

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday October 14, 2019

CASE NUMBER: C16-2019-0002

- Brooke Bailey OUT
 Y Jessica Cohen
 Y Ada Corral
 N Melissa Hawthorne
 N William Hodge
 Y Don Leighton-Burwell
 Y Rahm McDaniel
 Y Darryl Pruet
 N Veronica Rivera
 N Yasmine Smith
 Y Michael Von Ohlen
 N Kelly Blume (Alternate)
 - Martha Gonzalez (Alternate)
 - Denisse Hudock (Alternate)

APPLICANT: Ben Robinson

OWNER: E. Salvik, Morningside Des Plaines LLC & Morningside 770 LLC

ADDRESS: 4700 CAPITAL OF TEXAS HWY SB

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

- a) Section 25-10-124 (Scenic Roadway Sign District) (B) (1) to increase the maximum sign area on a lot from 64 square feet (required) to 165.88 square feet (requested)
- b) Section 25-10-125 (B) (2) from 12 feet to 17 feet on the right side due to extreme slope of terrain in order to erect a freestanding internally illuminated (individual letters only) located at this site in a "MF-1-CO", Multi-Family - Combined Overlay zoning district; Scenic Sign District.

The Land Development Code sign regulations state that Internal lighting of signs is prohibited, except for the internal lighting of individual letters.

BOARD'S DECISION: BOA Sept 9, 2019 meeting The public hearing was closed by Chair Don Leighton-Burwell, Board Member Veronica Rivera motions to Postpone to October 14, 2019, Board Member Brooke Bailey seconds on an 11-0 vote; POSPTONED TO OCTOBER 14, 2019. Oct 14, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Deny, Board Member Darryl Pruet seconds on a 6-5 vote (Board member Melissa Hawthorne, William Hodge, Veronica Rivera, Yasmine Smith and Kelly Blume nay); DENIED.

EXPIRATION DATE: October 14, 2020

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:


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman