



Planning & Development Services Department
 550 Landa Street
 New Braunfels, Texas 78130
 (830) 221-4041 www.newbraunfels.gov

Sign Variance Application (Board of Adjustment - BOA)

Any application that is missing information will be considered incomplete and will not be processed.
 The applicant bears the burden of proof in establishing the facts that may justify a sign variance, a special exception, an appeal, or any other action in his/her favor by the BOA.

General:

1	Name of Applicant/Agent:	ERICA VAZQUEZ - EXECUTIVE SIGNS ENTERPRISES, INC.			
2	Subject Property Address:	1349 STATE HWY 46 SOUTH			
3	Legal Description of Subject Property	Lot Number	1	Block Number	7
				Subdivision	G_0432
4	Present Use of Property	COMM		Zoning	COMM
5	Describe Sign Variance Request(s)				
	REQUEST VARIANCE TO ALLOW ADDITIONAL SQUARE FOOTAGE FOR BACKGROUND OF FREE-STANDING MONUMENT SIGN.				
	PROPERTY IS ALLOWED 28 FT OVERALL HEIGHT AND 225 SQ FT MONUMENT SIGN. OWNER IS REQUESTING 5 FT TALL AND 120 SQ FT LOW PROFILE MONUMENT. TOTAL COPY AREA 37.7 SQ FT.				

Required Attachments:

City	App	Attachment
NAME DIGITAL DOCUMENT FILES AS THE ARE LISTED IN BOLD BELOW		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Submit digital copies (.pdf) of application and all required attachments to planning@newbraunfels.gov or provide the application and attachments on a USB drive
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application (completed and signed by applicant)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Deed showing current ownership
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Letter of Authorization (if an agent is acting on behalf of the property owner)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan drawn to scale, showing all existing and proposed improvements with dimensions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Elevation Drawings of proposed sign drawn to scale with dimensions (For Sign Variances Only)

Required Fees:

Application Fees		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application Fee \$700
<input type="checkbox"/>	<input type="checkbox"/>	Each Additional Sign Variance \$50
Technology Fee		
<input type="checkbox"/>	<input type="checkbox"/>	3% technology fee applied to total application fee
Public Hearing Notice Fees		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please Note: Public hearing mail notification fees are invoiced at a later date than when the application is submitted . You will be contacted with your fee total.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Hearing Mailed Notices (\$2.15 per mailed notice)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Hearing Signs (\$15 per sign)

BOA Criteria for Approval of a Sign Variance

In order for the Board of Adjustment to grant a sign variance, the applicant must prove that the 6 required criteria below have been met. You will be asked to describe your property's unique circumstances based on the below criteria in the questions. **Please answer the following questions to establish how the criteria to approve a sign variance is met.** The answers provided will be reported to the Board of Adjustment with staff comments. You may use additional pages if necessary.

1. What are the special circumstances or conditions affecting the land that warrant the sign variance?

A special circumstance must be a condition or issue of the land that is unique to the subject property and is not a circumstance that is shared by other properties. Sign variances are granted to property that has special circumstances that are so unique they are not reasonably considered within the development standards of the ordinance; circumstances that are shared by multiple properties are considered in the ordinance regulations to ensure orderly development.

PROPERTY IS ON CORNER LOT AND IS NOT NEAR ANY OTHER PROPERTIES. THE PRO SIGN IS WELL UNDER THE HEIGHT ALLOWANCE AND IS NOT LOCATED IN THE EASEMENT OR RIGHT-OF-WAY. THIS LOT IS ALLOWED MONUMENT OF 28 FT OVERALL HEIGHT/225 SQ FT.

2. Why is the sign variance necessary to preserve a substantial property right of the applicant?

A substantial property right is the ability to use the land as its zoning intended. Property owners in residential zoning districts have a substantial property right to use and enjoy their property for dwelling. Please note that not all improvements intended for the enjoyment of a property are protected as substantial property rights. The reasonable use of the land can include, but is not limited to, adequate living space, open yard area, access to light and air, and so on.

THE VARIANCE IS NECESSARY TO ALLOW THE BUSINESS ADEQUATE SPACE TO DISPLAY/ADVERTISE THEIR LOCATION. DOING SO WOULD NOT HINDER ANY OTHER PROPERTY OWNERS RIGHTS/USAGE. INSTEAD OF 28 FT HIGH; PROPOSE 5 FT HIGH AND 24 FT WIDE.

3. Will the granting of the sign variance be detrimental to the public health, safety or welfare, or injurious to other properties within the surrounding area?

A variance that is detrimental to public health, safety or welfare, or injurious to property within the area may not be granted. A variance may not be granted if it deprives another property owner of the use or enjoyment of their property. A variance may not be granted if it will create an unsafe condition, such as a variance to allow construction that limits visibility for drivers.

GRANTING THIS VARIANCE WILL NOT CAUSE DETRIMENT TO THE PUBLIC OR ANY OTHER SURROUNDING PROPERTIES

Continue to next page

<p>4. Would granting the sign variance prevent the orderly use of other properties within the area? A sign variance cannot be granted if it will prevent another property from complying with a regulation or ordinance.</p>
GRANTING THIS VARIANCE WILL NOT PREVENT ANY OTHER PROPERTT FROM COMPLYING. THE SIGN WILL NOT BE LOCATED NEAR ANY BORDERING PROPERTIES AND WILL NOT BE INTHE EASEMENT

<p>5. Does an undue hardship to the land exist that is not self-created, personal or financial? An undue hardship is a hardship of the <u>land</u> itself. The hardship cannot be personal. Examples of what <i>is</i> an undue hardship: topography, lot configuration and size, the location of heritage trees on a lot, and so on. Examples of what <i>is not</i> an undue hardship: financial constraints, personal preferences, aesthetic choices. Hardships may not be self-created by the applicant. A self-created hardship can include performing construction work without city approval or permitting.</p>
NO, THERE IS NO UNDUE HARDSHIP

<p>6. Will granting the sign variance be in harmony with the spirit and purpose of the City's regulations? The purpose of the zoning ordinance is to ensure adopted development standards promote the health, safety, and the general welfare of the public. Development standards have been established with reasonable consideration for the character of the zoning districts and impacts created by various land uses. Variances may not conflict the intent of the zoning ordinance regulations or the goals of the Comprehensive Plan.</p>
YES. GRANTING THE VARIANCE WILL BE IN HARMONY WITH THE CITY'S REGUAL TIONS. THE PROPOSED SIGN IS WELL UNDER THE HEIGHT ALLOWANCE AND FOLLOWS ALL GUIDLEINES WITH THE EXCEPTION OF THE BACKGROUND SQUARE FOOTAGE. WOULD LIKE LOW PROFILE MONUMENT INSTEAD OF HIGH PROFILE. SIGN HAS BEEN DESIGNED TO ALLOWADEQUATE SPACE FOR THE COMPANY LOGO WITHOUT BLOCKING VIEWSS OR IMPEADING OTHER PROPERTIES RIGHTS.

Applicant Contact Information:

Applicant Name	ERICA VAZQUEZ	Date	2/5/2024
E-Mail	PERMITS@EXECUTIVESIGNS.COM	Phone #	512-292-9939
Mailing Address (City, State, Zip)	5621 CENTRAL TEXAS DRIVE, SAN MARCOS, TX 78666		
E-Mail	PERMITS@EXECUTIVESIGNS.COM		

Please read and initial the following important reminders:

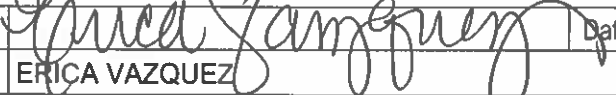
**Appearance at Meetings.**

It is strongly advised that the applicant be represented at the hearing. The Board may deny requests for which the applicant or an agent do not appear.

**Notification Signs.**

The applicant shall post the public hearing notification sign(s) at least 15 days prior to the hearing date and maintain said sign(s) in good condition. One sign shall be required for the first 100 feet of frontage of the tract, and one additional sign for every 200 feet of frontage thereafter, or fraction thereof, except that no more than three (3) signs shall be required on each roadway frontage. If the tract has less than 200 feet of frontage per roadway, then only one sign is required per road.

Please Note: Your signature indicates that the owner or an authorized agent has reviewed the requirements of this application and attached checklist, and all items on this checklist have been addressed and complied with. The owner/authorized agent understands that an incomplete application will not be accepted.

Applicant Signature		Date	2/5/2024
Applicant Name (Printed)	ERICA VAZQUEZ		