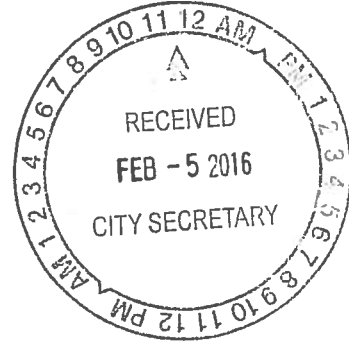


JON M. STAUTBERG

Attorney at Law
3100 Edloe St., Suite 335
Houston, TX 77027
(713) 621-7303
(713) 621-8706 (FAX)



February 4, 2016

Anna Russell
City Secretary
City of Houston
900 Bagby
Houston, TX 77002

Re: Notice of Appeal Regarding the decision of the General Appeals Board notice of sign violation at 312 Main Street.

Dear Mrs. Russell:

Pursuant to Section 4604(e)(1) of the Sign Code, please consider this written notice of appeal regarding the decision of the General Appeals Board from the denial the Appeal of Texas Direct Auto of a Notice for Sign Violation of a sign permit by the City of Houston Sign Administrator for the Sign at 312 Main St., Houston Texas.

If you should have any questions please do not hesitate to contact the undersigned at your earliest convenience.

Very truly yours,


Jon M. Stautberg
JMS/js

Enclosure

cc. Brett Bertrand

**NOTICE OF APPEAL TO THE CITY COUNCIL OF THE CITY OF HOUSTON,
TEXAS, FROM A VOTE BY THE HOUSTON SIGN BOARD TO DENY THE APPEAL
OF TEXAS DIRECT AUTO OF A CITATION FOR A SIGN VIOLATION**

TO: Anna Russell, City Secretary, City of Houston
CC: David Reid, City Attorney's Office
From: Rhino LPH, LLC/Texas Direct Auto (Applicant)
Re: Appeal Notice and Written Special Exceptions
Date: February 4, 2016

Per Rule 12 of Section 2-2 of the City of Houston's Code of Ordinances, Applicant and Owner file this Notice of Appeal to the City Council of the City of Houston, Texas from a vote by the Sign Board to deny Texas Direct Auto's Appeal from a Notice of Sign Violation for 312 Main Street, Houston, Texas.

Whereas, The City of Houston Department of Public Works and Engineering Planning and Development Service Division Sign Administration Group issued a Notice for Sign Violation on December 7, 2015; and

Whereas the said Sign Administration Group cited Texas Direct Auto pursuant to Section 46002 stating that the sign was "a business purpose shall not include any property, building, or structure erected or used for the primary purpose of securing a permit to erect a sign" Must remove "all sign"; and

Whereas Texas Direct Auto appealed said citation to the general appeals board and, said appeal being heard on January 28, 2016; and

Whereas said appeal denied Texas Direct Auto's right to have the sign at the Leased Premises; and

Whereas Applicant may provide for written special exceptions as part of this appeal;

Now Therefore,

1. Applicant appeals the decision of the General Appeals Board on January 28, 2016.
2. Per Rule 12 of Section 2-2 of the City of Houston Code of Ordinances, Applicant will furnish the Appeal to the transcript of oral testimony, exhibits offered and considered, written and oral responses, answers or questions and all documents reviewed or considered by the Planning Commission.
3. As further allowed by Rule 12 of Section 2-2 of the City of Houston Code of Ordinances, Applicant provides the following written special exceptions:

SPECIAL EXCEPTIONS:

1. Applicant would assert that the General Appeals Board of the City of Houston misapplied the law in finding that there was no legitimate business purpose of the Leased Premises at 312 Main Street.

2. Applicant would assert that the General Appeals Board of the City of Houston misapplied the law in finding that the sign was an off-premise sign, specifically when the sign met all requirements for an on-premise sign.

3. Applicant would assert that the General Appeals Board of the City of Houston misapplied the law by stating that the sign posted by Texas Direct Auto was an off-premise sign, due to its failure to conduct business, while it was waiting for an occupancy permit to begin conducting business.

4. Applicant would assert that the General Appeals Board misapplied the law in finding that the sign was an off-premise sign.

Applicant request that the City Council reverse the ruling of the General Appeals Board of the City of Houston to find that Texas Direct Auto is not in violation of the sign code and that the sign located at 312 Main St., Houston Texas is an on-premise sign.



Brett Bertrand, Managing Member Rhino LPH, LLC