NOTICE OF MEETING OF THE BOARD OF ADJUSTMENTS & APPEALS

CITY OF BALCONES HEIGHTS
3300 Hillcrest Drive
BALCONES HEIGHTS, TEXAS 78201

Notice is hereby given that a called meeting of the Board of Adjustments and Appeals of Balcones Heights, Texas, will be held on the 23rd of October, 2017 at 5:00 p.m. at the Justice Center located at 3300 Hillcrest Drive, Balcones Heights, Texas, at which time the following subjects will be discussed, to-wit:

I. Call to Order and Recording of Quorum:

II. Approval of Minutes:

     August 28, 2017

III. Business Matters:

1. Board will conduct a PUBLIC HEARING to hear from the public on the application submitted by Abel Obregan from Chandler Signs on the following variance:

   Applicant: Abel Obregan, Chandler Signs
   Location: 4455 Fredericksburg Rd. – GFR Development Services
   Legal Description: CB 5894, Blk Lot E 344.05 Ft of 3A1
   Zoning: MXD Zoning

   Section 153.12.13. Freestanding Ground Signs: Applicant is proposing a 20' free standing sign in MXD.

2. The Board will hear, consider, and take ACTION on application request for variance submitted by Abel Obregan, Chandler Signs.

IV. Adjournment:

DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The Balcones Heights Board of Adjustments reserves the right to adjourn into executive session at any time to discuss any of the matters listed above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.073 (Deliberations about Gifts and Donations) § 551.074 (Personnel Matters) § 551.076 (Deliberations about Security Devices), and § 551.086 (Economic Development)

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Balcones Heights Board of Adjustments meetings are available to all persons regardless of disability. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary’s office at 735-9148 or write to 3300 Hillcrest Drive, Balcones Heights, Texas 78201

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the Justice Center / City Hall of Balcones Heights, Texas, in a place convenient and readily accessible to the general public.

BOA Agenda – October 23, 2017
Balcones Heights City Council will be present as the Board of Adjustments & Appeals
Possible quorum of Planning and Zoning Commission

public at all times, and said Notice was posted on the following date and time: October 20, 2017, at 4:30 P.M. and
remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Submitted by:

Delia R. Sanchez
City Secretary
BOARD OF ADJUSTMENTS AND APPEALS  
3300 Hillcrest Drive  
Balcones Heights, Texas 78201  

Minutes

DATE: August 28, 2017  
TIME: 5:05 p.m.

Members Present: Suzanne de Leon  
Lamar Gillian  
Charles White  
Jack Burton  
Miguel Valverde  
Stephen Lara

Alternates Present: Shana Halpin  
Henry Hannasch  
Bennie Cass

Members Absent: Stephen Lara  
David Labens

Sign in Sheet: None

I. Call to Order and Recording of Quorum:

Meeting was called to order and quorum was present.

II. Approval of Minutes:

April 24, 2017

MOTION: Motion to approve.

Motion by: Board Member Gillian  
Second: Board Member Burton  
6/0/0  
PASSED

III. Business Matters:

1. Board will conduct a PUBLIC HEARING to hear from the public on the application submitted by Alex Kim, with Texas Pro Signs on the following variances:

Public Hearing opened at 5:06 p.m.

Applicant: Alex Kim, Texas Pro Signs  
Location: 4307 Fredericksburg Rd. – Amax Auto Insurance  
Legal Description: CB 5894, Blk Lot 1A, 1B & 1D  
Zoning: MXD-Mixed-Use– R6 Multi-Family Residence

1.) Section 153.8.3 Site Characteristics in a Non-Conforming Use - Applicant is proposing to construct a parapet for wall signage.

   • 153.12.10(D) Roofline Limitations – Applicant is proposing to construct parapet above the existing roofline on the Northeast, Southeast, Northwest sides of the building.
     • 153.12.10(G) Adjacent Residential – Applicant is proposing to install a 65-sq. ft. wall sign on the Northwest side of a parapet facing R-6 Multi-family Residence.

2.) Section 153.12.6(N) Miscellaneous Window Signs - Applicant is proposing to exceed 10% coverage on door and windows.

BOA Agenda – August 28, 2017
3.) **153.12.10 Wall Signs**
   - **Maximum Area of Wall Signs Table 12.10** - Applicant is proposing a to exceed 10% of the façade.

4.) **153.12.10(F) Projection** – Applicant is proposing to install a wall sign that projects 30" from a parapet.

5.) **153.12.10(H)** – Applicant is proposing to display phone number and product cost on primary wall sign (façade).

Director of Community Development gave a presentation on background of the five variances and gave recommendation.

Representative of Amax Auto Insurance gave a presentation on the following:

- Core Values
- History
- Brand Promise
- Logo Transition
- Community Contribution
- New Store Concept

Public Hearing closed at 5:28 p.m.

2. The Board will hear, consider, and take ACTION on application request for variances submitted by Alex Kim, with Texas Pro Signs.

1.) **Section 153.8.3 Site Characteristics in a Non-Conforming Use** - Applicant is proposing to construct a parapet for wall signage.
   - **153.12.10(D) Roofline Limitations** – Applicant is proposing to construct parapet above the existing roofline on the Northeast, Southeast, Northwest sides of the building.
   - **153.12.10(G) Adjacent Residential** – Applicant is proposing to install a 65-sq. ft. wall sign on the Northwest side of a parapet facing R-6 Multi-family Residence.

**MOTION:** I make a motion to deny.

Motion by: Shana Halpin      Second: Miguel Valverde      6/0/0      PASSED

2.) **Section 153.12.6(N) Miscellaneous Window Signs** - Applicant is proposing to exceed 10% coverage on door and windows.

**MOTION:** I make a motion to deny.

Motion by: Shana Halpin      Second: Lamar Gillian      6/0/0      PASSED

3.) **153.12.10 Wall Signs**
   - **Maximum Area of Wall Signs Table 12.10** - Applicant is proposing a to exceed 10% of the façade.
MOTION: Motion to deny.

Motion by: Lamar Gillian    Second: Jack Burton    6/0/0    PASSED

4.) 153.12.10(F) Projection – Applicant is proposing to install a wall sign that projects 30” from a parapet.

MOTION: Motion to deny.

Motion by: Miguel Valverde    Second: Shana Halpin    6/0/0    PASSED

5.) 153.12.10(H) – Applicant is proposing to display phone number and product cost on primary wall sign (façade).

MOTION: Motion to deny.

Motion by: Shana Halpin    Second: Lamar Gillian    6/0/0    PASSED

IV. Adjournment:

Meeting adjourned at 5:48 p.m.

Submitted by:

Delia R. Sanchez
City Secretary
SAN ANTONIO EXPRESS NEWS
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this
day personally appeared: Lynette Nelson, who after being duly sworn, says that she is the
BOOKKEEPER of HEARST NEWSPAPERS, LLC - dba: SAN ANTONIO EXPRESS-
NEWS, a daily newspaper published in Bexar County, Texas and that the publication, of
which the annexed is a true copy, was published to wit:

Customer ID: 706101
Customer Name: City Of Balcones Heights
Order ID: 2917225

Publication | Pub Date
--- | ---
EN Classified | 04-OCT-17

Sworn and subscribed to before me, this 9 day of Oct. A.D. 2017

Notary public in and for the State of Texas

MONIQUE EGAN
Notary Public, State of Texas
Comm. Expires 06-03-2020
Notary ID 3183735
NOTICE OF MEETING AND PUBLIC HEARING DATES
THE CITY OF BALCONES HEIGHTS
BOARD OF ADJUSTMENTS AND APPEALS

Dear Property Owner:

As required by Texas state law, you are being notified of this meeting and the subsequent public hearing because you own property that is to be re-zoned or you are a property owner within 200 feet of a proposed zoning change being initiated by another party. As an interested party, you are given the opportunity to attend this public hearing to express your opinion on this proposed zoning change.

NOTE: Whether or not you plan to attend the public hearing, please re-mail this notice to us and indicate if you are IN FAVOR or OPPOSED to the proposed zoning change. You must have returned one (1) copy of this notice to the City of Balcones Heights, PRIOR to the MEETING DATE BELOW for your input to be considered:

PLEASE MARK “X” NEXT TO THE APPROPRIATE LINE

_____ I AM IN FAVOR OF THIS CHANGE

_____ I AM OPPOSED TO THIS CHANGE

MAIL TO: City of Balcones Heights
Attn: Delia R. Sanchez, City Secretary
3300 Hillcrest Dr
Balcones Heights TX 78201

Name of Property Owner: __________________________

Address of Property Owned: _________________________

BOARD OF ADJUSTMENT MEETING DATE: Monday, October 23, 2017 @ 5:00 p.m.

BOARD OF ADJUSTMENT MEETING LOCATION: City of Balcones Heights Justice Center, 2nd Floor, 3300 Hillcrest Drive, Balcones Heights, TX 78201

PROPERTY DESCRIPTION: 4455 Fredericksburg Rd., Legal Description: CB 5894, Blk Lot E 344.05 Ft of 3A1

Applicant: Abel Obregon, Chandler Signs
Location: 4455 Fredericksburg Rd. – GFR Development Services
Legal Description: CB 5894, Blk Lot E 344.05 Ft of 3A1
Zoning: MXD Zoning

1.) Section 153.12.13. Freestanding Ground Signs: Applicant is proposing a 20' free standing sign in MXD.

IF YOU HAVE QUESTIONS CONTACT PERSON: Ms. Rita Hoyl, (210) 735-9148 ext. 246

If you plan to speak at either meeting, you must sign a roster that will be located at the entrance to the meeting room. You must do this BEFORE the beginning of the meeting, so please plan your arrival at least 15 minutes prior to the start of the meeting.

Para traducción de este mensaje al Español, favor de comunicarse con el Departamento de Planificación al número de teléfono 735-9148 y pregunte por una persona del departamento que habla español.
Big Wood Cay LLC
4455 Fredericksburg Rd.
Balcones Heights, TX 78201

Crossroads Mall Partners LTD
4522 Fredericksburg Rd., STE. 124
Balcones Heights, TX 78201

Miller Steve C. Properties
%SCM Management, Inc.
850 Lockhill Selma Rd. Ste. 100
San Antonio, TX 78213

Church’s Fried Chicken Inc.
Churches Chicken #1367
980 Hammond Dr., Ste. 1100
Atlanta, GA 30328

Boston Woods LLC
11209 Limoncill Ct.
Austin, TX 78750

Jack In the Box Eastern
9330 Balboa Ave
San Diego, CA 92123

Siesta Lane LLC
388 Solitaire Path
New Braunfels, TX 78130

Wirth Wayne C.
3902 Forest Island St.
San Antonio, TX 78230

Moore, Dan J. Jr.
115 Amberjack Dr.
Aransas Pass, TX 78336

JAD SA Investments LLC
120 Chula Vis
Hollywood Park, TX 78232

Primier Enterprise Inc.
6138 Kingston RNCH
San Antonio, TX 78249
MEMO TO THE BOARD OF ADJUSTMENT

DATE: October 11, 2017
FROM: Rita Hoyl, Director of Community Development
SUBJECT: Variance Request to Section 153.12.13 Freestanding Ground Signs.

APPLICANT: Chandler Signs, representing GFR Development/Big Wood Cay, LLC/Chick-Fil-A

LOCATION: 4455 Fredericksburg Rd. (Major Arterial)

ZONING DISTRICT: MXD Mixed Use

LEGAL DESCRIPTION: Lot 3, CB 5894, 1.508 Acres

DATE AND TIME OF HEARING: October 23, 2017, 5 pm

BACKGROUND: The property located at 4455 Fredericksburg Rd. will be redeveloped for a food service establishment, i.e., Chick-Fil-A. Chandler Signs submitted a sign package, alongside the submittal of the site plan review for this development. Staff’s review found the sign package included a proposal to install a 20’ freestanding pylon sign for the development. Chandler Signs was advised that freestanding signs of any height are not allowed in the MXD Zoning District or streets fronting major arterial streets.

Subsequently, a separate application was submitted for the single freestanding sign. On August 17, 2017 staff formally denied the sign application in writing and offered the applicant the language for an appeal of staff’s decision to the Board of Adjustment. Enclosed please find Chandler Signs’ Application Request for a variance to Section 153.12.13, along with documents to support the variance request.

As it pertains to this variance request, below are excerpts from our Sign Code: (1) definition of “major arterial”; as defined, Fredericksburg Rd. fronts a Major Arterial; (2) Table 12.13A shows freestanding ground signs are not allowed along properties fronting major arterials; (3) Monument signs’ height and area.

1. STREET, MAJOR/MINOR ARTERIAL. A designated principal traffic thoroughfare more or less continuous across the City, which is intended to connect remote parts of the City or areas adjacent thereto, and act as principal connecting street with State and Federal highways.
Major Arterials are Fredericksburg Rd., Crossroads Blvd, North Crossroads Blvd, Via Crossroads, and Babcock. Minor Arterials are Hillcrest Dr., Balcones North, and Spencer Ln.

2. Section 153.12.13 FREESTANDING GROUND SIGNS.

Table 12.13A Maximum Height of Freestanding Ground Signs

<table>
<thead>
<tr>
<th>Properties fronting Limited Access Highways</th>
<th>35 ft.</th>
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<tr>
<td>Properties fronting Major Arterials</td>
<td>Not Authorized</td>
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<tr>
<td>Properties fronting Minor Arterials</td>
<td>Not Authorized</td>
</tr>
<tr>
<td>Hillcrest District</td>
<td>8 ft.</td>
</tr>
<tr>
<td>Properties in M-3 District</td>
<td>Not Authorized</td>
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</tbody>
</table>


A. **General.** Unless otherwise specifically provided, the regulations set forth in this section shall be applicable to all monument signs that are allowed under this Article.

B. **Maximum Height.** The maximum height of a monument sign shall be five feet six inches (5' 6").

C. **Maximum Area.** The maximum area of a monument sign shall not exceed fifty (50) square feet.

**STAFF RECOMMENDATION:** Staff recommends denial of the 20' Freestanding Sign and require applicant to submit a permit application for a monument sign as outlined in Section 153.12.14 Monument Signs.
APPLICATION REQUEST FOR
APPEAL / SPECIAL EXCEPTION / VARIANCE

OFFICE USE ONLY

MEETING DATE: ___________________ CASE NUMBER: ___________________

PRINT OR TYPE

NAME OF APPLICANT: C坞해LDER SİGNs
ADDRESS: 17319 SAN PEDRO AVE  S/A  TY. 78219
PHONE NO: HOME (210) 224-3243 WORK (210) 349-3804 FAX (210) 349-0729
EMAIL ADDRESS: AORIPEGON @ C坞해LDER SİGNs.COM
STATUS: OWNER ( ) AGENT ( ) If agent, attach notarized Letter of Authorization

PROPERTY DESCRIPTION

ADDRESS: 1555 FREDERICKSBURG ROAD
LEGAL DESCRIPTION
EXISTING PROPERTY USE or STATE NONE: NONE
PROPOSED USE & DESCRIPTION: RESTAURANT
ACREAGE AND/OR SQUARE FOOTAGE: 2.186 AC 1,992 BLDG SQ
DOES OWNER OWN ADJACENT PROPERTY: YES ( ) NO ( )
REQUESTED BOARD ACTION:
Appeal ( ) Special Exception ( ) Variance ( )

A variance begins with a building permit being denied in writing due to non-compliance with Zoning or Building codes. Variance requests are heard and approved or denied by the Board of Adjustment. The following items are required for scheduling a Board of Adjustment hearing and are due to City Hall with the application.

1. A formal written permit denial letter. This letter is issued to the property owner or duly appointed representative by the Director of Community Development. In order to obtain this written denial, the property owner or representative must have submitted the necessary documents to apply for a Building Permit from the Community Development Department. The necessary documents included, but are not limited to, a current certified survey and height statement reflecting the height as measured according to the guidelines set forth by City Ordinance, or full architectural plans if said plans include the two aforementioned items. Once the Director of Community Development denies the request for a building permit, the Community Development Department will provide the property owner or representative with the written denial necessary for the variance application. This application will for a Board of Adjustment hearing will NOT be accepted without this denial statement.

2. A pre-filing interview may be held if requested by the applicant or if deemed necessary by the City.

3300 Hillcrest Drive, Balcones Heights, TX 78201 (210) 735-9148 phone (210) 735-4954 fax
(Rev. 3-2017)
APPEAL TO THE BALCONES HEIGHTS BOARD OF ADJUSTMENT

Please be specific and include additional pages if necessary.

I am requesting a variance that requires: SEE ATTACHED

I am requesting a variance not to comply with the Balcones Heights Zoning Code for the reasons stated below. The Board will consider the following conditions.

a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape, or topography: SEE ATTACHED

b. The application of this appendix to the particular property would create an unnecessary hardship: SEE ATTACHED

c. Such conditions are peculiar to the particular piece of property involved: SEE ATTACHED

d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this appendix: SEE ATTACHED

e. The strict or literal enforcement of the terms of this appendix, because of specific conditions, will result in unnecessary hardship: SEE ATTACHED

f. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of: SEE ATTACHED

Date  01/10/2017

Signature of Property Owner/Representative

3300 Hillcrest Drive, Balcones Heights, TX 78201 (210) 735-9148 phone (210) 735-4954 fax
(Rev. 3-2017)
LETTER OF AUTHORIZATION

June 26, 2017

To Whom It May Concern:

I, Adam Schiller, owner or agent of the owner for the property listed as Big Wood Cay, LLC which is located at:
4455 Fredericksburg Rd
Balcones Heights, TX 78201

do authorize Chandler Signs, Agent, to apply for permits and potential variance requests on our behalf for Chick-fil-A, Inc.

Owner or Agent
210-593-9100

Owners Telephone Number

Date

G-26-17

www.GFRdevelopment.com
Date 8/22/2017

Permit Number 3349
Type of Permit Board of Adjustment-Varience
Type of Business Restaurant
Project/Resident/Business Name Big Wood Cay - CFA
Project/Resident/Business Address 4455 Fredericksburg Rd.
Business Phone #
Contractor's Company Name Chandler Signs
Applicant's Last Name Obregon
Applicant's First Name Abel
Applicant's Address 17319 San Pedro Avenue, Suite #200
City San Antonio
State TX
Zip Code 78232
Applicants Home Phone 210-349-3804
Applicants Cell Phone 210-889-2243
Job Valuation 0.00
Status Pending Review
Expiration Date 9/25/2017
Email aobregon@chandlersigns.com
Tag #

Date of Pavilion Rental
Responsible Party
Type/Name of Event
Start Time
End Time

Assigned To Rita Hoyl

Fees

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<th>Fee Description</th>
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<td>Rita Hoyl</td>
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<td>Uploaded By</td>
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Total $500.00

Amount Outstanding: $0.00
August 18, 2017

City of Balcones Heights
3300 Hillcrest Drive
Balcones Heights
Texas, 78201

Re: Variance request for Chick Fil A to be located at 4455 Fredericksburg Road

We are requesting a variance that requires an additional height of 14’-6” above the city code allowed 5’-6” free standing signs on Fredericksburg Road.

We are requesting a variance for the reasons stated below

A Due to the size and shape (narrow and deep) of the parcel, a narrower proto typical building design is required in order to conform to the parcel and remain within the building code requirements. The building sits back approximately 86’ from the street. This setback and the other buildings next to the parcel prevent the signs on the building from being effective in identifying the client’s establishment. This being the case the freestanding sign becomes more of an important part of the onsite identification for this particular client.

B The application of this appendix to this particular property would create an unnecessary hardship; as stated above the role of the freestanding sign becomes more important in identifying the client’s establishment due to the building setback and other buildings around the parcel. In addition as will be demonstrated in our variance submittals the traffic on Fredericksburg and Crossroads, the most heavily traveled arterials in Balcones Heights more so as Crossroads dead ends into Fredericksburg Rd will cause a visual hardship if the variance is not granted. These points were factored in our research for requesting the variance. Attached to this request are a number of survey photographs with notes detailing and comparing the city allowed heights and the requested variance height. The photos were taken on different days and times in an effort fully understand the hardship and arrive at a reasonable conclusion in making our request. Basically there are 2 photos arrayed on each sheet the top photo shows the city allowed height of 5’-6” the photo below shows the 20’ height requested. There a couple of photos where the 5’6” city allowed marker was not visible and they surveyor enlarged the photo for an enhanced view.
C Such conditions are peculiar to the particular property involved; the fact that Crossroads dead ends into Fredericksburg Rd is peculiar and unique to this parcel. Based on our onsite visits and observations this feature seems to generate a little more gridlock at peak hours.

D Relief, if granted would not cause substantial detriment to the public good or impair the purpose and intent of this appendix. It is our opinion that the public good and safety of that public would benefit by granting the variance. From a traffic safety viewpoint as outlined in photo 12 by the surveyor. A motorist traveling at 30 MPH will not see a sign at 5’-6” in time to react and enter the premise safely. We know from TXDOT and law enforcement departments that inattentive drivers on cell phones and other devices cause accidents as well as motorist driving down the road and realizing they are passing a destination and as a remedy they accelerate to make it or cut in front crossing lanes in an unsafe manner. How many times have any of us seen that? Photo 12A and subsequent photos showing the sign height at 20’ allows us a better perspective as to how the additional height improves the visual effects’

E The strict or literal enforcement of the terms of this appendix, because of conditions will result in unnecessary hardship. We do know that the enforcement of the code allowed height will cause a visual hardship to the client currently not felt by the other established commercial businesses in the area. We will refer you to the following section in our submittals titled “EXISTING SIGN HEIGHT COMPARISONS” These are some but not all of the establishments in Balcones Heights that do not have the new sign height restrictions. The client’s sign will not have any visual impact if the variance request is not granted. This will place his establishment at disadvantage in the highly competitive fast food market. Our variance request is not just about the competition it’s about the safety and well being of the general public, it’s about being a good neighbor, providing employment opportunities to the area, it’s about maintain a property to make it look appealing not just for the grand opening but thru out the years.

F There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained about; we do not see one we have been studying this since we were first asked to do the sign portion of the site investigation report on 12-28-2016. Numerous site visits countless meetings and more photos than I care to count contributed to our findings.
At this height the top of the sign allowed will barely be visible. Keeping in mind the photo was taken at a standing position. In motion, a motorist traveling at 30 MPH may not have sufficient reaction time to safely enter the premise. This is a busy intersection as will be shown in subsequent photos. It is our conclusion that the tenant will not have a reasonable opportunity to identify his location if the requested variance is denied.

At this height the sign will be visible from this point as well as farther back away from the premise. The additional height improves the visibility of the sign allowing a motorist more time to react to traffic conditions and improve reaction time to safely enter the premise. It is our opinion that the added height will allow for a reasonable opportunity to identify his location. An opportunity enjoyed by all of the existing eateries in the area.
At this distance the sign will be virtually invisible. The building sitting back approximately 86' from the street will have minimal visibility if any. Making the granting of the variance requested more critical.

At 20' height the sign maintains visibility. The diminution process will be more noticeable (objects decrease in size the farther away they are observed).
Note the Whataburger sign at 20' in height has good visibility and more than 50' of sign square footage.

At this distance the signage and the building are not visible. There are no vehicles to obstruct the view. The surveyor waited for the traffic to subside in order to present a clear photo.

See photo 18 for an enlarged view.

* Setback is per city code

20' requested variance with a 15' setback. The marker would be the leading edge of the sign.

At this distance the sign will have acceptable visibility. The marker indicates the top of the sign allowing visibility to occur just below the Wonder Plaza sign.
Enlarged photo of marker at 5'-6"
At 5’-6' and at this distance and vantage point the sign at 5’-6" will not be visible. The surveyor took the photo into on coming traffic for a different perspective in an effort to cover more then one possible approach.

* Setback is per city code

20' requested variance with a 15' setback with a 15' setback. The marker would be the leading edge of the sign.

From this distance and vantage point the sign at 20' high will be visible despite the traffic.
This arterial being Crossroads Blvd and not the main arterial never the less provides an approach to the site as well as a different perspective. As one can see a sign at a 5'6" would not be seen.

* Setback is per city code

20' ht requested variance with a 15' setback. The marker would be the leading edge of the sign.

At 20' height the sign remains visible despite the traffic, granted that the angle as seen from this vantage point maybe some what acute the sign will provide a reasonable opprtunity to identify the location.
The sign at 5' 6' in height would not been seen due to the traffic conditions. While on site there was minimal visibility when traffic was at a stand still during the red light cycle.

* Setback is per city code

20' requested variance with a 15' setback. The marker would be the leading edge of the sign.

Good visibility for the sign identifying the point of entry to the site from this vantage point.
Minimal visibility at 5'-6" in height when traffic is light. However due to the parking arrangements and layout, the sign will be obstructed by the street traffic or parked vehicles. The height of a four door truck or an SUV is a little over 6', a sedan tops out at 4'-6".

See photo # 39 for an enlargement of the sign location at 5'-6"
At 20' in height the sign will be partially visible as seen right above the black truck. See photo # 41 for an enlargement of the sign location at 20'

* Setback is per city code

20' ht requested variance with a 15' setback. The marker would be the leading edge of the sign.
EXISTING SIGN HEIGHT COMPARISONS

Exhibit C1 Church’s Fried Chicken
Exhibit C2 Peter Piper Pizza
Exhibit C3 Whataburger
Exhibit C4 Wendy’s
Exhibit C5 Luby’s
EXHIBIT C-1
20' OAHFT
98 sq ft
32 sq ft

5'-6" HT

Existing height and square footage comparison.

EXHIBIT C-2
OAHFT 38'
126 sq ft
28 sq ft
72 sq ft

5'-6" HT

Existing Height and square footage comparison
August 17, 2017

Mr. Abel Obregon
Chandler Signs
17319 San Pedro Avenue, Suite #200
San Antonio, TX 78232

Re: Proposed Freestanding Sign
4455 Fredericksburg Rd.
MXD Zoning

Dear Mr. Obregon:

I have completed the review of the sign permit application and specifications dated July 17, 2017 for the proposed development at 4455 Fredericksburg Rd. The application proposes to display a 20' freestanding pylon sign containing two cabinets, i.e., a main cabinet and a reader board cabinet.

Per the Section 153.12.13 of the Balcones Heights Code of Ordinances, freestanding signs are not authorized on properties fronting Major Arterials (Fredericksburg Rd.), therefore your application is denied.

Below is an excerpt from our Sign Code defining “major arterials” in addition to rules for signage along a major arterial.

STREET, MAJOR/MINOR ARTERIAL. A designated principal traffic thoroughfare more or less continuous across the City, which is intended to connect remote parts of the City or areas adjacent thereto, and act as principal connecting street with State and Federal highways. Major Arterials are Fredericksburg Rd., Crossroads Blvd, North Crossroads Blvd, Via Crossroads, and Babcock. Minor Arterials are Hillcrest Dr., Balcones North, and Spencer Ln.

Sec. 153.12.13. FREESTANDING GROUND SIGNS.

Table 12.13A Maximum Height of Freestanding Ground Signs

| Properties fronting Limited Access Highways | 35 ft. |
| Properties fronting Major Arterials         | Not Authorized |
| Properties fronting Minor Arterials         | Not Authorized |
| Hillcrest District                           | 8 ft. |
| Properties in M-3 District                   | Not Authorized |

3300 Hillcrest Drive    Balcones Heights, TX 78201    (210) 735-9148 phone (210) 735-4954 fax
Section 153.12.13 of the Balcones Heights Code of Ordinances will allow 5'6" high monument sign for the development at 4455 Fredericksburg Rd. Should you wish to reconsider your request, you may find additional information on monuments sign on our website www.bhtx.gov or you may contact me for the information.

Mr. Obregon, if you desire to appeal this decision, you may apply for a variance to Section 153.12.13. In order to comply with laws applicable to notice requirements, please submit the attached Board of Adjustment application not later than noon, Friday, August 25, 2017. Please include applicable fee in the amount of $500.00. The next Board of Adjustment meeting is scheduled for September 25, 2017 at 5 pm. The applicant must attend the Public Hearing and present their request to the Board of Adjustment.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Rita Hoyl
Director of Community Development
PERMIT APPLICATION

THIS IS NOT A PERMIT - WORK IS PROHIBITED UNTIL A PERMIT IS ISSUED

Date: 7-17-2017
Permit Number: (Office use only)

USE OF PROPERTY: □ Residential □ Commercial □ Multi-Family Permit Type: □ Sign

Address Where Work Will Be Performed 4495 FREDERICKSBURG RD.

Property Owner Name GFR DEVELOPMENT SERVICES (Homeowner Name or Business Name)

Owner Address 5602 W. HANSMAN RD Zoning: (if different from address above. No PO Boxes)

Owner Telephone(210) 593-7100 Email: SCHRILES@GFRDEVELOPMENT.COM

Property in Floodplain □ Yes □ No Asbestos Survey Required on Commercial Project □ Initial Required

Does project include Work in the Right-of-Way □ Yes □ No

General Contractor

(GC Business name and Business Owner name)

GC Address Street (no PO Boxes) City Zip

GC Office Phone # Email

GC Cell

Sub Contractor CHANDLER SIGNS / GART STEVENS (Contractor Business name and Business Owner name)

Sub Contractor Address 17319 S. PEDRO ST. TX 78219

Street (no PO Boxes) City Zip

Sub Contractor Office Phone #(210) 349-2304 Contractor Cell(210) 389-2243

Email AOBREXON@CHANDLERSIGNS.COM Super Name/Cell ABE OBREXON

Trade State License No. 18-169 ELECTRICAL SIGNED CONSTRUCTION License Expiration 11-17-2017

Name of Person requesting permit ABE OBREXON

Total market value for this project is $18,000

DETAILED DESCRIPTION OF WORK TO BE PERFORMED UNDER THIS PERMIT

Use extra sheets and/or attach plats, surveys, plans, specifications, asbestos survey and related information and graphics.

NEG & INSTALL FREE STANDING SIGN PER ATTACHED DESIGN # 0614739 ABD. ATTACHED.

Signature of Applicant Date Signed 7-17-2017

Three (3) complete sets of Licensed Architect or Engineer Stamped Plans and Specification must be attached to this application. Plans shall not exceed 30"x36" and shall be "Scaled" Drawings.

Incomplete applications will not be accepted.
<table>
<thead>
<tr>
<th>Name and Location</th>
<th>Other Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHANDLER SIGNS LP, LLP</td>
<td>Electrical Sign Contractor</td>
</tr>
<tr>
<td>3201 MANOR WAY</td>
<td>License #: 18164</td>
</tr>
<tr>
<td>DALLAS TX 75235-5909</td>
<td>Expiration Date: 12/06/2017</td>
</tr>
<tr>
<td>County: DALLAS</td>
<td>Type: SC</td>
</tr>
<tr>
<td>No DBA found</td>
<td>Phone: (972) 739-6557</td>
</tr>
</tbody>
</table>

Master: STEVENS, GARY L
License#: 79762
Expiration: 11/17/2017

Search Again | Back
<table>
<thead>
<tr>
<th>Name and Location</th>
<th>Other Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>STEVENS, GARY L</td>
<td>Master Sign Electrician</td>
</tr>
<tr>
<td>3201 MANOR WAY</td>
<td>License #: 79762</td>
</tr>
<tr>
<td>DALLAS TX 75235-5909</td>
<td>Expiration Date: 11/17/2017</td>
</tr>
<tr>
<td>County: DALLAS</td>
<td>Type: MS</td>
</tr>
<tr>
<td></td>
<td>Phone: (817) 498-4292</td>
</tr>
</tbody>
</table>

This licensee is the designated master for:
Electrical Sign Contractor: CHANDLER SIGNS L.P. L.L.P.
License #: 18164
Expiration Date: 12/06/2017

Search Again | Back
D/F MAIN ID. CABINET
FABRICATED D/F ALUM. CABINET WITH SIGN/COMP RETRO FLAT BLEED FRAME AND COVER, W/ 0.063" ALUM. FILLER, PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.

WHITE BLEED 3M PANORAPIC III FLEX FACES DECORATED WITH 3M #5030-53 TRANSCUTANT CARDINAL RED VINYL APPLIED 1ST SURFACE. WHITE SHOW THRU GRAPHICS.

PAINT INTERIOR OF CABINETS MATTE WHITE, SEMI-GLOSS FINISH. INTERNALLY ILLUMINATED WITH 12V DC VOLTARC TRILIGHT MAX LAMPS SPACED EVENLY.

READER BOARD CABINET
TWO (2) 5' X 2' ROUTED ALUM. FACES AND COMMON FILLER PAINTED MATTHEWS #74155 DARK BRONZE. FACE ROUTED FOR READER BOARD AND COPY READING "CLOSED SUNDAY". FACES BACKED WITH WHITE POLYCARBONATE WITH CLEAR ZIP CHANGE TRACK TO ACCOMMODATE THREE (3) LINES OF WASHER 8" BLACK CHANGEABLE LETTER OPA SET OF 26.

INCLUDE CHANGER ARM. FRANKLIN GOTIC.

INTERNALLY ILLUMINATED WITH TACV VOLTARC TRILIGHT MAX LAMPS SPACED EVENLY.

POLE SUPPORT
STEEL POLES, PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS, WITH MATCH PLATES.

ONE (1) 3'-0" DIA. X 6'-0" DEEP CONCRETE SUPPORT PIER REQUIRED.

WEATHERPROOF POWER BOX PROVIDED and INSTALLED by CUSTOMER. PRIMARY ELECTRICAL by G.C.

VENT COVER ON EACH SIDE

0.037" ALUMINUM ACCESS PANEL WITH CROSS-BREAK

2" X 2" X 1/8" STEEL MOUNTING ANGLE ERECTED TO REAR OF READER CABINET BOLTED TO POLE

PRIMARY ELECTRICAL SERVICE by G.C. - NOT INCLUDED by CUSTOMER

CHICK-FIL-A

END VIEW