



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
JOINT MEETING  
MINUTES  
(December 12, 2011)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on December 12, 2011, City Council Chambers, 301 West 2<sup>nd</sup> 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, Will Schnier (alternate); Cathy French (Sign Review Board), Dan Graham (Sign Review Board)

Staff in Attendance: Susan Walker, Diana Ramirez

**A. APPROVAL OF MINUTES**

October 27, 2011 (Special called meeting)

**Board member Melissa Hawthorne motion to approve the minutes for October 27, 2011 (Special called meeting), Board member Bryan King second on 6-2 vote (Board members Jeff Jack and Michael Von Ohlen Abstained), GRANTED.**

November 14, 2011 (Regular meeting)

**Board member Melissa Hawthorne motion to approve the minutes with corrections to Item F-6 for the November 14, 2011, Board member Bryan King second on 7-1 vote (Board member Heidi Goebel Abstained), GRANTED WITH CORRECTIONS.**

November 29, 2011 (Special Called Meeting)

**Board member Bryan King motion to approve the minutes for November 29, 2011, Board member Melissa Hawthorne second on 8-0 vote, GRANTED.**

**B. SIGN REVIEW BOARD**

**B-1 C16-2011-0013 Susan Vickery  
7201 RM 2222**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-124 (B) (2) from 12 feet in height to 21 feet 4 inches in height in order to maintain a freestanding sign in an "I-RR", Interim – Rural Residence zoning district. (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) (a) & (b) from the lesser of 0.4 square feet for each linear foot of street frontage; or 64 square feet to 138 square feet in order to maintain a freestanding sign in an “I-RR”, Interim – Rural Residence zoning district. (Scenic Roadway Sign District)

**POSTPONED TO FEBRUARY 13, 2012**

**B-2 C16-2011-0014 Jim Bennett for Brett Baker  
6001 West Parmer Lane**

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 (137 existing) to 190 square feet in order to erect an addition to an existing freestanding sign in a “GR-CO”, Community Commercial – Conditional Overlay zoning district. (Scenic Roadway Sign District)

The applicant has requested a variance to increase the maximum sign height requirement of Section 25-10-124 (B) (2) from 12 feet in height to 29 feet in height (existing) in order to erect an addition to an existing freestanding sign in a “GR-CO”, Community Commercial – Conditional Overlay zoning district. (Scenic Roadway Sign District)

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, Board Member Cathy French second on a 5-4 vote (Board members Jeff Jack, Bryan King, Heidi Goebel, Dan Graham nay); GRANTED.**

**C. BOARD OF ADJUSTMENT RECONSIDERATIONS**

**C-1 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. GRANTED 11-14-11

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. DENIED

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. DENIED

**The public hearing was closed on Board Member Melissa Hawthorne motion to Reconsider request, Board Member Michael Von Ohlen second on a 3-3-1 vote (Board members Jeff**

**Jack, Bryan King, Susan Morrison nay, Heidi Goebel abstained); DENIED RECONSIDERATION REQUEST.**

**C-2 C15-2011-0119 David Cancialosi for Jason Yu  
4210 Rosedale**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,796 square feet in order to create a two-family residence use in an “SF-3”, Family Residence zoning district.

**WITHDRAWN PER APPLICANT**

**D. BOARD OF ADJUSTMENT INTERPRETATION POSTPONEMENT**

**D-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.

**POSTPONED TO JANUARY 9, 2012**

**E. BOARD OF ADJUSTMENT POSTPONEMENTS**

**E-1 C15-2011-0076 Kari Blachly for Dwight Monteith  
823 West 11<sup>th</sup> 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.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions to not enlarge or add to tree house, Board Member Nora Salinas second on a 5-2 vote (Board members Bryan King and Susan Morrison nay, Melissa Hawthorne Abstained); DENIED.**

**E-2 C15-2011-0111 Terry S Welch for James S Raney  
4403 Long Champ Drive**

The applicant has requested a variance to exceed the maximum impervious coverage requirement of Section 25-2-492 (D) from 40% (42% existing) to 46% in order to erect a two story addition to an existing residence in an “SF-1”, Single Family Residence Large Lot zoning district.

**The public hearing was closed on Board Member Heidi Goebel motion to Grant to reconfigure same percentage of impervious cover (42% Impervious cover), Board Member Michael Von Ohlen second on a 6-1 vote (Board member Susan Morrison nay); GRANTED to reconfigure same percentage of impervious cover (42% Impervious coverage).**

**E-3 C15-2011-0114 Carol Vaughn  
1118 Gillespie Place**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 3 feet in order to enclose a small deck (porch) area for an existing single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

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 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 applicant has requested a variance to decrease the minimum off-street parking space requirement of Section 25-6 Appendix A from two off-street parking spaces to one off-street parking spaces in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

**POSTPONED TO JANUARY 9, 2012**

**E-4 C15-2011-0120 James & Deborah Evans  
703 Bouldin Avenue**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 11 feet in order to erect a suspended stairway for a new single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan).

**POSTPONED TO JANUARY 9, 2012**

**E-5 C15-2011-0125 David Cancialosi for Rachel Nation  
1009 E 43<sup>rd</sup>**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 5,928 square feet in order to remodel an existing building to maintain a two-family residential use in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **DENIED**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain a two-family residential use with exterior water heater closet 5.35 from

the rear property (10 feet required) in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **GRANTED**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain a side yard setback of 1 foot (5 feet required) along the west property line in order to maintain a two-family residential use in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **GRANTED**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain an exterior water heater enclosure 2.5 feet along the west property line (5 feet required) along the west property line in order to maintain a two-family residential use in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **GRANTED**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain exterior stairs and uncovered deck 4.5 feet from the side street property line (15 feet required) in order to maintain a two-family residential use in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **DENIED**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from 3 off-street parking spaces to 0 off-street parking spaces in order to maintain a two-family residential use in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) **DENIED**

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant rear property setback, side yard setback and west property line setback, Board Member Michael Von Ohlen second on a vote; 7-0; Board Member Bryan King motion to Deny lot size, side street property line, off street parking, Board Member Nora Salinas second on a vote; 6-1 (Board member Heidi Goebel nay), GRANTED 5.35 FT. FROM THE REAR PROPERTY SETBACK, 1 FT. ALONG THE WEST PROPERTY LINE SIDE YARD SETBACK AND 2.5 FT. ALONG THE WEST PROPERTY LINE SETBACK AND DENIED LOT SIZE, SIDE STREET AND OFF STREET PARKING.**

## **F. BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**F-1 C15-2011-0106 Michele Rogerson Lynch for Todd Triggs  
5400 North Lamar**

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1063 (B) (2) from 25 feet to 10 feet in order to allow a retaining wall structure for a Vertical Mixed Use building in a “CS-MU-V-CO-NP” zoning district.

**POSTPONED TO JANUARY 9, 2012**

**F-2 C15-2011-0117 Dianne Harbeson  
205 The Circle**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 6.5 feet in order to maintain a carport for a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Plan Conservation Combining District – Neighborhood Plan zoning district. (C15-06-147 was approved on 11-13-06, but has since expired)

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 wooden deck for a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Plan Conservation Combining District – 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 two off-street parking spaces to one off-street parking space for a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Plan Conservation Combining District – Neighborhood Plan zoning district.

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

**F-3 C15-2011-0129 Lauren Pfeifle Willis and Scott Willis  
2406 Arpdale Street**

The applicants are requesting 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 erect an addition to a single-family residence in an “SF-3”, Family Residence zoning district.

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant with condition that no addition be done closer than 10’ from the north property line, Board Member Heidi Goebel second on a 7-0 vote; GRANTED THAT NO ADDITION BE DONE CLOSER THAN 10’ FROM THE NORTH PROPERTY LINE.**

**F-4 C15-2011-0130 Michael R McHone for Lindsey Lane  
2004 Goodrich Avenue**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain a rear yard setback of 5 feet (10 feet required) 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)

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain a side yard setback of 3 feet 9.5 inches (5 feet required) in order to

maintain a 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)

**POSTPONED TO JANUARY 9, 2012**

**F-5 C15-2011-0131 Melissa Neslund for Brian P. Austin  
111 East Koenig Lane**

The applicant has requested a variance from the compatibility height requirement of Section 25-2-1063 (C) (2) & (3) from three stories and 40 feet to four stories and 50 feet in order to erect a multi-family residential use in a “CS-MU-V-CO-NP” zoning district. The Land Development Code states that the height limitations for a structure are (C) (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property in an SF-5 or more restrictive zoning district and (C) (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

**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 Michael Von Ohlen, Melissa Hawthorne nay); DENIED.**

**F-6 C15-2011-0132 John Novak  
5910 Miramonte Drive**

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 replace a portion of an existing fence for a single-family residence in an “SF-2”, Single-Family residential 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.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Nora Salinas second on a 7-0 vote; GRANTED.**

**F-7 C15-2011-0133 Jim Bennett for Fred Epprislet  
9520 Spectrum 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 0 feet along the west property line in order to erect (3) four stall parking structures in an “MF-3”, Multi-Family Residence zoning district.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant as per exhibit F7/5 limited only 3 structures, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED AS PER EXHIBIT F7/5 LIMITED ONLY 3 STRUCTURES .**

**F-8 C15-2011-0134 Stacy Pearson**

**708 Patterson Avenue**

The applicant has requested a variance to increase the maximum gross floor area of a two-family residential use requirement of Section 25-2-774 (C) (7) (a) from 850 square feet to 1200 square feet in order to remodel a non-conforming multi-family use to change the use to create a two family residential use 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.**

**F-9 C15-2011-0135 Charles Plate  
1017 Hermitage 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 24 feet in order to maintain a 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 Bryan King motion to Grant, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED.**

**F-10 C15-2011-0136 Daniel Perez  
6608 Mitra Drive**

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 maximum of 10 feet in height for a portion of the fence in order to erect a solid fence along the south property line for a single-family residence in a “PUD”, Planned Unit Development zoning district. The Land Development Code states that a solid fence constructed along property lines may not exceed an average height of six feet or a maximum height of seven feet.

**POSTPONED TO JANUARY 9, 2012**

**F-11 C15-2011-0137 Daniel Burton  
2108 Thornton Road**

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 (3 feet existing) in order to rebuild an existing accessory building to create a two story two family residential use in an “SF-3”, Family Residence zoning district.

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

**F-12 C15-2011-0138 Karen and Drew Prairie**

## **7600 Downridge 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 6.5 feet in order to remodel a pool cabana/dressing room and enclose a covered deck area to create a two-family residential use 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 45% to 49% in order to maintain impervious coverage for a single family residence and proposed two-family residential use in an “SF-3”, 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 in order maintain the enclosure of an existing covered carport for a garage in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance from the maximum linear feet of gables or dormers protruding from the setback plane; from the maximum development permitted in Chapter 25-2; Section 2.8.1 A (2) of the Land Development Code in order to remodel a pool cabana/dressing room and enclose a covered deck area to create a two-family residential use in an “SF-3”, Family Residence zoning district.

**POSTPONED TO JANUARY 9, 2012**

**F-13 C15-2011-0139 Margaret Ann Jinkins  
1409 Rabb Road**

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 6 inches in height along the west property line in order to maintain a fence for a single-family residence in an “SF-3”, Family Residence zoning district.

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant as per modified drawing F13/15, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED AS PER MODIFIED DRAWING F13/15.**

## **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.