

## **MAYOR AND CITY COUNCIL COMMUNICATION**

**DATE:** August 15, 2023  
**TO:** Mayor and City Council  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation, Discussion, and Possible Action to Consider Approval of a Request by Spirit Halloween for a Variance to Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.013 Temporary signs, (b), to Display a Temporary Sign for Longer Than Allowed by the Code, Located at 6808 Huebner Rd

**SPONSOR(S):** N/A

### **PURPOSE**

The purpose of this item is to consider approval of a variance request by Aetna Sign Group for Spirit Halloween to be allowed to display a temporary sign for longer than the code allows, located at 6808 Huebner Rd.

The Leon Valley Code of Ordinances, Chapter 3 Building Regulations, Article 3.04 Signs, Sec. 3.04.013 Temporary signs, (b) states:

“(b) Each business may be allowed a total of one temporary sign per six-month period for a time period of up to 30 days. A permit is required and must be obtained each time a sign is displayed. A seasonal business may apply for a variance to display temporary signs for up to 120 days in lieu of 30 days per quarter.”

They are requesting to display the sign from August through November (90 days). The Code also states:

“Sec. 3.04.008 - Variances and appeals

(a) Persons wishing to erect signs not in conformance with this article or any person aggrieved by any decision of the city in the administration of this article may appeal such decision to the city council. The city council shall only hear and decide the following:

(1) An appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this article; or

(2) A request for variance(s) from the strict enforcement of the requirements of this article due to special conditions wherein a literal enforcement of this article would result in unnecessary hardship, and so that the spirit of this article is observed, and substantial justice is done.

**SEE LEON VALLEY**

Social Equity: Allowing the variance to advertise the seasonal business promotes participation with the city and creates positive relationships.

Economic Development: The seasonal business will increase sales tax revenue.

Environmental Stewardship: The sign can be used every year, reducing waste in landfills.

**FISCAL IMPACT:**

The applicant has paid all fees associated with this request. The applicant will be able to entice more customers with a large visual sign advertising their product, which will increase sales tax.

**STRATEGIC GOALS**

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

**RECOMMENDATION**

After careful review, staff recommends approval of this request

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary