

CITY OF AUSTIN
APPLICATION TO SIGN REVIEW BOARD
SIGN VARIANCE

CASE # C16-2013-0010
ROWHS-10962804
TP-0251500140

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

PLEASE: TYPE AND COMPLETE ALL REQUESTED INFORMATION.

STREET ADDRESS: 6920 Lee Manor Cove, Manor, TX 78653-3325

LEGAL DESCRIPTION: LOT 9 BLK A GREGG MANOR ROAD BUSINESS PARK

I Doug Stuart, on behalf of myself as authorized agent for Stuart Investments LLC, affirm that on June 4, 2013, I hereby apply for a hearing before the Sign Review Board for consideration:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

The erection of two freestanding signs on the property known as 6920 Lee Manor Cove, Manor TX 78653. A 288 square feet sign located on the corner of the property abutting the Texas Toll 130 and a 35 square feet sign adjacent to the entrance of the property from Lee Manor Cove

in a Commercial zoning district.

Please reference attached supporting documentation relating to my request.

If your variance request is for a reduction in setbacks or height limits, please contact Lena Lund with the Electric Utility at 322-6587 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:

Lot 9 is a 4.2 acre lot with a multi-tenant 20,000 sq. ft. warehouse building which only has 50 linear feet of street right-of-way. In addition to the 50 linear feet of street right-of-way on Lee Manor Cove it has a unique spatial relationship to the Texas Toll 130 without having any street right-of-way on the Toll 130. Although Lot 9 has 0 linear feet of street right of way on the Toll 130, Lot 9 500 linear feet parallel to the Toll 130 nearly 200 feet from the Toll 130 right-of-way.

The Toll 130 is designated by the Texas Department of Transportation as a limited access highway and for which there is a construction contract, therefore conforming to the expressway corridor sign district.

The Austin City Code "§ 25-10-81 SIGN DISTRICTS DESCRIBED; HIERARCHY ESTABLISHED" states "The expressway corridor sign district includes land within 200 feet of the street right-of-way".

OR,

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

There are no businesses, buildings, construction or streets on either side of the proposed sign location. The closest business is more than 800 feet from the proposed sign location and is more than 700 feet from the Toll 130.

OR,

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

Although there is 0 linear feet of street frontage to the Toll 130 there is 500 linear feet parallel to the Toll 130 nearly 200 feet from the Toll 130 right-of-way.

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:

Lot 9 has a unique physical relationship to the Toll 130. The only other property that corners the Toll 130 similarly without having frontage to the Toll 130 is Property ID: 292255 which is farmland with no buildings or structures on it.

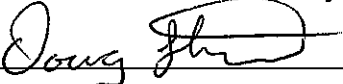
APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address: 6920 Lee Manor Cove

City, State & Zip: Manor, TX 78653

Printed Doug Stuart Phone 512-762-3684 Date June 4, 2013

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: 6920 Lee Manor Cove

City, State & Zip: Manor, TX 78653

Printed Doug Stuart Phone 512-762-3684 Date June 4, 2013

**ADDITIONAL INFORMATION TO BE SUBMITTED WITH COMPLETED APPLICATION:
(FAILURE TO SUBMIT ALL THE REQUIRED MATERIALS WILL RESULT IN NON-
ACCEPTANCE OF THE APPLICATION. LATE BACKUP MATERIAL WILL BE
ACCEPTED UNTIL 9:00 A.M. THE MONDAY PRIOR TO THE MEETING. THERE
WILL BE NO EXCEPTIONS.)**

SITE PLAN: Must be drawn to scale, showing present and proposed construction and locations of existing structures on adjacent lots.

All Sign Review Board cases must submit location and elevation drawings, drawn to scale, in addition to the site plan required.

APPLICATION FEES: Residential	\$360.00
All Other	\$660.00

Please be advised that the Board can only hear so many cases a month, therefore, first come, first served.

Please be advised that a request for reconsideration must be filed within 10 days from the Board meeting.

If you need assistance completing this application (general inquires only) please Susan Walker, 974-2202 or Diana Ramirez, 974-2241, 505 Barton Springs Road, 1st floor, Development Assistance Center

NOTE: ALL VARIANCES EXPIRE 1 YEAR (12 MONTHS) FROM DATE OF APPROVAL BY BOARD AS STATED IN SECTION 25-1-217 OF THE LAND DEVELOPMENT CODE UNLESS BOARD DEEMS OTHERWISE.

CASE # _____

**CITY OF AUSTIN
APPLICATION TO SIGN REVIEW BOARD
SIGN VARIANCE**

STREET ADDRESS: 6920 Lee Manor Cove, Manor, TX 78653-3325

LEGAL DESCRIPTION: LOT 9 BLK A GREGG MANOR ROAD BUSINESS PARK

I, Doug Stuart, on behalf of Stuart Investments LLC, affirm that on June 4, 2013, I hereby request the Sign Review Board to consider:

Permit to erect two freestanding signs on the property known as 6920 Lee Manor Cove, Manor TX 78653 further referenced as "Lot 9".

One 288 square feet sign to be located on the corner of the property abutting the Texas Toll 130 and,
One 35 square feet sign to be located adjacent to the entrance of the property from Lee Manor Cove.

Regarding the 288 square feet sign;

"The expressway corridor sign district includes land within 200 feet of the street right-of-way"
"designated by the Texas Department of Transportation as a limited access highway and for which there is a construction contract."

In addition to the 50 linear feet of street right-of-way on Lee Manor Cove it has a unique spatial relationship to the Texas Toll 130 without having any street right-of-way on the Toll 130.

"The sign area may not exceed:

- (b) on a lot with more than 86 linear feet of street frontage, the lesser of:
 - (i) 0.7 square feet for each linear foot of street frontage; or
 - (ii) 300 square feet."

429 linear feet of street right-of-way would allow for a 300 square feet sign ($429 \times .7 = 300.3$). Although Lot 9 has 0 linear feet of street right of way abutting the Toll 130, Lot 9 has 500 linear feet parallel to the Toll 130 nearly 200 feet from the Toll 130 right-of-way.

Regarding the 35 square feet sign;

Conforming to the COMMERCIAL SIGN DISTRICT REGULATIONS the sign area may not exceed 35 square feet.

Regarding having two signs (one facing Lee Manor Cove and one within 200 feet of the Toll 130);
The two signs are separated by more than 600 feet with a 20,000 square foot building between them.
One freestanding sign is permitted on a lot. Additional freestanding signs may be permitted under Section 25-10-131 (*Additional Freestanding Signs Permitted*).

For a lot with total street frontage of more than 400 feet, two freestanding signs are permitted.

For a lot fronting on two streets, one freestanding sign is permitted on each street.

Austin City Code

TITLE 25. LAND DEVELOPMENT.

CHAPTER 25-10. SIGN REGULATIONS.

■ **CHAPTER 25-10. SIGN REGULATIONS.**

■ **ARTICLE 5. SIGN DISTRICTS.**

■ **§ 25-10-81 SIGN DISTRICTS DESCRIBED; HIERARCHY ESTABLISHED.**

Sign districts are described and established in the following hierarchy, with the historic sign district as the first district and the commercial sign district as the last district.

- (1) The historic sign district includes land in:
 - (a) a designated historic landmark or historic district; or
 - (b) a National Register District.
- (2) The expressway corridor sign district includes land within 200 feet of the street right-of-way of:
 - (a) IH-35; and
 - (b) **those portions of U.S. Highway 183, U.S. Highway 290, and State Highway 71 that are developed as a limited access highway, or have been designated by the Texas Department of Transportation as a limited access highway and for which there is a construction contract.**
- (3) The scenic roadway sign district includes:
 - (a) land in a Hill Country Roadway corridor;
 - (b) land that would be in a Hill Country Roadway corridor if it were in the zoning jurisdiction;
 - (c) land within 200 feet of a scenic arterial; and
 - (d) land in a tract that is partially within 200 feet of a scenic roadway and that has frontage on and direct access to the scenic roadway.
- (4) The neighborhood sign district includes land located:
 - (a) in a traditional neighborhood zoning district; or
 - (b) in a neighborhood plan combining district, and that is used for:
 - (i) a corner store special use;
 - (ii) a neighborhood mixed use building special use;
 - (iii) a residential infill special use; or
 - (iv) a neighborhood urban center special use.
- (5) The low-density residential sign district includes land in a zoning district that is more restrictive than a townhouse and condominium residence (SF-6) zoning district.
- (6) The multifamily residential sign district includes land in the following zoning districts:
 - (a) townhouse and condominium residence (SF-6);
 - (b) multifamily residence limited density (MF-1);
 - (c) multifamily residence low density (MF-2);
 - (d) multifamily residence medium density (MF-3);
 - (e) multifamily residence moderate-high density (MF-4);
 - (f) multifamily residence high density (MF-5);
 - (g) multifamily residence highest density (MF-6);
 - (h) mobile home residence (MH);
 - (i) neighborhood office (NO);
 - (j) agricultural (AG); and
 - (k) development reserve (DR).
- (7) The neighborhood commercial sign district includes land in the LO, LR, CR, or W/LO zoning districts.
- (8) The downtown sign district includes land in the CBD and the DMU zoning districts.

(9) The commercial sign district includes land that is not in any other sign district.
Source: Section 13-2-861; Ord. 990225-70; Ord. 000406-81; Ord. 030306-48A; Ord. 031030-11; Ord. 031211-11.

§ 25-10-82 DETERMINATION OF APPLICABLE SIGN DISTRICT.

(A) Except as otherwise provided in this section, the sign regulations for a sign district apply to all land in the sign district.

(B) If a sign is located in more than one sign district, the regulations for the sign district that first appears in the hierarchy described in Section 25-10-81 (*Sign Districts Described And Established*) apply to the sign.

(C) A nonconforming use is in the sign district that would apply if that nonconforming use were located in the most restrictive zoning district in which that nonconforming use is a permitted use.

(D) For property that is not permanently zoned, the building official shall:

(1) determine the use or proposed use and determine which base zoning district would be the most restrictive base zoning district in which that use would be a permitted use; and

(2) designate the property as a sign district in accordance with the determination under Subsection (D)(1).

Source: Sections 13-2-860 and 13-2-861(b) and (c); Ord. 990225-70; Ord. 031211-11.

http://www.dot.state.tx.us/business/partnerships/sh_130.htm

"SH 130 is a state-owned toll road being developed under public-private partnership with the SH 130 Concession Company. Under the agreement, the developer is designing, constructing, operating and maintaining the toll road over 50 years."

§ 25-10-123 EXPRESSWAY CORRIDOR SIGN DISTRICT REGULATIONS.

(A) This section applies to an expressway corridor sign district.

(B) This subsection prescribes regulations for freestanding signs.

(1) One freestanding sign is permitted on a lot. Additional freestanding signs may be permitted under Section 25-10-131 (*Additional Freestanding Signs Permitted*).

(2) The sign area may not exceed:

(a) on a lot with not more than 86 linear feet of street frontage, 60 square feet; or

(b) on a lot with more than 86 linear feet of street frontage, the lesser of:

(i) 0.7 square feet for each linear foot of street frontage; or

(ii) 300 square feet.

(3) The sign height may not exceed the greater of:

(a) 35 feet above frontage street pavement grade; or

(b) 20 feet above grade at the base of the sign.

(C) A roof sign may be permitted instead of a freestanding sign under Section 25-10-132 (*Roof Sign Instead Of Freestanding Sign*).

(D) Wall signs are permitted.

(E) One commercial flag for each curb cut is permitted.

(F) For signs other than freestanding signs or roof signs, the total sign area for a lot may not exceed 20 percent of the facade area of the first 15 feet of the building.

Source: Section 13-2-867; Ord. 990225-70; Ord. 031211-11.

§ 25-10-130 COMMERCIAL SIGN DISTRICT REGULATIONS.

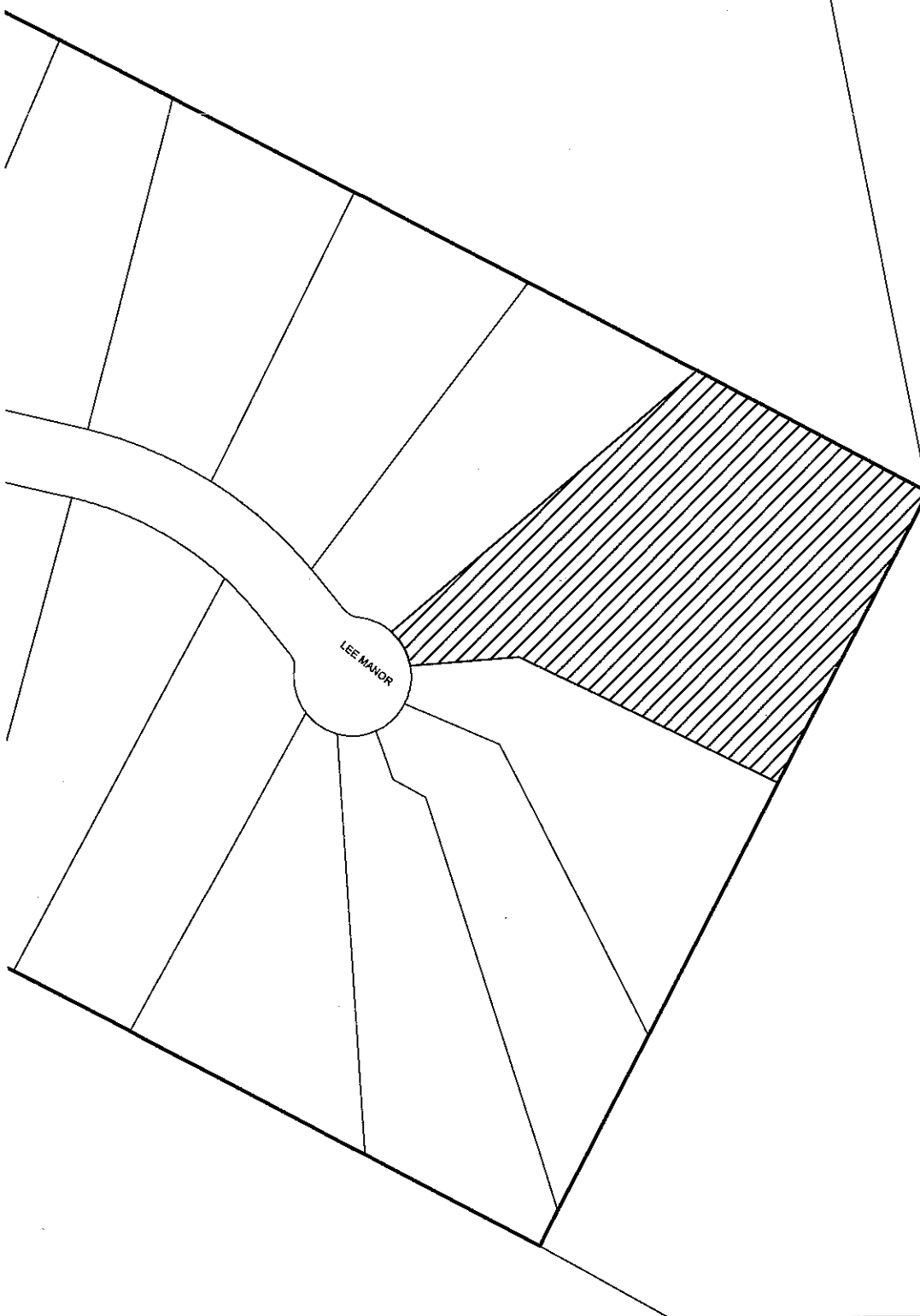
- (A) This section applies to a commercial sign district.
- (B) One freestanding sign is permitted on a lot. Additional freestanding signs may be permitted under Section 25-10-131 (*Additional Freestanding Signs Permitted*).
- (C) A roof sign may be permitted instead of a freestanding sign under Section 25-10-132 (*Roof Sign Instead Of Freestanding Sign*).
- (D) Wall signs are permitted.
- (E) One commercial flag for each curb cut is permitted.
- (F) This subsection prescribes the maximum sign area.
 - (1) For signs other than freestanding signs, the total sign area for a lot may not exceed 20 percent of the facade area of the first 15 feet of the building.
 - (2) For a freestanding sign, the sign area may not exceed the lesser of
 - (a) 0.7 square feet for each linear foot of street frontage; or
 - (b) for a sign other than a multi-tenant sign, 200 square feet; or
 - (c) for a multi-tenant sign, 250 square feet.
- (G) The sign height may not exceed the greater of:
 - (1) 30 feet above frontage street pavement grade; or
 - (2) 6 feet above grade at the base of the sign.

Source: Section 13-2-867; Ord. 990225-70; Ord. 031211-11.

§ 25-10-131 ADDITIONAL FREESTANDING SIGNS PERMITTED.

- (A) This section applies in the expressway corridor, downtown, and commercial sign districts.
- (B) In this section, "lot" includes contiguous lots used for a single use or unified development.
- (C) For a lot with total street frontage of more than 400 feet, two freestanding signs are permitted.
- (D) For a lot fronting on two streets, one freestanding sign is permitted on each street.
- (E) For a pad site within a unified development, one freestanding sign is permitted in addition to the other freestanding signs permitted by this chapter.

Source: Section 13-2-870; Ord. 990225-70; Ord. 031211-11.



130

130



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C16-2013-0010
LOCATION: 6920 Lee Manor Cove



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Search

Preferences

Help

6920 Lee Manor Cv, Manor, TX 78653-3325, Travis County

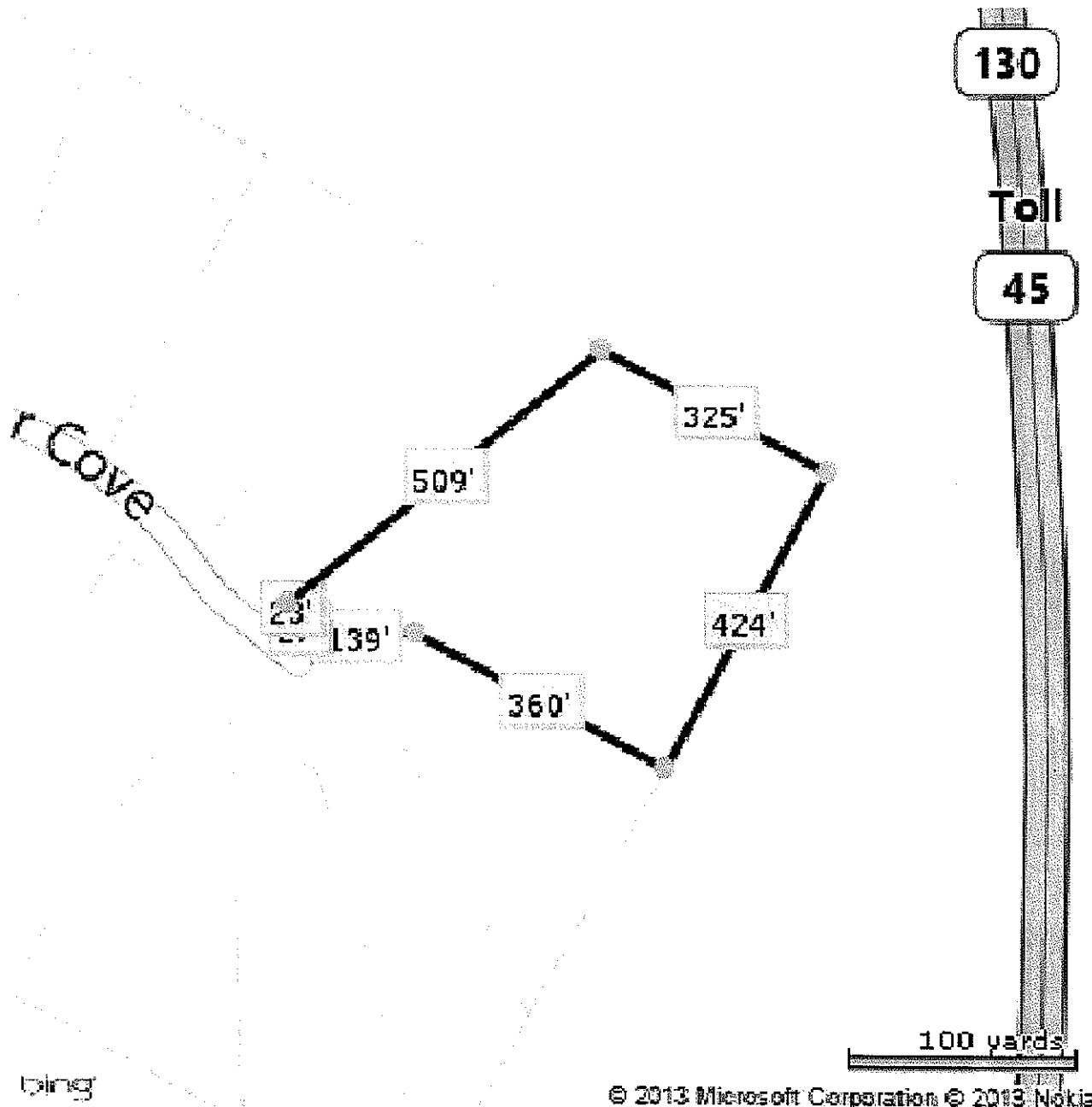
Property Detail

Comparables

Market Trends

Neighbors

Neighbors



*Lot Dimensions are Estimated



Accent Powder
Coalton

Gregg Manor Rd

Gregg Manor Rd

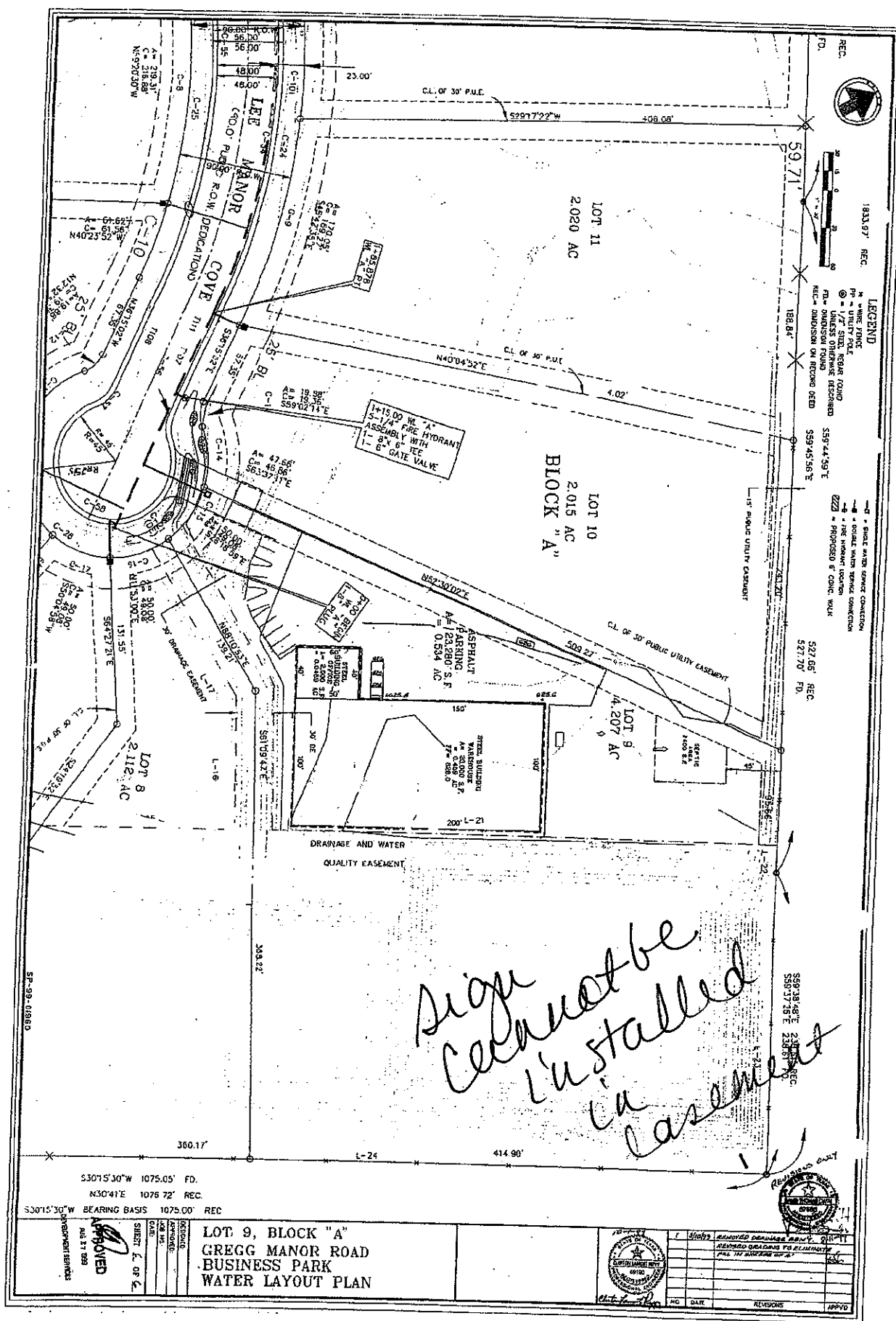


Map

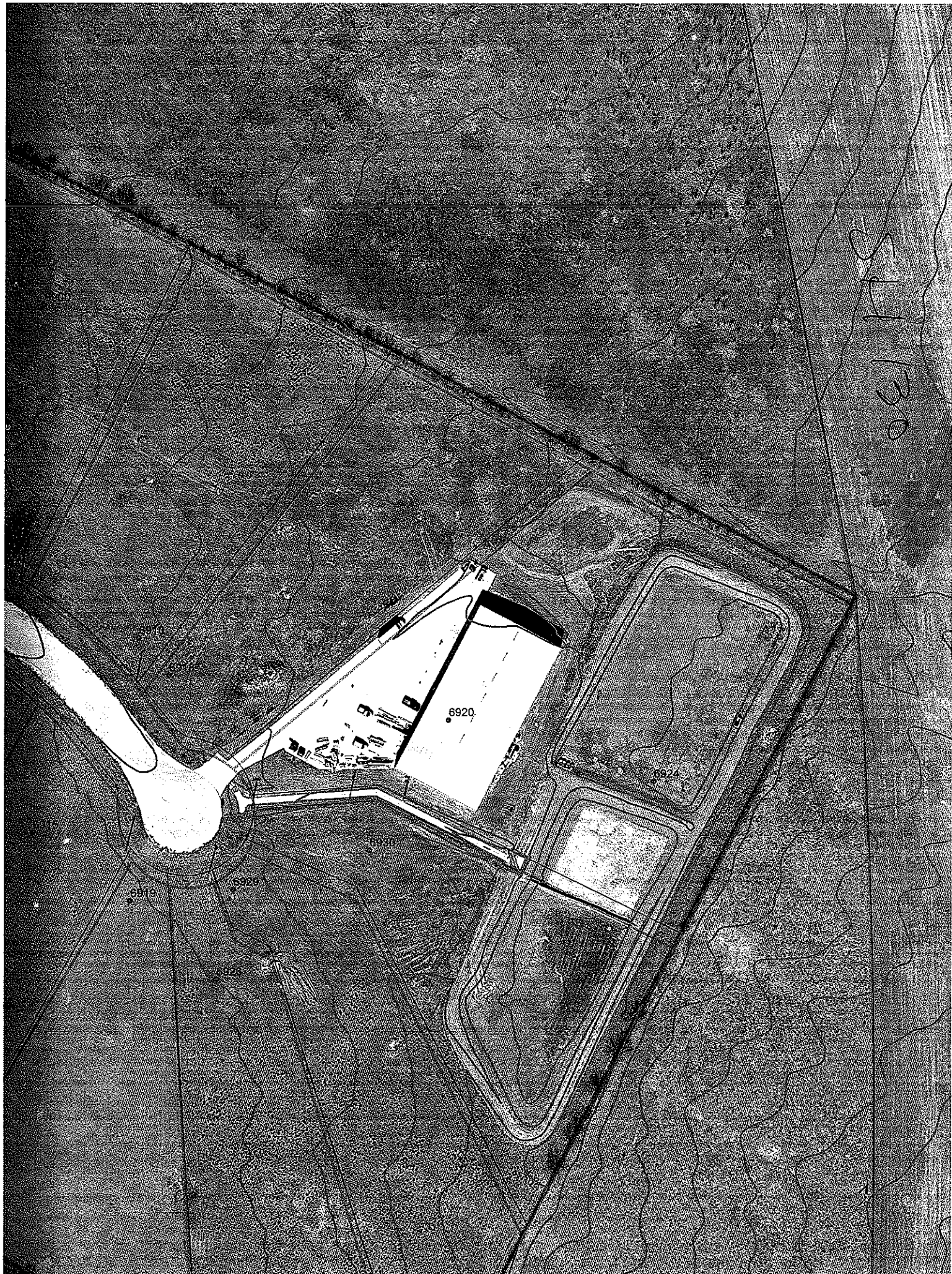
Traffic

Edit in Google Map Maker

Report a problem



SL 130



Walker, Susan

To: doug@ [REDACTED]
Subject: Sign Variance

Mr. Stuart,

I noticed while writing up the notification for your sign variance that you do not show the placement of the sign on the site plan nor an elevation of the proposed signage. The Sign Review Board is going to need this information prior to the hearing.

Thank you,

Susan Walker
Senior Planner
Planning & Development Review Department
Phone: 512-974-2202
Fax: 512-974-6536