



**BOARD OF ADJUSTMENT/INTERPRETATION
SPECIAL CALLED MEETING
MINUTES
(November 29, 2011)**

The Board of Adjustment/Interpretation convened in a special called meeting on November 29, 2011, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 6:00 p.m.

Board Members in Attendance: Jeff Jack (Chair), Heidi Goebel (Vice Chair), Melissa Hawthorne, Bryan King, Susan Morrison, Nora Salinas, Michael Von Ohlen

Board Member Absent: none

Staff in Attendance: Susan Walker

A. BOARD OF ADJUSTMENT/INTERPRETATION POSTPONEMENT

**A-1 C15-2011-0110 Sarah Lynn Hill and John Deigh
3704 Bonnell Drive**

This appeal challenges the Planning & Development Review Department's interpretation of the McMansion ordinance, codified in Subchapter F of City Code Chapter 25-2, in connection with a permit to construct a single-family home at 3704 Bonnell Drive. The appeal alleges that the department incorrectly interpreted and applied the "attic exemption" in Section 3.3.3 of the ordinance, as well as other errors related to plan approval.

**MOTION TO GO INTO EXECUTIVE SESSION (6:37PM TO 7:06PM);
POSTPONED TO DECEMBER 12, 2011**

B. BOARD OF ADJUSTMENT POSTPONEMENT

**B-1 C15-2011-0122 David Cancalosi for Keri Krupp
3700 Lawton Avenue**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 3 feet in order to maintain a first floor garage and erect a second story addition (5 feet from the rear property line) to an existing garage in order to create a two-family residence in an "SF-3", Family Residence zoning district. **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 4.7 feet along the west property line in order to remodel

and erect a second story addition (7 feet from side property line) to an existing garage in order to create a two-family residence in an “SF-3”, Family Residence zoning district. **NOT NEEDED**

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 0.452 to 1 in order to remodel and erect a second story addition to an existing garage in order to create a two-family residence in an “SF-3”, Family Residence zoning district. **DENIED**

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant rear yard setback to 3ft, Denied floor to area ratio, Board Member Nora Salinas second on a 7-0 vote; GRANTED REAR YARD SETBACK TO 3FT AND DENIED FLOOR TO AREA RATIO.

C. BOARD OF ADJUSTMENT/INTERPRETATION

**C-1 C15-2011-0127 John Foster
5222 ½ South Congress Avenue**

This appeal challenges the Planning and Development Review Department’s determination, dated September 20, 2011, that the right to maintain an off-premises (billboard) sign at 5222 ½ South Congress Avenue as a non-conforming use was abandoned under City Code Section 25-2-975 (*Abandonment of Non-Conforming use*).

The public hearing was closed on Board Member Michael Von Ohlen motion to deny appeal and to uphold staff’s determination, Board Member Heidi Goebel second on a 6-1 (Board member Susan Morrison nay) vote; APPEAL DENIED AND UPHOLD STAFF’S DETERMINATION.

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.