



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
REGULAR MEETING  
MINUTES  
(March 9, 2011)**

**The Board of Adjustment convened in a regular meeting on March 9, 2011, One Texas Center, 505 Barton Springs Road, Room 325, Austin, Texas.**

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

**Board Members in Attendance: Leane Heldenfels (Chair), Heidi Goebel, Clarke Hammond, Melissa Hawthorne (alternate), Jeff Jack, Bryan King, Nora Salinas**

**Board Member Absent: Michael Von Ohlen**

**Staff in Attendance: Susan Walker and Diana Ramirez**

**CALL TO ORDER – 6:30 P.M.**

**A. APPROVAL OF MINUTES January 10, 2011**

**The motion to approve the minutes from January 10, 2011 was approved, Vote 7-0.**

**C. BOARD OF ADJUSTMENT POSTPONEMENTS**

**C-1 C15-2010-0134 Jim Bennett for Fred Purcell  
12912 Park 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 4.46 feet along the west property line in order to maintain a garage for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

**Board Member Jeff Jack for discussion only to Grant, Board Member Leane Heldenfels second. The public hearing was closed on Board Member Bryan King to GRANT, Board Member Jeff Jack second on a 7-0 Vote; GRANTED**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 10.3 feet in order to maintain a carport for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **Board Member Jeff Jack for discussion only to Deny, Board Member Bryan King second, The public hearing was closed on Board Member Leane Heldenfels to DENY, Board Member Bryan King second on a 7-0 Vote; DENIED**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3.9 feet along the east property line in order to maintain a carport for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **Board Member Jeff Jack for discussion only to Deny, Board Member Leane Heldenfels second, The public hearing was closed on Board Member Leane Heldenfels to Deny, Board Member Bryan King second on a 7-0 Vote; DENIED**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.9 feet along the west property line in order to maintain a single-family residence in an “SF-2”, Single-Family Residence zoning district. **Board Member Jeff Jack for discussion only to Grant, Board Member Bryan King second, The public hearing was closed on Board Member Bryan King to GRANT, Board Member Jeff Jack second on a 7-0 Vote; GRANTED**

The applicant has requested a variance to decrease the side yard setback requirement of Section 25-2-492 (D) from 5 to 0 feet along the east and west property line in order to maintain a swimming pool, deck and stairs for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **Board Member Jeff Jack for discussion only to Deny Board Member Nora Salinas second, The public hearing was closed on Board Member Bryan King to GRANT for emergency access on east side only, Board Member Jeff Jack second; Board Member Leane Heldenfels to DENY west property line, Board Member Bryan King second on a 7-0 Vote.**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 ½ feet along the east and west property lines in order to maintain a solid fence for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **The public hearing was closed on Board Member Bryan King motion to Grant (east side property line only) and Postpone (west side property line) to April 11, 2011, Board Member Jeff Jack second on a 7-0**

**C-2 C15-2010-0138 James Sylvana for Keturah Havey  
1504 Northridge 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 7 feet in order to maintain a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park Neighborhood Plan) **(Granted 10 feet front setback)**

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 maintain a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park Neighborhood Plan) **Granted**

**The public hearing was closed on Board Member Heidi Goebel motion to Grant (10 feet front setback) per drawing C2/34, Board Member Bryan King second on a 7-0 vote; GRANTED.**

**C-3 C15-2010-0150 Elvira Escobar  
2016 Jesse E Segovia Street**

The applicant has requested a variance from Section 25-2-1463 (C) (2) (a) in order to remodel an existing accessory building to create a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that a secondary apartment must be located at least 15 feet to the rear of the principal structure. *(Note: This variance was approved on 12-8-2008 under case # C15-2008-0145 but has since expired.)*

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

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 maintain one carport/garage and from 5 feet to 1 foot in order to maintain another carport in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 47% in order to maintain a single-family residence, secondary apartment and accessory structures in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**Postponed to April 11, 2011 (re-notification required, additional variance needed)**

**D. BOARD OF ADJUSTMENT RECONSIDERATIONS POSTPONEMENTS**

**D-1 C15-2010-0132 Mike Collins for Tamara Dozler  
2102 East 13<sup>th</sup> Street**

The applicant has requested a variance to increase the maximum floor-to-area requirement of Subchapter F; Article 2: Development Standards; Subsection 2.1 from 0.4:1.0 to 0.59:1.0 in order to maintain structures and change the use to create a duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance from the duplex residential use common roof and common wall connection requirement of Section 25-2-773 (D) in order to maintain structures and change the use to create a duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that (1) the two dwelling units must have a common floor and ceiling or a common wall, which may be a common garage wall, that (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments and (2) must have a common roof.

**The public hearing was closed on Board Member Jeff Jack motion to Grant with conditions that FAR gets reduced to .51:1.0 and the breezeway must meet fire rating, Board Member Nora Salinas second on a 7-0 vote; GRANTED.**

**E. BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**E-1 C15-2010-0124 Jim Nix  
2307 Greenlee 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 16 feet 6 inches in order to erect a attached carport for a 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 Clarke Hammond second on a 7-0 vote; GRANTED.**

**E-2 C15-2011-0001 Rick Luisi  
809 E 30<sup>th</sup> Street**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 feet in order to maintain portions of a fence (between the property line and the 5 foot setback line on the west side of the property) for a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**The public hearing was closed on Board Member Heidi Goebel motion to Grant only front fence and to Deny the fence enclosing the pool equipment, Board Member Clarke Hammond second on a 6-1 vote (Bryan King nay); GRANTED.**

**E-3 C15-2011-0002 Shaw Hamilton for Mark Kudela  
1403 W 45<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 2,110 square feet in order to erect a single-family residence in an "SF-3", Family Residence zoning district.

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet to 34.97 feet in order to erect a single-family residence in an "SF-3", Family Residence zoning district.

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 21 feet in order to erect a single-family residence in an "SF-3", Family Residence zoning district.

**Postponed to April 11, 2011 to meet with neighbors**

**E-4 C15-2011-0003 David Cancialosi for Sean Murphy**

### 3106 Grandview Street

The applicant has requested a variance to decrease the minimum through lot setback requirement of Section 25-2-515 from 25 feet to 10 feet in order to erect a two-family residential use in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard. (West University Neighborhood Plan)

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 7,000 square feet to 6,907.5 square feet in order to erect a two-family residential use 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 Jeff Jack motion to Deny, Board Member Bryan King second on a 7-0 vote; DENIED.**

**E-5 C15-2011-0004 Adela S Morales  
6607 Cruz 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 1 1/2 feet along the west property line in order to maintain a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Montopolis Neighborhood Plan)

**Postponed to May 9, 2011 (additional information needed, complete application, permit history, pictures)**

**E-6 C15-2011-0006 David Whitworth  
4709 Avenue F**

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet to 40 feet in order to erect a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. **GRANTED**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 5,000 square feet in order to erect a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. **GRANTED**

The applicant has requested a variance from Ordinance #20050818-064; Part 7; (10) in order to decrease the minimum attached garage setback from 60 feet to 25 feet in order to erect a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. **POSTPONED TO MARCH 14, 2011**

**The public hearing was closed on Board Member Bryan King motion to Grant two variance only (minimum lot width and lot size) and to Postpone last variance to March 14, 2011 (additional information needed), Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED TWO VARIANCES ONLY**

**E-7 C15-2011-0007 Peter Germanio  
2702 La Mesa Drive**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-513 (G) from 20 feet to 18 feet in order to erect a covered porch for an existing single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Dawson Neighborhood Plan) The Land Development Code states that a covered porch that is open on three sides may project five feet into a required front yard. (*This variance was approved on 4-11-2005 under case #C15-05-046, but has since expired.*)

**The public hearing was closed on Board Member Leane Heldenfels motion to Grant, Board Member Bryan King second on a 7-0 vote; GRANTED.**

**E-8 C15-2011-0008 Stephen W Laborde  
3203 Nancy Gale 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 6 inches along the west property line in order to maintain a covered carport for a single-family residence in an "SF-2", Single-Family Residence zoning district.

**The public hearing was closed on Board Member Bryan King motion to Grant 4 feet setback with 2 feet overhang, Board Member Clarke Hammond second on a 7-0 vote; GRANTED.**

**E-9 C15-2011-0009 Scott Murray for Dianne W. Delisi  
2529 Harris Boulevard**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 46.2% in order to erect an addition of a screened porch for a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

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

**E-10 C15-2011-0010 Duc Van Tran  
2007 Leann 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 14 inches in order to maintain an addition to a single-family residence in an “SF-3”, Family Residence zoning district.

**The public hearing was closed on Board Member Leane Heldenfels motion to Grant with conditions to meet fire code requirements, Board Member Clarke Hammond second on a 4-3 vote (Jeff Jack, Bryan King, Heidi Goebel nay); DENIED.**

**E-11 C15-2011-0011 Tausha Carlson for Theodore Carlson  
4504 Avenue F**

The applicant has requested a variance to decrease the minimum side yard requirement of Section 25-2-963 (D) (2) from 5 feet to 2.8 feet (existing) in order to maintain an addition to an existing two-family residential use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. The Land Development Code states that the additional length of a modified portion of the building does not exceed the lesser of 50% of the length of the building or 25 feet measured from the existing building and parallel to the lot line.

**The public hearing was closed on Board Member Heidi Goebel motion to Grant with conditions to meet fire code requirements, Board Member Clarke Hammond second on a 7-0 vote; GRANTED.**

**E-12 C15-2011-0012 Bernabe Hernandez Benitez  
1100 Jolena Circle**

The applicant has requested a variance to decrease the minimum number of off-street parking spaces required from 4 spaces to 2 spaces in order to remodel existing attached garage to create living area for an existing duplex-residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**Postponed to May 9, 2011 to review alternate parking space**

**E-13 C15-2011-0013 David Cancialosi for Phillip Bunce  
3911 Eton 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 24.5 feet in order to maintain a 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 Jeff Jack second on a 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.