

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

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, NOVEMBER 12, 2019**  
10:00 AM AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2ND 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.Regular Agenda

4.1. Approve minutes of September 10, 2019 regular meeting.

4.2. 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.

5.Adjourn

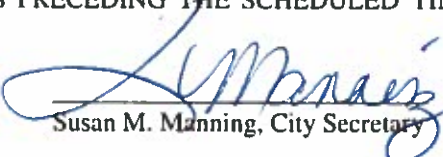
**NOTE:** *One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.*

DATED THIS THE 4<sup>TH</sup> DAY OF NOVEMBER 2019.

  
Susan M. Manning, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF THE DEVELOPMENT STANDARDS REVIEW TASK FORCE MEETING 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 NOVEMBER 4, 2019, AT/OR BEFORE 5:00 PM 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.

Agenda: NOVEMBER 12, 2019 - DEVELOPMENT STANDARDS REVIEW TASK FORCE MEETING

**CITY OF SOUTH PADRE ISLAND  
DEVELOPMENT STANDARDS REVIEW TASK FORCE  
AGENDA REQUEST FORM**

**MEETING DATE:** November 12, 2019

**NAME & TITLE:** Marta Martinez

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

Approve minutes of September 10, 2019 regular meeting.

**ITEM BACKGROUND**

None

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

N/A

**LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**

**MINUTES  
CITY OF SOUTH PADRE ISLAND  
DEVELOPMENT STANDARDS REVIEW TASK FORCE**

**TUESDAY, SEPTEMBER 10, 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, September 10, 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, Kimberly Dollar, and Gabriel Vanounou.

City staff members present were: Planning Director Aaron Hanley and Administrative Assistant Marta Martinez. Also present were Council Members Ken Medders and Alita Bagley.

**II. PLEDGE OF ALLEGIANCE**

Chairman Treharne led the Pledge of Allegiance.

**III. PUBLIC COMMENTS AND ANNOUNCEMENTS.**

None

**IV. APPROVE MINUTES OF JUNE 11, 2019 REGULAR MEETING.**

Task Force Member Johnson made a motion, seconded by Task Force Member Vanounou to approve the minutes as submitted. Motion passed on a 3:0:1 vote. Task Force Member Dollar abstained

**V. 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.**

Planning Director Aaron Hanley gave a brief presentation regarding the proposed monument sign. After some discussion Task Force Member Dollar made a motion, seconded by Task Force Member Vanounou to approve a monument sign for two (2) years and the sign to be placed three feet from the Right-of-way/Property line. The motion carried unanimously.

**VI. 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.**

As per the applicant request this agenda item was tabled. No action was taken.

**VII. ADJOURN.**

There being no further business, Chairman Treharne adjourned the meeting at 10:27 a.m.

---

Marta Martinez, Secretary

---

Gardner Treharne, Chairman

**CITY OF SOUTH PADRE ISLAND  
DEVELOPMENT STANDARDS REVIEW TASK FORCE  
AGENDA REQUEST FORM**

**MEETING DATE:** November 12, 2019

**NAME & TITLE:** Aaron Hanely, Planning Director

**DEPARTMENT:** Planning/Parks & Rec. Department

**ITEM**

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.

**ITEM BACKGROUND**

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.

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.

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.

#### **BUDGET/FINANCIAL SUMMARY**

N/A

#### **COMPREHENSIVE PLAN GOAL**

N/A

#### **LEGAL REVIEW**

Sent to Legal: No

Approved by Legal: No

**RECOMMENDATIONS/COMMENTS:**



**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): 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



