_Duval_Tenant_2a.FS



Watershed Protection and Development Review Department

APPLICATION FOR SIGN PERMIT

(PLEASE PRINT)

ONLY COMPLETE APPLICATIONS WITH ALL REQUIRED DOCUMENTS WILL BE ACCEPTED

APPLICATION DATE:

CASE NUMBER: 10-065028

ADDRESS OF SIGN: 5301-1 West Duval Rd.	LEGAL DESCRIPTION TAX PARCEL I.D.#: 780573	LOT	BLOCK
SIGN OWNER: Windsor Nursing & Rehab 5446429	SUBDIVISION:		
SIGN COMPANY: Tx Sign Shop	CONTACT: Mark Pullin	PHONE: 361-575-5731	FAX: 361-485-0199
SIGN COMPANY'S ADDRESS: (ADDRESS/CITY/ST/ZIP) 116 Beechwood - Victoria, Tx 77901		EMAIL: txsignshop@suddenlink.net	
PROPOSED ADVERTISEMENT: Windsor Nursing + Rehab		ELEVATION (CIRCLE ONE): NORTH SOUTH EAST WEST	
DESCRIPTION OF WORK TO BE DONE: Install (one) 8'9" x 8' sign on Property. OAH: 11'			

WALL SIGN (BUILDING, CANOPY, AWNING)

SIGN FACE DIMENSIONS:	TOTAL SIGN FACE AREA OF THIS PERMIT:	TOTAL AREA OF EXISTING SIGNS ON FACADE:
DIMENSIONS OF BUILDING FAÇADE (WIDTH X HEIGHT):	ELECTRIC SIGN : YES/NO (NOTE: IF YES, ELECTRIC PERMIT IS REQUIRED BEFORE ISSUANCE OF SIGN INSTALLATION PERMIT)	

FREESTANDING SIGN, ROOF SIGN, PROJECTING SIGN

SIGN FACE DIMENSIONS: 105" x 96"	TOTAL SIGN FACE AREA OF THIS PERMIT: 60 sq ft.		TOTAL HEIGHT OF SIGN: 11'
SETBACK OF SIGN? (DISTANCE FROM SIGN TO PROPERTY LINE): 5'	CLEARANCE ABOVE GRADE: 6'6"	LINEAR FEET OF STREET FRONTAGE: 900-1000'	NUMBER OF OTHER FREESTANDING SIGNS ON THIS PROPERTY: 1 (~~2 (Duval)~~)
IS THIS A PAD SITE? YES / NO NO	ROOF SIGN? YES/NO	ELEC? YES NO	SIZE OF EACH SIGN SUPPORT? (POLE, COLUMN, ETC.): Pole - 5.5" Column - 15"
REGISTERED BILLBOARD (OFF-PREMISE) SIGN? YES/NO	ELECTRIC SIGN : YES/NO (NOTE: IF YES, ELECTRIC PERMIT IS REQUIRED BEFORE ISSUANCE OF SIGN INSTALLATION PERMIT		

WILL PROPOSED SIGN BE LOCATED WITHIN A P.U.E.? YES/NO *IF YES, THE HOLDER OF THE PUBLIC EASEMENT MUST BE CONTACTED FOR CLEARANCE*

NOTE: ***SIGNS MUST MAINTAIN HORIZONTAL AND VERTICAL CLEARANCE OF ALL OVERHEAD ELECTRICAL CONDUCTORS IN ACCORDANCE WITH SPECIFICATIONS OF THE NATIONAL ELECTRICAL CODE, LOCAL CODE AMENDMENTS, AND ALL OTHER APPLICABLE LAWS***

(SIGNATURES IN THESE BLANKS INDICATE THAT THE PROPERTY OWNER IS AWARE OF THE APPLICATION FOR A SIGN PERMIT AND THAT ALL OF THE ABOVE INFORMATION IS TRUE AND CORRECT)

Mark Pullin — *SIGNATURE OF SIGN COMPANY REPRESENTATIVE*

Mark Pullin LIC# 27365 — *SIGNATURE OF LICENSE ELECTRICIAN (REQUIRED FOR ELECTRICAL SIGNS)*
AUTHORIZATION FOR SIGN COMPANY TO PULL ELECTRIC PERMIT? YES/NO

DEPARTMENT USE ONLY

PERMIT FEE: 77	ELECTRIC PERMIT FEE: 23	PLAN REVIEW FEE:	DATE:	RECEIPT#
GRID:	ZONING: CO-CO	ENGINEERING SEAL REQUIRED? YES/NO	SIGN DISTRICT: Commercial	

REMARKS:

taking the Middle sign down until they can get a variance

☒ APPROVE ☐ DISAPPROVE	ZONING REVIEW ANALYST:	DATE 7/29/10
UPDATE SUBMITTAL DATE: ☐ APPROVE ☐ DISAPPROVE	ZONING REVIEW ANALYST:	DATE

09/14/00cr

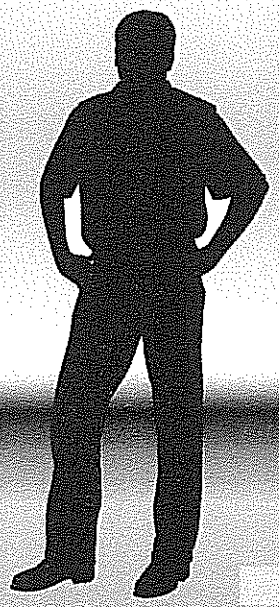
Regency_Duval_Tenant_2a.FS

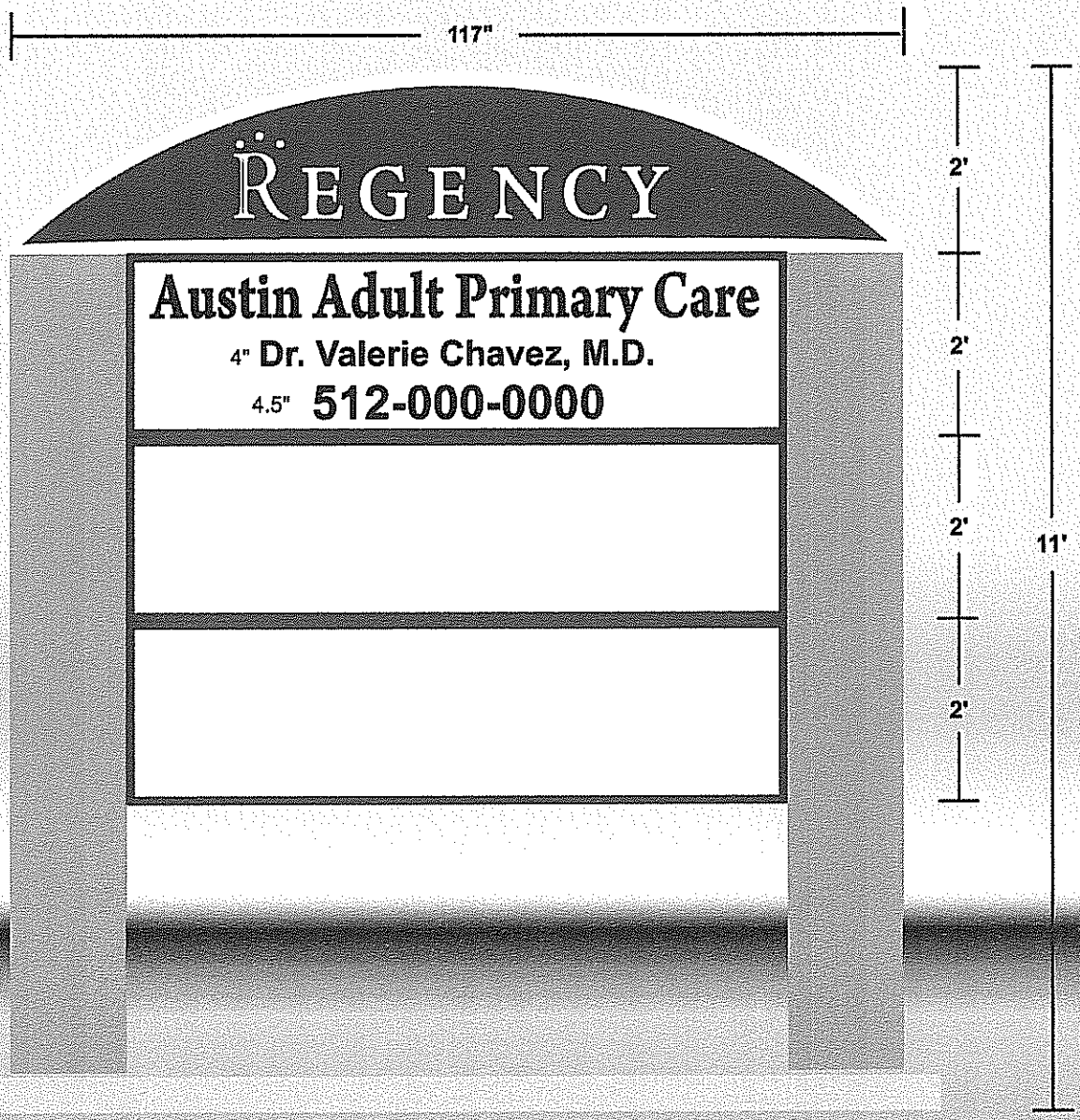
Top Sign Cabinet:
Formed/embossed faces on Topper
Internally illuminated w/ HO fluorescent lamps
Primed steel frame with aluminum covering
Painted with acrylic enamel paint

Tenant Sign:
Primed internal frame with Aluminum Covering
Internally lighted
Three Removable Acrylic Panels
High Performance Vinyl Graphics

Base Covers:
Painted Aluminum with Textured Finish to Similate EFIS

Foundation:
(2) 5" x .322 primed steel pipes
(2) 18" x 5' pier holes
3000 psi concrete





SIGN SHOP
VICTORIA, TX 361-575-5731

Date:	7/14/10	City, State:	Austin, TX	SHEET:	1 OF 3
Client:	TX Sign Shop	Overall Height:	11'-0"		Sean M. McFarland, PE
Sign:	Regency	Wind Speed	90 mph		McFarland Engineering

Sign Description **5901 West Duval Rd**

Columns: 2

ME Job: 10-18990

Footing May Be Topped Off Up To 6" Below Grade.

Height: 4'-0"

Width: 9'-9"

Table of Contents

Content:	Page
Design Loads	1
Support Design	1-2
Foundation Design / General Notes	3
Design Drawing	(Numbered Separately)

Structural Variables and Code Loading Specifications

Cabinet Type:	Miscellaneous	Code:	2006 IBC
Structural Section:	Steel Pipe - 35000psi	Wind Speed:	90
Number of Zones:	3	Wind Exposure:	C

Wind Loads Per ASCE 7-05

JUL 14 2010

Sign Sections:

Zone	Cabinet Wt. Per Sq. Ft.	Weight	Transition (Y or N)
1	15	14.6 #/FT	
2	20	14.6 #/FT	
3	5	14.6 #/FT	y
4	0		
5	0		
6	0		
7	0		
8	0		

STATE OF TEXAS
SEAN M. McFARLAND
88579
LICENSED
PROFESSIONAL ENGINEER

State License: Texas - 88579

License Expires JUN 30 2011

Geometry:

Zone	Top Elevation	Height	* Approx. Width Width	Pressure	Force	Approx. Weight
1	11.50 FT	1.50 FT	4.88 FT*	26.21 PSF	0.19 K	154 #
2	10.00 FT	6.00 FT	9.75 FT	26.21 PSF	1.53 K	1,345 #
3	4.00 FT	3.50 FT	1.67 FT	19.66 PSF	0.11 K	132 #
4						
5						
6						
7						
8						
				Total Wind Force =	1.84 K	1,630 #

Sean M. McFarland, P.E. • Phone (281) 813-7439
5555 Fellowship Lane • Spring, TX 77379

Date:	7/14/10	City, State:	Austin, TX	SHEET: 2 OF 3
Client:	TX Sign Shop	Overall Height:	11'-0"	Sean M. McFarland, PE
Sign:	Regency	Wind Speed	90 mph	McFarland Engineering

Moments at Transitions:

Zone	Lateral Force	3 Mom. Arm
1	0.19 K	10.75 FT
2	1.53 K	7.00 FT
3	0.11 K	2.25 FT
4		
5		
6		
7		
8		
		13 K-FT

Section Properties: 3.39 IN^3

Structural Sections to be used:

Zone	Option	Pipes Dim.	Wall t.	Weight	Sxx	d/t	Sxx Req'd
3	Pipes	5.56 IN	0.258 IN	14.6 #/FT	5.12 IN^3	21.50	3.39 IN^3

Structure Required

# Req'd	Size	Wall Thickness
2	5.56 IN	0.258 IN

Date:	7/14/10	City, State:	Austin, TX	SHEET: 3 OF 3
Client:	TX Sign Shop	Overall Height:	11'-0"	Sean M. McFarland, PE
Sign:	Regency	Wind Speed	90 mph	McFarland Engineering

Pier Footings

Pier Footing Design:

Select the footing and soil type:

d = A / 2 * (1 + (1 + (4.36 * h) / A)^1/2))

where A = (2.34 * P) / (S1 * b)

Footing:	Round
Vert. Soil Bearing (psf):	1500
Lat. Soil Bearing (psf):	150

Mmax =	6,526 #-FT	
Pmax (Lateral) =	920 #	
LSBP =	150 PCF	
S1 =	520 PCF X d	
d =	2.000 FT	*For use with Round Footing*
A =	2.07 FT^2	
h =	7.095 FT	
d =	5.167 FT	
USE:	2.00 FT. RND. X	5.50 FT DEEP PIERS

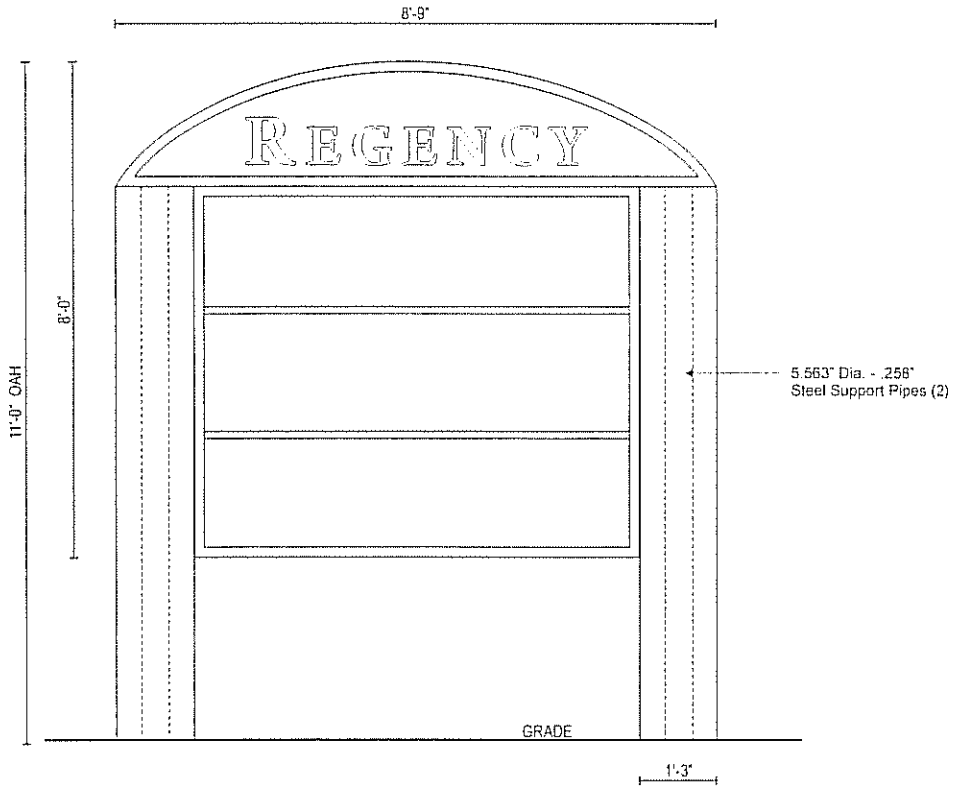
Soil Bearing Check:

DLmax =	2,082 LBS	
Area of Footing =	3.14 FT^2	
Actural SBP =	663 PSF	
Allowable SBP =	1,350 PSF	(Includes code allowed 20% increase for every foot of footing below 12" into natural grade.)

663 PSF < 1,350 PSF THEREFORE OK

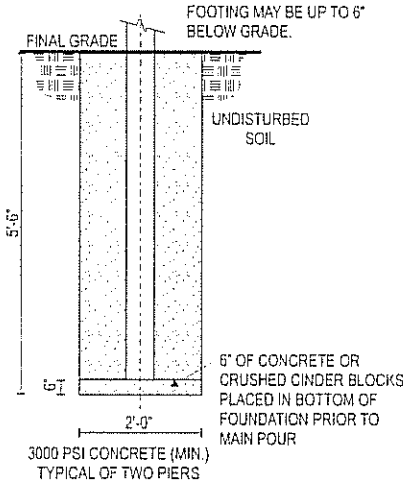
General Notes

1. Contractor shall verify all dimensions and conditions on job site
2. Structural steel pipe shall conform to ASTM A53 grade B type E or S, Fy=35 ksi min.
3. Structural steel tube shall conform to ASTM A500 grade B, Fy=46 ksi min.
4. Structural steel shapes and plates shall conform to ASTM A36.
5. Welding shall conform to AISC specs or local codes and performed by certified welder using arc process E70XX electrodes.
6. Isolate Aluminum from Steel
7. All bolt holes to be drilled or punched.
8. 3000 psi (min) 28-day Concrete Compressive Strength
9. All electrical work to conform to the requirements of UL48 and section 600 of NEC.
10. UL and Data labels required
11. Sign to be a minimum of 6-ft horizontal & 12-ft vertical from high voltage wires.
12. If there is no stub pipe to be used in the top cabinet, the supporting member immediately below the stub pipe shown can be extended to the top of the uppermost cabinet.
13. All Pipe sizes shown are minimum sizes. Pipe with a larger diameter and/or greater Sxx may be substituted
14. All structural lengths required are approximations only. Actual length may vary slightly depending on sign cabinet conditions.



D/F MONUMENT SIGN ELEVATION

SCALE: 1/2"=1'-0"



McFarland Engineering

5555 Fellowship Lane
Spring, TX 77379

STRUCTURAL SIGN DESIGN & ENGINEERING SERVICES

Ph: (281) 813-7439
Fax: (832) 717-5302
Email: sean@signstructures.com
Web: www.signstructures.com

Job
REGENCY

Customer: TX SIGN SHOP

Job #: 10-16550

City/State: AUSTIN, TX

Address: 5501 WEST DUVAL RD

Pay careful attention to all text boxes with light grey shaded backgrounds. These text boxes contain important engineering information.

Revisions:

Texas License Number: 88579
Texas Expiration Date: 6/30/2011

The electronic seal appearing on this document was authorized by Sean M. McFarland, PE on July 14, 2010

JUL 14 2010

STATE OF TEXAS
SEAN M. McFARLAND
88579
LICENSED
PROFESSIONAL ENGINEER

Date: 7-14-2010
Sheet #: 1 of 1

TX SIGN SHOP
VICTORIA TEXAS

116 Beechwood
Victoria, TX 77901
(361)575-5731
Fax: (361)485-0199
Email: txsignshop@suddenlink.net

Memo

To: City of Austin **Date:** 7/16/2010

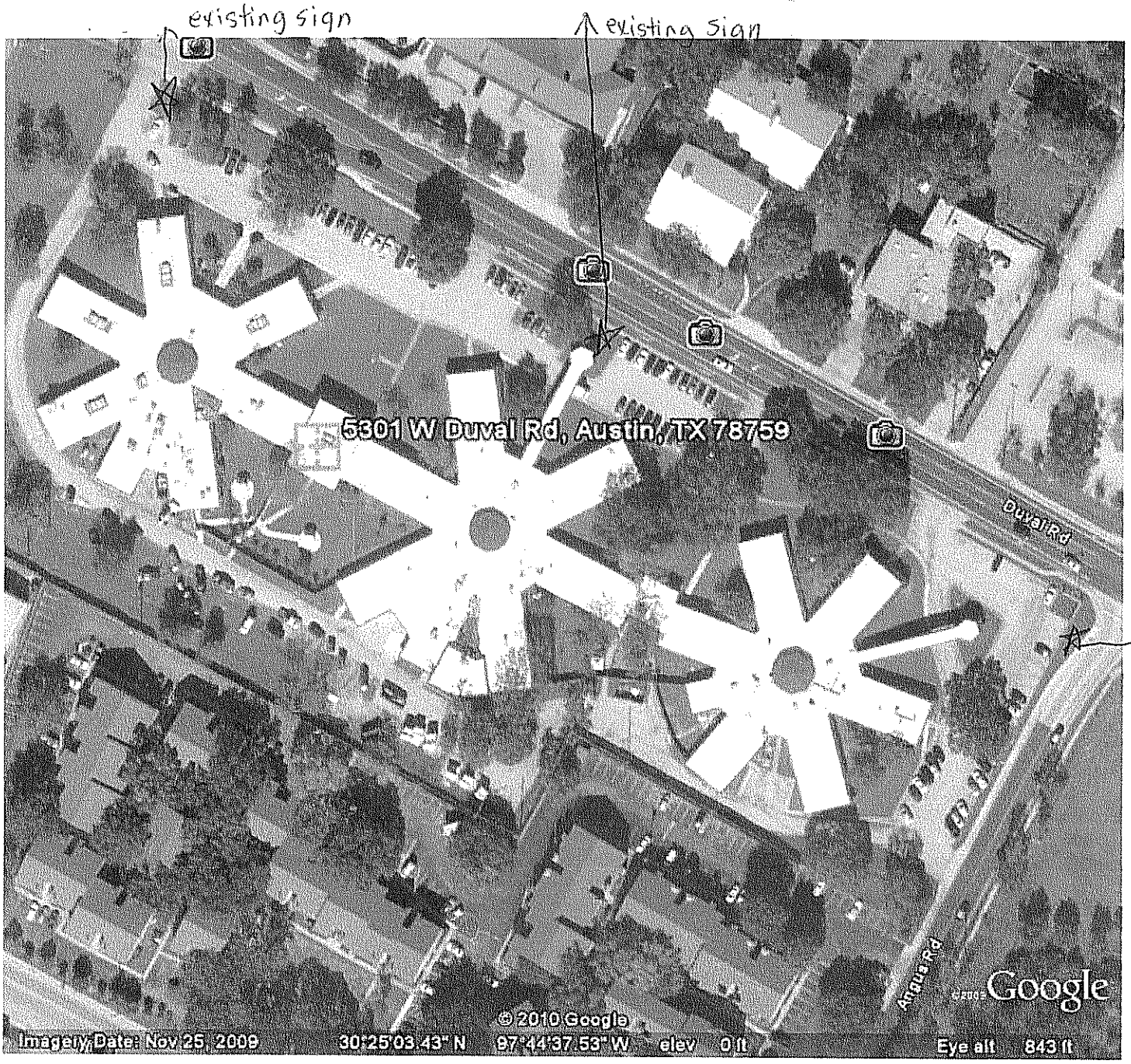
Please see sign permit application. The property has 2 existing signs on Duval Rd frontage. The proposed new sign is going on corner of Duval and Angus.

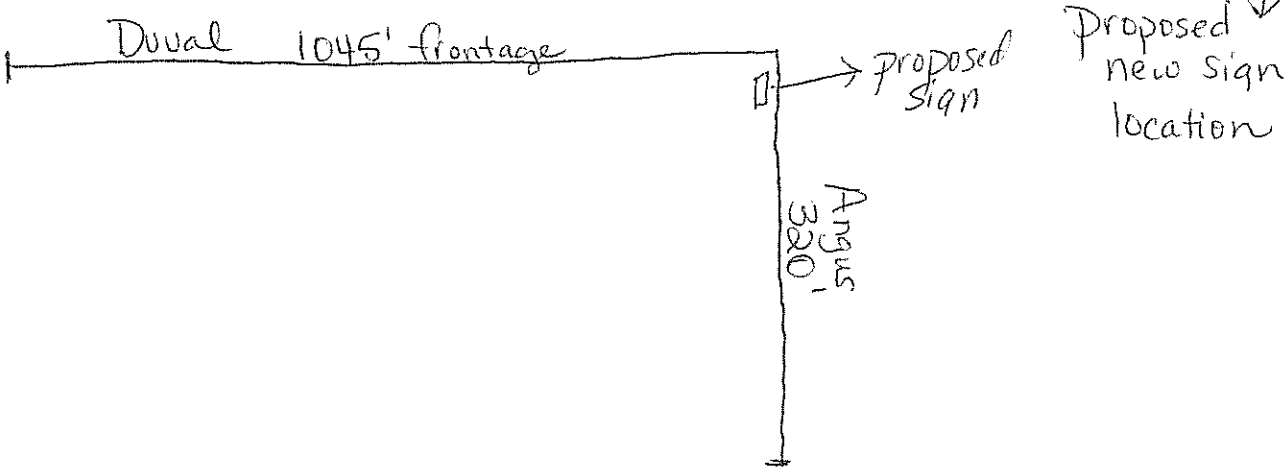
If you have any questions, please let me know.

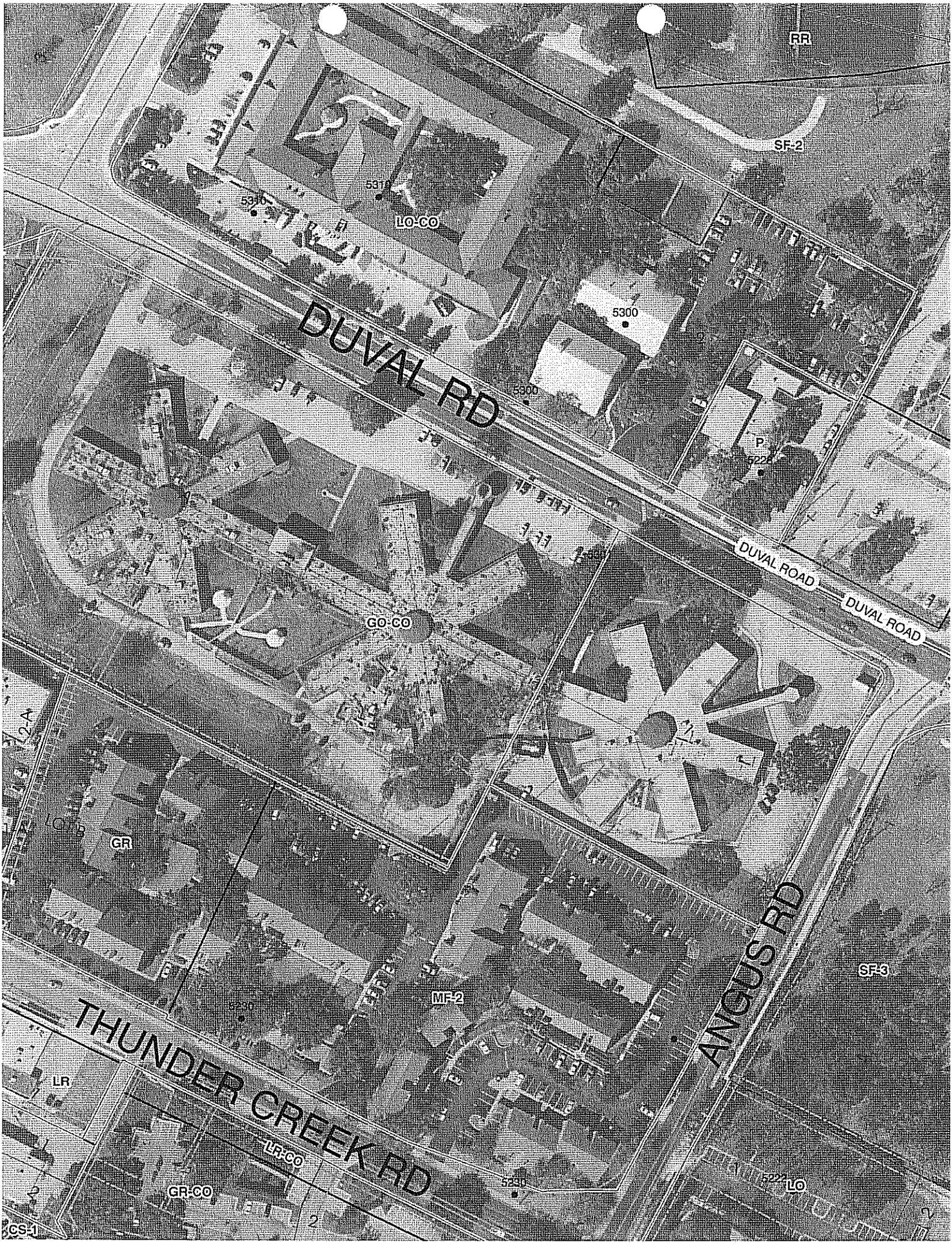
Thank you,

Mark Pullin

Mail to: Susan Walker - Development Asst Center - 505 Barton Springs Rd - Austin, Tx 78704


existing sign
existing sign
5301 W Duval Rd, Austin, TX 78759
Duval Rd
Angus Rd
Google
©2010 Google
Imagery Date: Nov 25, 2009
30°25'03.43" N 97°44'37.53" W elev 0 ft
Eye alt 843 ft


Duval 1045' frontage
proposed sign
Proposed new sign location
Angus 320'


RR
SF-2
5310
5310
LO-CO
5300
DUVAL RD
5300
P
5228
DUVAL ROAD
DUVAL ROAD
GO-CO
GR
ANGUS RD
SF-3
MF-2
5230
THUNDER CREEK RD
LR
LR-CO
GR-CO
5230
5222
LO
CS-1

ORDINANCE NO. 20080508-086

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5301 DUVAL ROAD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to general office-conditional overlay (GO-CO) combining district on the property described in Zoning Case No. C14-2008-0064, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot A, less the north 19 feet, of the amended plat of Lot 2, The Fort Addition Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 64, Page 11, of the Plat Records of Travis County, Texas; and,

Lot A, Hood and Pendergrass Subdivision III, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 88, Page 184, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 5301 Duval Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 19, 2008.

PASSED AND APPROVED

May 8, 2008 § Will Wynn
Will Wynn
Mayor

APPROVED: David Allan Smith
City Attorney

ATTEST: Yvonne Spence for
Shirley A. Gentry
City Clerk