

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**C-1**

**DATE: May 9, 2022**

**CASE NUMBER: C16-2022-0003**

☐ Y ☐ Thomas Ates  
☐ - ☐ Brooke Bailey OUT  
☐ Y ☐ Jessica Cohen  
☐ Y ☐ Melissa Hawthorne  
☐ Y ☐ Barbara McArthur  
☐ - ☐ Rahm McDaniel OUT  
☐ Y ☐ Darryl Pruet  
☐ Y ☐ Agustina Rodriguez  
☐ - ☐ Richard Smith OUT  
☐ Y ☐ Michael Von Ohlen  
☐ - ☐ Nicholl Wade OUT  
☐ Y ☐ Kelly Blume (Alternate)  
☐ Y ☐ Carrie Waller (Alternate)  
☐ Y ☐ Marcel Gutierrez-Garza (Alternate)

**APPLICANT: Shana Gardner**

**OWNER: Joshua Needham**

**ADDRESS: 1401 E 6TH ST**

**VARIANCE REQUESTED:** The applicant is requesting a sign variance(s) from the Land Development Code, Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of one (1) wall sign, one (1) illuminated blade, and one (1) illuminated parking blade in order to provide signage for mixed use development in a “TOD-NP”, Transit Oriented District–Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

***Note:** The Land Development Code sign regulations 25-10-133 University Neighborhood Overlay Zoning Districts Signs (H) states a sign may not be illuminated or contain electronic images or moving parts.*

**BOARD’S DECISION: BOA MEETING MAY 9, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve; Board member Melissa Hawthorne seconds on a 10-0, vote; GRANTED.**

**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: N/A

OR,

2. The granting of this variance will not have a substantially adverse impact upon neighboring properties, because: This property is not unique in the types of signage requested, the proposed signage is comparable to the existing signage on other mixed use developments in the surrounding area therefore it will not have an adverse impact on the neighboring properties.

OR,

3. The granting of this variance will not substantially conflict with the stated purposes of this sign ordinance, because: most businesses in the area have illuminated signage, the type of lighting used for the building signage is understated in nature and matches the existing aesthetic of the sign district.

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: Granting this variance would simply allow this property the same level of privilege enjoyed by the surrounding areas and similar mixed use properties.

  
Elaine Ramirez  
Executive Liaison

 for  
Jessica Cohen  
Madam Chair