



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
REGULAR MEETING
MINUTES
(August 9, 2010)**

The Board of Adjustment convened in a regular meeting on August 9, 2010, 301 West 2nd Street in Austin, Texas.

Chair Leane Heldenfels called the Board Meeting to order at 5:30 p.m.

Board Members in Attendance: Leane Heldenfels (Chair), Clarke Hammond (Vice-Chair), Heidi Goebel, Jeff Jack, Bryan King, Nora Salinas, Michael Von Ohlen

Board Members Absent: Cathy French (SRB only)

Staff in Attendance: Susan Walker and Diana Ramirez

A. APPROVAL OF MINUTES [July 12, 2010](#)

The motion to approve the minutes from July 12, 2010, was approved with revisions G-1 and G-10, 7-0. [Revised agenda](#)

B. SIGN REVIEW PUBLIC HEARINGS

B-1 Report and Possible Action Item

Consider a request by the Code Compliance Department (CCD) to set a public hearing pursuant to Section 25-10-236 (Revocation and Suspension) on CCD's request to revoke off-premise sign registrations for properties located at 8600 West US Highway 290 and 2009 Airport Boulevard.

The Item was closed on Board Member Jeff Jack to set public hearing on September 13, 2010, Board Member Michael Von Ohlen second on vote 7-0.

C. BOARD OF ADJUSTMENT POSTPONEMENTS

**C-1 C15-2010-0004 Norma Pena Raven for Great Hills Golf Club of Austin, Inc
5914 Lost Horizon Drive**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 0 feet in order to erect a Community Recreation use in an "SF-6", Townhouse and Condominium Residence zoning district.

The public hearing was closed on Board Member Bryan King motion to DENY, Board Member Heidi Goebel second on a 4-3 vote (Board member Nora Salinas, Leane Heldenfels, Clarke Hammond nays); DENIED.

**C-2 C15-2010-0060 Carlos & Kelly Gonzalez
1700 South 6th Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 15 feet in order to erect a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan) **GRANTED**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet along the north property line in order to erect a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan) **DENIED**

The public hearing was closed on Board Member Bryan King motion to GRANT, front street setback variance only with conditions that the construction conforms with the requirements of the city arborist and the major limbs described on exhibit [C2/10](#) be preserved, wooden deck to be open slats refer to [C2/51](#), to DENY side yard setback, Board Member Nora Salinas second on an 7-0 vote; GRANTED front street setback only.

**C-3 C15-2010-0072 Sylvia Cantu
605 Irma Drive**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 4.4 feet in order to complete and maintain an attached carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Jeff Jack motion to Postpone to September 13, 2010 for better findings/hardship, Board Member Nora Salinas second on an 5-2 vote (Board member Bryan King nay and Heidi Goebel abstained); POSTPONED TO September 13, 2010.

**C-4 C15-2010-0073 Jim Bennett for Allen McAden
2109 Newfield Lane**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 24.6 feet in order to complete and maintain an existing duplex-residential use in an “SF-3”, Family Residence zoning district. **GRANTED**

The applicant has requested a variance to increase the maximum floor to area ratio requirement of Subchapter F; Article 2; Subsection 2.1 from 0.4 to 1.0 to 0.61 to 1.0 in order to complete and

maintain an existing duplex-residential use in an “SF-3”, Family Residence zoning district.
DENIED

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-773 (B) (1) from 7,000 square feet to 6,942 square feet in order to complete and maintain an existing duplex-residential use in an “SF-3”, Family Residence zoning district. **GRANTED**

The public hearing was closed on Board Member Bryan King motion to GRANT two variances front street setback and lot size; to DENY floor to area variance, Board Member Heidi Goebel second on an 7-0 vote; GRANTED two variances front street setback and lot size.

**C-5 C15-2010-0074 Joe Parham
7700 Mullen Drive**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet in order to erect and attach a carport addition to an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Crestview Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to POSTPONE to September 13, 2010 for better findings and approval letter from the adjacent neighbors, Board Member Bryan King second on an 7-0 vote; POSTPONED TO September 13, 2010.

**C-6 C15-2010-0075 Jim Bennett for The Griffin School
5000-5002 Martin Avenue**

The applicant has requested a variance from the minimum street paved width requirement of Section 25-2-832 (1) in order to remodel an existing Religious Assembly Use to create a Private Secondary Educational Facility in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North Hyde Park Neighborhood NCCD) The Land Development Code states that a private secondary school must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet.

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT with conditions to limit 68 students or 38 parking spaces recommended by Fire Safety as per exhibit C6/24, Board Member Clarke Hammond second on a 7-0 vote; GRANTED.

**C-7 C15-2010-0076 Jim Bennett for The Griffin School
600 East 50th Street**

The applicant has requested a variance from the minimum street paved width requirement of Section 25-2-832 (1) in order to remodel an existing Religious Assembly Use to create a Private Secondary Educational Facility in an “SF-3-NCCD-NP”, Family Residence – Neighborhood

Conservation Combining District – Neighborhood Plan zoning district. (North Hyde Park Neighborhood NCCD) The Land Development Code states that a private secondary school must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet.

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT with conditions to limit 68 students or 38 parking spaces recommended by Fire Safety as per exhibit C6/24, Board Member Clarke Hammond second on an 7-0 vote; GRANTED.

**C-8 C15-2010-0077 Cheryl Silverman for Jackson Boyett
5500 Avenue G**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (60.77% existing) to 65.57% in order to erect an addition (850 square feet) to an existing Religious Assembly use in an “SF-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The public hearing was closed on Board Member Clarke Hammond motion to POSTPONE to September 13, 2010 (by applicant), Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO September 13, 2010.

D. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**D-1 C15-2010-0067 Adriana Montero
4705 Harmon Avenue**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet in order to maintain two accessory structures in a “CS-MU-CO-NP”, Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan” zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet in order to maintain an accessory structure along the south property line in a “CS-MU-CO-NP”, Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan” zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum building coverage requirement of Section 25-2-492 (D) from 40% to 42.9% in order to maintain two accessory structures in a “CS-MU-CO-NP”, Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan” zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 56.1% in order to maintain two accessory structures in a “CS-MU-CO-NP”, Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan” zoning district. (North Loop Neighborhood Plan)

The public hearing was closed on Board Member Bryan King motion to DENY, Board Member Heidi Goebel second on a 5-2 vote (Board members Jeff Jack, Michael Von Ohlen, Nora Salinas, Leane Heldenfels, Clarke Hammond nay); DENIED.

**D-2 C15-2010-0080 Antonio Reyes for Socorro Reyes
2806 Singlefoot Lane**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 9 feet in order to complete, remodel and maintain an existing single-family residence in an "SF-2-NP", Single-Family Residence – Neighborhood Plan zoning district. (Southeast Neighborhood Plan)

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet 7 inches in order to complete, remodel and maintain an existing single-family residence in an "SF-2-NP", Single-Family Residence – Neighborhood Plan zoning district. (Southeast Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT with conditions that the other home is removed and meets all other current codes, Board Member Bryan King second on a 7-0 vote; GRANTED.

**D-3 C15-2010-0081 Josh Rash
2846 San Gabriel Street**

The applicant have requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,500 square feet (existing) in order to remodel an existing duplex residential use to create a two-family residential unit and erect a single family residence on a lot in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (West University Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to POSTPONE to September 13, 2010 for better findings, physical features of lot, Board Member Jeff Jack second on an 7-0 vote; POSTPONED TO September 13, 2010.

**D-4 C15-2010-0082 Hortencia Vitale
805 West 30th Street**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 2 feet along the west property line in order to maintain an accessory structure for a single-family residence in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (West University Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT, Board Member Leane Heldenfels second on a 7-0 vote; GRANTED.

D-5 C15-2010-0083 Frank Peter Anzalone

6117 Harrogate Drive

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 9 inches in order to maintain an accessory building for an existing single-family residence in an “SF-2”, Single Family Residence zoning district.

The public hearing was closed on Board Member Leane Heldenfels motion to POSTPONE to September 13, 2010 for additional information/pictures showing trees and reasoning how structure can't be moved, Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO September 13, 2010.

**D-6 C15-2010-0084 Robert Steinbommer for Frank Starr Niendorff
2900 Pecos Street**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4 feet in order to maintain an accessory building for an existing single-family residence in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 49.80% to 49.92% in order to remodel and erect an addition to an existing single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Bryan King motion to GRANT, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED.

**D-7 C15-2010-0085 Kyle Walker
6401 Skycrest Drive**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 7.5 feet in order to maintain an addition (carport) along the east property line in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Variance was approved on May 14, 2001 under case #C15-01-049 but has since expired.)

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT, Board Member Leane Heldenfels second on a 7-0 vote; GRANTED.

**D-8 C15-2010-0087 William F. Johnson
8735 Birmingham Drive**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet along the west property line in order to maintain a screened-in (enclosed) patio cover for an existing single-family residence in an “SF-2”, Single Family Residence zoning district. (A variance was previously granted on August 8, 2005 for a one foot setback but has since expired.)

The public hearing was closed on Board Member Clarke Hammond motion to DENY, Board Member Bryan King second on a 7-0 vote; DENIED.

**D-9 C15-2010-0090 Joel Sarchet
105 West Milton Street**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4 feet in order to maintain a detached carport structure for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 1.5 feet in order to maintain a detached carport structure for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT with conditions that work is completed in 6 months to meet the side line of the drawing provided and 8 ½ ft plate height, remain open on 2 sides and closed in on the west side, Board Member Bryan King second on an 6-1 vote (Board member Clarke Hammond nay); GRANTED.

**D-10 C15-2010-0091 Roderick Harbeck
1406 Bouldin**

The applicant has requested a variance to decrease the minimum rear and side yard setback requirements of Section 25-2-492 (D) from 5 feet to 0 feet in order to maintain a arbor/trellis and accessory building for an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to GRANT, Board Member Leane Heldenfels second on a 7-0 vote; GRANTED.

**D-11 C15-2010-0092 Juan Macias for Gordon Murphy
808 Rutherford Pl**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 2 feet in order to erect a second story addition to an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

The public hearing was closed on a motion to POSTPONE to September 13, 2010 to renotify and add front setback variance, 7-0 vote; POSTPONED TO September 13, 2010.

**D-12 C15-2010-0094 David Ruiz for Tricia Wilson
12012 Bryony Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 48% in order to erect a covered patio for an existing single-family residence in a “PUD”, Planned Unit Development zoning district.

The public hearing was closed on Board Member Leane Heldenfels motion to POSTPONE to September 13, 2010 for better hardship/findings and PUD information for drainage calculations, Board Member Clarke Hammond second on a 7-0 vote; POSTPONE TO September 13, 2010.

E. ACTION ITEMS FOR BOARD OF ADJUSTMENT AND SIGN REVIEW BOARD

E-1 Approve revised bylaws relating to officer terms as directed by City Council

The motion to Grant by Board Member Michael Von Ohlen, Board Member Bryan King second on a 7-0 vote; GRANTED

E-2 Nominations and Election of Officers

The motion to reappoint Leane Heldenfelds as Chairman and Clarke Hammond as Vice-Chair by Board Member Bryan King, Board Member Michael Von Ohlen second on 7-0 vote, GRANTED.

ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Susan Walker at Watershed Protection and Development Review Department, at 974-2202 or Diana Ramirez at Watershed Protection and Development Review Department at 974-2241, for additional information; TTY users route through Relay Texas at 711.

Revised 9/14/2010:

Jeff Jack C-2 vote 7-0 instead of 8-0,

Heidi Goebel C-3 abstained instead of recused,

Jeff Jack C-6 added “recommended by Fire Safety” and C-7 “recommended by Fire Safety”