



SIGN VARIANCE REQUEST REVIEW

Date: July 2, 2021

Project: Dreamland
2770 W. Hwy. 290
Dripping Springs, TX 78620

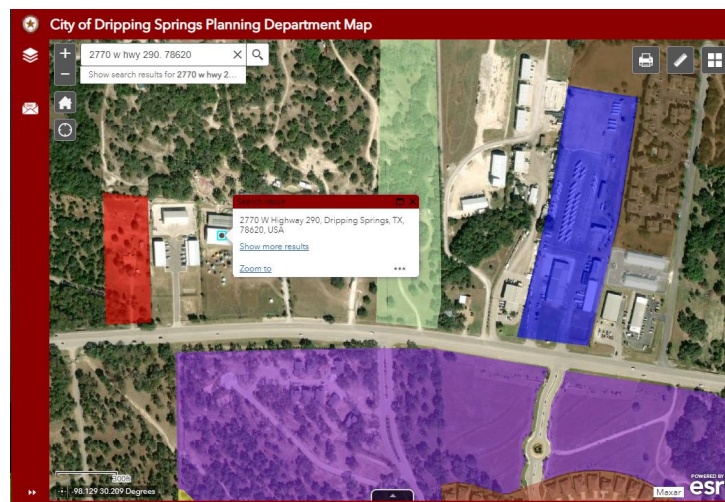
Applicant: Greg Bland, CEO, Dreamland

Submittals: Variance Application
 Sign Permit Application
 Master Signage Plan (if applicable)
 Planned Develop District/Development Agreement Signage Regulations (if applicable)

Variance Requests: Allow two flags with noncommercial messages to exceed the maximum height and area allowed

The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 26 SIGNS, Article 26.03.003 VARIANCES

Dreamland is a commercial recreational facility located in the city's extraterritorial jurisdiction on the west side of Dripping Springs, adjacent to the City Limits (see map below).



Dreamland installed a Texas flag and a United States of America flag that do not comply with the City's Sign Ordinance. Dreamland requests variances to allow two flags with noncommercial messages to exceed the maximum height and area allowed. The Sign Ordinance regulations for flags on commercial property are:

Each lot may have up to a maximum of four flags with noncommercial messages on up to two flagpoles per premises. Each flag must be a maximum of 40 square feet in area. Flagpoles shall be a maximum of 25 feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flagpoles must meet the minimum yard setback requirements for a principal building or a minimum of ten feet, whichever is more restrictive. Each flagpole may only have two flags each. Flags may be illuminated in accordance with section 24.06.010 of this code.

Dreamland installed a U.S.A. flag on a 150' tall pole and the flag is 4,000 square feet in area (50' x 80'). They installed a Texas flag on an 80' tall pole and the flag is 1,500 feet in area (30' x 80').

City Staff members notified the applicant of the Sign Ordinance violations and have also received complaints about the flags from nearby property owners.

Dreamland's variance application states that they inquired with the city about flag regulations and were told that they city didn't regulate them. It also states they were told by a city employee that flags over 200 feet in height are regulated by the FAA. No employees at City Hall recall talking to anyone with Dreamland about flag regulations and I do not think an employee at City Hall would advise an applicant about FFA regulations.

The variance requests relate to the consideration for granting variances as follows:

Considerations in granting variances (Sec. 26.03.003 (e))

- (1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.
 Applicable Not Applicable
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.
 Applicable Not Applicable
- (3) Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.
 Applicable Not Applicable
- (4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.
 Applicable Not Applicable

- (5) The sign and its supporting structure should be in architectural harmony with the surrounding structures.
 Applicable Not Applicable
- (6) Mitigation measures related to the sign in question or other sign on the same premises.
 Applicable Not Applicable
- (7) Demonstrated and documented correlation between the variance and protecting the public health and safety.
 Applicable Not Applicable
- (8) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance, when the responsible party is submitting/obtaining a plat, planned development district, development agreement, or site plan.
 Applicable Not Applicable
- (9) Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.
 Applicable Not Applicable
- (10) The sign administrator may authorize the remodeling, renovation, or alteration of a sign when some nonconforming aspect of the sign is thereby reduced.
 Applicable Not Applicable

Recommendation and Conditions

In my opinion, the variance requests do not comply with any of the considerations in granting a variance. Therefore, I recommend denial of both variance requests.

Please let me know if you have any questions about this report.

Respectfully Submitted,

Michelle Fischer
Sign Administrator