



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING
MINUTES
(October 10, 2011)**

The Board of Adjustment/Sign Review Board convened in a regular meeting on October 10, 2011, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 5:30 p.m.

Board Members in Attendance: Jeff Jack (Chair), Heidi Goebel (Vice Chair), Melissa Hawthorne, Bryan King, Susan Morrison, Nora Salinas, Michael Von Ohlen – in at 7:15pm, Cathy French (Sign Review Board), Will Schnier (alternate)

Board Member Absent: none

Staff in Attendance: Maggie Heretakis and Diana Ramirez
Staff Absent: Susan Walker

A. ACTION ITEM

A-2 Election of Officers

Board member Bryan King motion to appoint Jeff Jack as Chairman and Heidi Goebel as Vice-Chair, Board Member Melissa Hawthorne second on 8-0 vote (Michael Von Ohlen not present).

B. APPROVAL OF MINUTES September 12, 2011

Board member Bryan King motion to approve the minutes for September 12, 2011, Board member Melissa Hawthorne second on 8-0 vote (Michael Von Ohlen not present), Granted.

C. DISCUSSION ITEM

C-1 Presentation on Special Exception Ordinance 20110526-098

Presentation by Brent Lloyd

D. SIGN REVIEW BOARD POSTPONEMENTS

**D-1 C16-2011-0008 Kris Wu for David Ruehlman
5701 West Slaughter Lane**

The applicant has requested a variance to increase the maximum allowable freestanding signs of Section 25-10-124 (B) from one freestanding sign to two freestanding signs in order to erect two freestanding signs for a Retail center in a “GR-CO”, Community Commercial – Conditional Overlay zoning district. (Scenic Roadway Sign District.)

The applicant has requested a variance to increase the maximum allowable sign face area of Section 25-10-124 (B) (b) from 64 square feet to 64 square feet for the first sign and from 64 square feet to 90 for the second sign in order to erect two freestanding signs for a Retail center in a “GR-CO”, Community Commercial – Conditional Overlay zoning district. (Scenic Roadway Sign District.)

The public hearing was closed on Board Member Bryan King motion to Grant with friendly amendment no additional signage to monument, refer to D1/3, Board Member Cathy French second on a 7-0 vote (Board Members: Melissa Hawthorne Abstained, Michael Von Ohlen out); GRANTED WITH FRIENDLY AMENDMENT NO ADDITIONAL SIGNAGE TO MONUMENT, REFER TO D1/3.

**D-2 C16-2011-0010 Luis Garcia for David Doldning
2610 West 10th Street**

The applicant has requested a variance to increase the maximum allowable sign face area requirement of Section 25-10-101 (G) (2) from 32 square feet to 50 square feet in order to erect a freestanding sign for a Public Educational Facility in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Plan)

The applicant has requested a variance to increase the maximum allowable sign height requirement of Section 25-10-101 (G) (3) from 6 feet above grade to 12 feet 6 inches above grade in order to erect a freestanding sign for a Public Educational Facility in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Plan)

The public hearing was closed on Board Member Heidi Goebel motion to Grant 10 feet in height as per drawing D2/16 with friendly amendments signs go off at 9:00pm, except for the Round up sign, no flashing on signs, Board Member Nora Salinas second on a 5-2 vote; GRANTED 10 FEET IN HEIGHT AS PER DRAWING D2/16 WITH FRIENDLY AMENDMENTS SIGNS GO OFF AT 9:00PM, EXECPT FOR THE ROUND UP SIGN, NO FLASHING ON THE SIGNS.

E. SIGN REVIEW BOARD

**E-1 C16-2011-0011 Maggie Star for Andy Leffler
5145 North RM 620**

The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-124 (B) from one to four for a retail center in the “ETJ”, Extra Territorial Jurisdiction. (Scenic Roadway Sign District.)

The applicant has requested a variance to increase the maximum sign face area requirement of Section 25-10-124 (B) (1) (b) from 64 square feet to 93 square feet for two signs for a retail center in the “ETJ”, Extra Territorial Jurisdiction. (Scenic Roadway Sign District.)

The public hearing was closed on Board Member Heidi Goebel motion to Deny, Board Member Bryan King second on a 4-3 vote; DENIED.

F. BOARD OF ADJUSTMENT RECONSIDERATION POSTPONEMENT

**F-1 C15-2011-0065 Lindsey Lane
2004 Goodrich Avenue**

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 9 ½ inches in order to maintain screened porch in order to change the use to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Denied June 13, 2011**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to maintain an attached accessory structure in order to change the use to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Denied June 13, 2011**

The applicant has requested a variance to increase the maximum allowable gross floor area of Section 25-2-774 (C) (7) (a) from 850 square feet to 1187 square feet in order to change the use of a building to create a two- family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan) **Granted June 13, 2011**

APPLICANT WITHDREW THE TWO DENIAL VARIANCES

G. BOARD OF ADJUSTMENT POSTPONEMENTS

**G-1 C15-2011-0066 Sidney R. Bowen for City of Austin (Cynthia Jordan)
704 West Cesar Chavez Street**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from 400 off-street parking spaces to 200 off-street parking spaces in order to erect a Cultural Services Use in a “P” Public zoning district. The Land Development Code requires one parking space for each 500 square feet for a Cultural Services Use.

APPLICANT NO SHOW –Board Member Bryan King motion to Deny, Board Member Michael Von Ohlen second on a 5-1 vote; DENIED.

**G-2 C15-2011-0072 Ricky Moura
806 ½ East 13th Street**

The applicant has requested a variance to decrease the minimum side street setback from 15 feet to 0 feet at the closest point in order to erect a two story addition to a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

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 5,040 square feet (existing) in order to erect a two story addition to a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The applicant has requested a variance to increase the maximum building coverage requirement of Section 25-2-492 (D) from 40% to 54.56% in order to erect a two story addition to a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 58.2% in order to erect a two story addition to a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The applicant has requested a variance to the maximum floor to area ratio requirement of Subchapter F; Article 2; Subsection 2.1 from 2300 square feet to 2750 square feet in order to erect a two story addition to a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

APPLICATED POSTPONED TO November 14, 2011

**G-3 C15-2011-0075 Joel G. Hernandez for Alice L. Galindo
2215 South 3rd Street**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 10.5 feet in order to rebuild an existing carport for a duplex residential use 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 0 feet in order to rebuild an existing carport and breezeway for a duplex residential use 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 61.6% in order to rebuild an existing carport for a duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant Impervious cover to 55%, remove concrete as per drawing E5/2, Board Member Nora Salinas second

on a 6-0 vote; GRANTED IMPERVIOUS COVER TO 55%, REMOVE CONCRETE AS PER DRAWING E5/2.

**G-4 C15-2011-0076 Kari Blachly for Dwight Monteith
823 West 11th Street**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 0 feet in order to maintain a tree house and a portion of decking for a two-family residential use in an “MF-3”, Multi-Family Residence zoning district.

APPLICANT POSTPONED TO December 12, 2011

**G-5 C15-2011-0086 Douglas Gibbins for Zod Bozurgmehr
201 East 34th Street & 3307 Helms Street**

201 E 34th 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 18 feet 11 inches in order to subdivide one lot into two lots and maintain a two-family residential use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 6 feet 6 inches in order to subdivide one lot into two lots and maintain a two-family residential use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – 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 4 feet 10 inches in order to subdivide one lot into two lots and maintain a two-family residential use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district.

3307 Helms 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 3,060.54 square feet in order to subdivide one lot into two lots and maintain a single-family residence use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – 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 10 feet to 1 foot in order to subdivide one lot into two lots and maintain a detached garage use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Heidi Goebel motion to Deny, Board Member Bryan King second on a 7-0 vote; DENIED.

G-6 C15-2011-0094 Pat Murphy

4201 Yucatan Lane

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet in height to 8 feet in height in order to maintain a fence for a single-family residence in an “SF-2”, Single Family Residence zoning district. The Land Development Code states that a solid fence constructed along a property line may not exceed an average height of six feet or a maximum height of seven feet. (Case C15-2008-0102 was approved on July 31, 2008 with the condition that the top two feet be changed to 90% open fence, but the variance has since expired.)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant one year extension with original condition, Board Member Bryan King second on a 6-0 vote (Melissa Hawthorne break); GRANTED ONE YEAR EXTENSION WITH ORIGINAL CONDITION. (Applicant no show)

**G-7 C15-2011-0097 David Triche
3803 Duval Street**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 52% in order to add to an existing driveway in order to increase available parking area and add a turn around area for an existing single-family residence in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)

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 erect a portion of a solid fence for an existing single-family residence in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock 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 2 feet 4 inches along the south property line in order to maintain a detached accessory building for an existing single-family residence in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock 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 along the north property line in order to maintain a hot water heater closet and from 5 feet to 2.3 in order to maintain an existing single-family residence and deck in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant Impervious cover 50% and to keep the deck , Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED IMPERVIOUS COVER 50% AND TO KEEP THE DECK.

G-8 C15-2011-0099 Nicole Folta Findeisen for Gary Bego

801 ½ South 1st Street

The applicant has requested a variance to increase the maximum height of a Communication Service Facility requirement of Section 25-2-804 (F) from 12 feet in height to 21 feet in height in order to erect a Communication Service Facility in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan zoning district. The Land Development Code states that a structure may not exceed 12 feet in height and must be set back at least 25 feet from a front or side street if the structure is located (1) in an “SF-6” or more restrictive zoning district; or (2) across a street from or adjacent to property that is zoned or used for a use permitted in an “SF-5” or more restrictive zoning district.

The public hearing was closed on Board Member Heidi Goebel motion to Grant with friendly amendment to limit 21’ in height, Board Member Melissa Hawthorne second on a 4-3 vote (Board members: Jeff Jack, Michael Von Ohlen, Bryan King nay); DENIED.

H. BOARD OF ADJUSTMENT PUBLIC HEARINGS

H-1 C15-2011-0101 Phil Moncada for Raquel Gamez 827 Gullet

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.6 feet along the north property line in order to maintain a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Govalle 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 4.4 feet along the north property line in order to maintain a guest house in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.6 feet along the east property line in order to maintain a guest house in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with friendly amendments that structure stays as guest house or accessory use, remains with parking as shown on plat, Board Member Bryan King second on a 7-0 vote; GRANTED WITH FRIENDLY AMENDMENTS THAT STRUCTURE STAYS AS GUEST HOUSE OR ACCESSORY USE, REMAINS WITH PARKING AS SHOWN ON PLAN.

H-2 C15-2011-0102 Joe Arriaga 2003 Patton Lane

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 57% in order to maintain impervious coverage

for additional parking area in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement in a front yard of Section 25-2-1603 (B) from 40% to 64.01% in order to maintain impervious coverage for additional parking area in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park Neighborhood Plan)

POSTPONED TO November 14, 2011

**H-3 C15-2011-0103 Jose Acuna
3312 Thousand Oak Cove**

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 east property line in order to erect a detached carport for a single-family residence in an “SF-2”, Single Family Residence 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 4.8 feet along the south property line in order to maintain a single-family residence in an “SF-2”, Single-Family Residence zoning district.

Board Member Michael Von Ohlen motion to Postpone to November 14, 2011, Board Member Melissa Hawthorne second on a 7-0 vote; POSTPONED TO November 14, 2011.

**H-4 C15-2011-0104 Ross Frie for John Barkley
609 Oakland Avenue**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 8,000 square feet to 6,770 square feet in order to maintain a multi-family use (3 units total) in an “MF-4-NP”, Multi-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 10 feet to 1.5 feet in order to maintain a detached living unit of a multi-family use (3 units total) in an “MF-4-NP”, Multi-Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from three off-street parking spaces to two off-street parking spaces in order to maintain a multi-family use (3 units total) in an “MF-4-NP”, Multi-Family Residence – Neighborhood Plan zoning district.

POSTPONED TO November 14, 2011

**H-5 C15-2011-0105 Laura Thomas
916 West Elizabeth Street**

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet in width to 46.23 feet in width in order to erect a new single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

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 3,350 square feet in order to erect a new single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 11.91 square feet (along South 5th Street) in order to erect a new 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, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED.

**H-6 C15-2011-0106 Michele Rogerson Lynch for Todd Triggs
5400 North Lamar**

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1063 (C) (1) (b) from two stories and 30 feet in height to four stories and 45 feet 4 inches in order to erect a Vertical Mixed Use building in a “CS-MU-V-CO-NP” zoning district. The Land Development Code states that the height limitations for a structure are two stories and 30 feet, if the structure is 50 or less from property on which a use permitted in an “SF-5” or more restrictive zoning district is located.

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1063 (C) (2) (b) from three stories and 40 feet in height to four stories and 45 feet 4 inches in order to erect a Vertical Mixed Use building in a “CS-MU-V-CO-NP” zoning district. The Land Development Code states that the height limitations for a structure are three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property on which a use permitted in an “SF-5” or more restrictive zoning district is located.

POSTPONED TO November 14, 2011 BY APPLICANT

**H-7 C15-2011-0107 Tanya Ortega
1402 Juliet 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 0 feet in order to maintain a carport for a single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions to remain open all three sides, add gutters, structure remain at this site, Board

Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITIONS TO REMAIN OPEN ALL THREE SIDES, ADD GUTTERS, STRUCTURE REMAIN AT THIS SITE.

**H-8 C15-2011-0108 Tara Domasco
801 Lambeth Lane**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet in height to a maximum of 8 feet in height (along Palace Parkway) in order to erect 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, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED.

**H-9 C15-2011-0109 Brian Moore for Laurie Rich
1303 Wilshire Boulevard**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 2 feet (Case # C15-2009-0087 previously approved on 9-14-09) to 1 foot 2 inches in order to erect and complete a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to add gutters on neighboring side, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS TO ADD GUTTERS ON NEIGHBORING SIDE.

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 Planning & Development Review Department, at 974-2202 or Diana Ramirez at Planning & Development Review Department at 974-2241, for additional information; TTY users route through Relay Texas at 711.