

# BPI Sign Variance

Shane Pevehouse, Building Official



**DRIPPING SPRINGS**  
Texas

# BPI Sign Variance



## Project Details:

- 2.04 Acres located in the ETJ
- 380+ linear feet of black screening material; approximately 260 feet with 14 unpermitted BPI logos facing HWY 290.
- Unpermitted sign near the Right of Way.



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Site Photo



## **Variance Details**

**Description of the hardship or reasons the Variance is being requested (as report by the applicant on the Variance Request):**

“ This variance is being requested due to the nature of our company business as a construction company where fence screens to obscure view of our site is optimal both to us and the roadway. Treating each logo on a fence screen as separate sign seems illegal and contrary to the intent of the ordinance.”

**Description of how the project exceeds Code requirements to mitigate or offset the effects of the proposed variance (as report by the applicant on the Variance Request):**

“N/A”

- Based on the criteria listed in Sec. 26.03.003 (Variances) of the City Sign Ordinance, Staff found no evidence presented that strict compliance with the requirements of this article will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of the City Sign Ordinance.

Variance Criteria

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.
2.	Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.
3.	Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.
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.
5.	The sign and its supporting structure is in architectural harmony with the surrounding structures.

\* Only 3, 4, and 5 are applicable

## **Variance Criteria**

<b>6.</b>	Mitigation measures related to the sign in question or other signs on the same premises. to the sign in question or other signs on the same premises.
<b>7.</b>	Demonstrated and documented correlation between the variance and protecting the public health and safety.
<b>8.</b>	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 unit development, development agreement, or site plan.
<b>9.</b>	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.
<b>10.</b>	The sign administrator may authorize the remodeling, renovation, or alteration of a sign when some nonconforming aspect of the sign is thereby reduced.



## Staff Recommendations and Next Steps

- Staff recommends denial of the Sign Variance.

*If approved or denied,*

- City Council must determine the final fees to be paid by the applicant.
- Applicant must submit a Sign Application for the unpermitted sign near the right of way.