

**NOTICE OF MEETING**  
**CITY OF SOUTH PADRE ISLAND**  
**DEVELOPMENT STANDARDS REVIEW TASK FORCE**

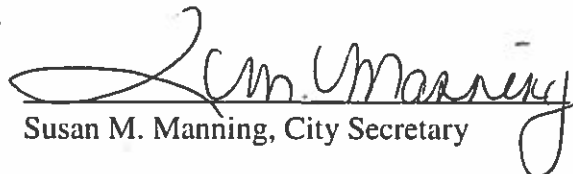
**NOTE: One of more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.**

NOTICE IS HEREBY GIVEN THAT THE DEVELOPMENT STANDARDS REVIEW TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**TUESDAY, AUGUST 13, 2019**  
**10:00 A.M. AT THE MUNICIPAL BUILDING,**  
**CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR**  
**4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TX**

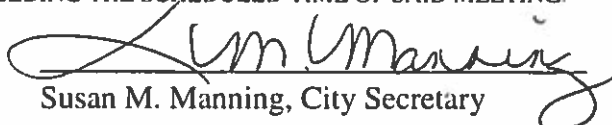
1. Call to Order
2. Pledge of Allegiance
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to the Task Force relating to agenda or non-agenda items. Speakers are required to address the Task Force at the podium and give their name before addressing their concerns. [Note: State law will not permit the Development Standards Review Task Force to discuss, debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Development Standards Review Task Force meeting]*
4. Approve minutes of June 11, 2019 regular meeting.
5. Discussion and action regarding a request by Alita Bagley for a variance from South Padre Code of Ordinance, Chapter 15, Table 15-1. Applicant is requesting a variance to have an eight feet wide by six feet tall monument sign placed along the east property line with a zero feet setback, at 6801 Padre Boulevard (Lot 1, Contran Subdivision). The current regulation requires a minimum fifteen feet setback for monument signs.
6. Discussion and action regarding a request by Bailey's Beach Service for a variance from South Padre Code of Ordinance, Chapter 15, Section 15-5, Certain Signs Prohibited. Applicant is requesting a variance to have the logo of the South Padre Island Golf Club on the umbrellas that are rented by beachgoers at the following locations: 5008 Gulf Boulevard (La Internacional) and 143 White Sands (Key Largo Condos). The current regulation prohibits off-premise signs and portable signs.
7. Adjourn.

DATED THIS THE 9<sup>TH</sup> DAY OF AUGUST 2019.

  
Susan M. Manning, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF THE DEVELOPMENT STANDARDS REVIEW TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON AUGUST 9, 2019 AT/OR BEFORE 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



  
Susan M. Manning, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

<p style="text-align: center;"><b>MINUTES</b> <b>CITY OF SOUTH PADRE ISLAND</b> <b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b></p>
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**TUESDAY, JUNE 11, 2019**

**I. CALL TO ORDER**

The Development Standards Review Task Force Members of the City of South Padre Island, Texas held a Regular Meeting on Tuesday, June 11, 2019 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Gardner Treharne called the meeting to order at 10:00 a.m. A quorum was present: Task Force Member Gary Johnson, and Gabriel Vanounou. Members with an excused absence were Kimberly Dollar and Donna Eymard.

City staff members present were: Building Official David Travis, and Administrative Assistant Marta Martinez. Also present was Council Member Kerry Schwartz.

**II. PLEDGE OF ALLEGIANCE**

Chairman Treharne led the Pledge of Allegiance.

**III. PUBLIC COMMENTS AND ANNOUNCEMENTS.**

None

**IV. APPROVE MINUTES OF DECEMBER 11, 2018 REGULAR MEETING.**

Chairman Treharne made a motion, seconded by Task Force Member Johnson to approve the minutes as submitted. Motion carried unanimously.

**V. DISCUSSION AND ACTION REGARDING A REQUEST BY JAMES PIGG FOR A VARIANCE FROM SEC. 15-5, CERTAIN SIGNS PROHIBITED, (H) POLE SIGNS. APPLICANT IS REQUESTING A VARIANCE TO HAVE A POLE SIGN CONSISTING OF TWO WODEN POLES AND A WOODEN EIGHT FEET LONG BY THREE FEET TALL SIGN LOCATED AT THE EAST PROPERTY LINE ALONG LAGUNA BOULEVARD, AT 2401 B LAGUNA BOULEVARD. (Lot 2 Block 38 Padre Beach Subdivision, Section IV)**

Building Official David Travis gave a brief presentation regarding the proposed pole sign. Task Force Member Vanounou made a motion, seconded by Chairman Treharne to approve a pole sign consisting of two wooden poles and a wooden eight feet long by three feet tall sign located at the east property line along Laguna Boulevard, at 2401B Laguna Boulevard. The motion carried unanimously.

## **VI. ADJOURN.**

There being no further business, Chairman Treharne adjourned the meeting at 10:12 a.m.

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Marta Martinez, Secretary

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Gardner Treharne, Chairman

<p align="center"><b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b></p>
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**MEETING DATE:** August 13, 2019

**ITEM: 5**

**TO:** Development Standards Review Task Force

**FROM:** Aaron Hanley, Planning Director and/or David Travis, Building Official

**ITEM DESCRIPTION:**

Discussion and action regarding a request by Alita Bagley for a variance from South Padre Code of Ordinance, Chapter 15, Table 15-1. Applicant is requesting a variance to have an eight feet wide by six feet tall monument sign placed along the east property line with a zero feet setback, at 6801 Padre Boulevard (*Lot 1, Contran Subdivision*). The current regulation requires a minimum fifteen feet setback for monument signs.

**DISCUSSION:**

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**The Issue**

1. Monument signs are required to have a 15 feet setback from the property line per City of South Padre Island Code of Ordinance Chapter 15, Section 15-7, Sign Standard, Table 15-1, Sign Number, Area and Height Regulations:

<i>Table 15-1, Commercial Signs for Single Business Use</i>				
<b>SIGN TYPE</b>	<b>MAX. NO. SIGNS PER LOT</b>	<b>MAX. AREA OF SIGN</b>	<b>MAX. HEIGHT</b>	<b>SETBACK</b>
<b>1) Monument (Double Faced)</b>	1 sign per lot*	50 sq. feet per face	16 ft from average grade	<b>15 ft from ROW &amp; PL</b>

2. The property is within the Padre Boulevard North District, and is primarily regulated by the Padre Boulevard and Entertainment District Form-Based Code, the setback regulations are not listed within the Form-Based Code. Within the Form-Based Code Chapter VIII, Signage Standards, Section 8.1, Applicability, states, **“Except as specifically listed below [referring to Table 8.1], all other signage and sign standards shall comply with Chapter 15 of the City of South Padre Island City Ordinances, as amended.”** Setback limitations for monument signs are not specifically listed within Table 8.1, therefore we refer to Chapter 15 of the Code of Ordinance.

<i>Table 8.1</i>		
<b>SIGN TYPE</b>	<b>Character Zone</b>	<b>Standard</b>
<b>Monument Signs</b>	Padre Boulevard North	<b>One monument sign per lot per lot street frontage (no more than 2 per lot separated by at least 100 ft.) limited to a maximum of 50 sq. ft. per sign face and 6 ft. in height.</b>

<p style="text-align: center;"><b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b></p>
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**Staff Recommendation**

Staff respectfully recommends considering the purpose of a variance as described in Chapter 15, Section 15-14, Appeals and variances.

**Sec. 15-14. - Appeals and variances.**

**Any person aggrieved by any decision of the City Manager or his designee in the administration of this Chapter may appeal such decision to the Development Plan Review Board. The Development Plan Review Board shall:**

- (A) Hear and decide appeals that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this Chapter,**
- (B) Grant variances from the strict enforcement of the requirements of this Chapter due to special conditions, a literal enforcement of this Chapter would result in unnecessary hardship, and so that the spirit of Chapter 15 is observed and substantial justice is done,**
- (C) Provide recommendations to the Board of Aldermen regarding ordinance revisions and changes to this chapter to better address the Town's desired direction for aesthetic improvement.**



## CITY OF SOUTH PADRE ISLAND

### Development Standards Review Task Force Application

Meeting date on the 2<sup>nd</sup> Tuesday of every month.

To be considered a complete application this form must be COMPLETELY filled out and ten (10) copies of the form and supporting documentation must be submitted two (2) weeks before the meeting date. **\$250 application fee per variance request.**

#### SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 6801 Padre Blvd.

Legal Description (Lot/Block/Subdivision): LOT 1 Contron Sub

Is this property part of a shopping center (i.e. one tenant of many?) [ ] YES / [X] NO

Linear footage of any walls facing a street: \_\_\_\_\_

I hereby request the following from the Development Standards Review Task Force: \_\_\_\_\_

SEE ATTACHED

**\*SIGNS & STRUCTURES:** person pulling sign permit is required to have a \$10,000 license and permit bond made out to the City of South Padre Island.

PROPERTY OWNER: SPI Economic Dev Corp/SPI Birding's NATURE CTR

OWNER MAILING ADDRESS: 6801 Padre Blvd

CITY, STATE, ZIP: SPI, TX 78597

PHONE NUMBER: 956-761-6801 (E-mail address) spialital@gmail.com

Alita Bagley/SPI BNC  
Signature of Property Owner (required)

7/31/19  
Date

APPLICANT: ALITA BAGLEY, PRES, SPI BIRDING & NATURE CTR

APPLICANT MAILING ADDRESS: 6801 Padre Blvd

CITY, STATE, ZIP: SPI, TX 78597

PHONE NUMBER: 956-243-1920 (E-mail address) spialital@gmail.com

\_\_\_\_\_  
Signature of Applicant (if different from owner)

7/31/19  
Date

Applicant is requesting an exception to the 15' setback line.

The South Padre Island Birding and Nature Center is an economic development of the South Padre Island Economic Development Corporation which opened in 2009.

Since that time, the Center has focused on a public amenity featuring education on the flora of fauna of the Laguna Madre specifically birding and native habitat. Recently the Center has expanded its mission to educate the public and provide activities related specifically to the alligators of South Texas. This expansion has provided an additional attraction to the Islands visitors and residents and greatly added to the economic benefit of the Island.

With the added attractions, the SPI BNC wishes to add signage featuring all the amenities.

The current requirements of the sign ordinance in the district include a 15' setback and a 6' height limit.

The Center/EDC currently have an attractive white vinyl fence, 3' high which sets back 18' from the property line. There are also mature Sabal Palms along the fence. The improved sidewalks sit at the property line. The city installed a bus stop which is set back 12' on to the property on the North end. On the South end of the property is a large concrete electrical post which sits just outside the property line.

As you can see from the attached photos, the bus stop as well as the electrical pole interfere with the view from Padre Blvd to a sign which must adhere to the 15' setback.

Photo "A" shows the required setback. As you can see, due to existing palm trees, the view from the North is blocked. Also, a portion of the fence will have to be removed in order for the sign to fit. Driving from the South, the large electrical pole interferes with sight view.

There is also a 'no parking' sign which interferes with sight.

Photo "B" shows placement on the North side of the Bus Stop. As you can clearly see, with the required set back, the bus stop blocks all view of the sign.

Applicant is requesting to be allowed to place sign at property line.

Photo "C" shows the desired location with sign placed at property line. This location allows for placement on the East side of the existing fence and clearance from the palm trees. This location will allow sightlines for vehicles traveling North or South without interference from the Bus Stop, trees and electrical pole.

Sign will adhere to the 6' high requirement, with 50 sq. ft. of face. Applicant wishes to add white posts on either side wrapped in attractive rope to give a seaside look and will be framed with painted wood. Total sign width including decorative posts 12'



"A"





"B"





“C”





"D"



TOTAL HEIGHT

6'

SIGN FACE WIDTH 8' TOTAL SIGN WIDTH 12'

6X8 DOUBLE 3/4" PLYWOOD

SANDWICHED BTW

(2) Ea SIDE 4X4X12 POSTS

SET 3' IN CONCRETE





Imagery Date: 12/9/2017 26°08'15.57" N 97°10'20.19" W elev



<b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b>
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**MEETING DATE:** August 13, 2019

**ITEM:** 6

**TO:** Development Standards Review Task Force

**FROM:** Aaron Hanley, Planning Director and/or David Travis, Building Official

**ITEM DESCRIPTION:**

Discussion and action regarding a request by Bailey's Beach Service for a variance from South Padre Code of Ordinance, Chapter 15, Section 15-5, Certain Signs Prohibited. Applicant is requesting a variance to have the logo of the South Padre Island Golf Club on the umbrellas that are rented by beachgoers at the following locations: 5008 Gulf Boulevard (La Internacional) and 143 White Sands (Key Largo Condos). The current regulation prohibits off-premise signs and portable signs.

**DISCUSSION:**

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**The Issue**

1. Per Section 15-2, Definitions, of the City of South Padre Island Code of Ordinance:
  - a. A sign is defined as "...any thing of visual appearance primarily used for, or having the effect of, attracting attention from the streets, sidewalks, curbside or any other public areas including waterways for identification purposes, whether illuminated or non-illuminated. An identification logo, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, place, activity, person, service, institution or business, whether illuminated or non-illuminated. For the purposes of removal, the definition of "sign" shall include all of the sign structure. For the purposes of this Ordinance, this definition shall also include paintings directly upon a building, other structure or vehicle and any manufacture incorporated or added to a building or property that is not a normal structural or architectural component of a building shall be considered a "sign" (i.e. to attract attention from public right-of-way) and must comply with all the commercial sign regulations of this Chapter pertaining to either a monument sign or a projecting sign. (Ord. 02-14; Nov.20, 2002) The basic intent behind this definition is not to discourage product displays, design, or art from epitomizing simplicity, good taste, and compatibility with the community's desired image."
  - b. Off-premise sign is defined as, "...any sign other than an on-premise sign."
  - c. On-premise sign is defined as, "...a sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises. All other signs are off-premises signs."
  - d. Portable sign is defined as, "...any sign not permanently affixed to a building, structure or the ground, and designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes. This definition includes, but is not limited to, A-frame signs, sandwich signs, curb signs, sail flag signs, feather flag signs and signs on trailers with or without wheels or on other vehicles which are primarily used as signs."
2. The proposed signs that are permanently affixed to the umbrellas are advertising a product or service that is not available on site making them an off-premise sign by definition.



<p style="text-align: center;"><b>DEVELOPMENT STANDARDS REVIEW TASK FORCE</b></p>
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3. The umbrellas are not permanently affixed to a building, structure or the ground, thus making them portable.
4. The signage on the umbrellas will be visible from the beach, which is a public area.

**Staff Recommendation**

Staff respectfully recommends considering the purpose of a variance as described in Chapter 15, Section 15-14, Appeals and variances.

**Sec. 15-14. - Appeals and variances.**

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## CITY OF SOUTH PADRE ISLAND

### Development Standards Review Task Force Application

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#### SITE LOCATION FOR REQUEST:

Physical Address (Street Name & Number): 5008 Gulf Blvd and 143 White Sands

Legal Description (Lot/Block/Subdivision): La Internacional and Key Largo Condos

Is this property part of a shopping center (i.e. one tenant of many?) [ ] YES / [X] NO

Linear footage of any walls facing a street: N/A

I hereby request the following from the Development Standards Review Task Force: a sign variance  
so we can promote the South Padre Island Golf Course on  
our umbrellas

\*SIGNS & STRUCTURES: person pulling sign permit is required to have a \$10,000 license and permit bond made out to the City of South Padre Island.

PROPERTY OWNER: Austin Bailey

OWNER MAILING ADDRESS: PO Box 3887

CITY, STATE, ZIP: South Padre Island, TX, 78597

PHONE NUMBER: 956-371-4160 (E-mail address) spibailey@yahoo.com

[Signature]  
Signature of Property Owner (required)

7-31-19  
Date

APPLICANT: Bailey's Beach Service

APPLICANT MAILING ADDRESS: same as above

CITY, STATE, ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ (E-mail address) \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant (if different from owner)

\_\_\_\_\_  
Date

