



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
JOINT MEETING  
MINUTES  
(January 9, 2012)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on January 9, 2012, 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, Stuart Hampton (Alternate); Cathy French (Sign Review Board), Dan Graham (Sign Review Board)**

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

**A. APPROVAL OF MINUTES December 12, 2011**

**Board member Bryan King motion to approve the minutes for December 12, 2011, Board member Melissa Hawthorne second on 9-0 vote, GRANTED.**

**B. SIGN REVIEW BOARD**

**B-1 C16-2012-0001 David Laird  
3801 North Lamar Boulevard**

The applicant has requested a variance from the maximum number of directional signs requirement of Section 25-10-101 (C) (1) from four signs to eight signs for a Hospital Services (General) use in a “PUD”, Planned Unit Development zoning district. The Land Development Code states that one freestanding or wall sign for each building or curb cut is permitted.

The applicant has requested a variance from the maximum sign area of a directional sign requirement of Section 25-10-101 (C) (2) from 12 square feet to 30 square feet for one freestanding directional sign; from 12 square feet to 14.58 square feet for six freestanding directional signs and from 12 square feet to 14.58 square feet for a directional wall sign for a Hospital Services (General) use in a “PUD”, Planned Unit Development zoning district.

The applicant has requested a variance from the maximum height of a directional sign requirement of Section 25-10-101 (C) (3) (a) from 4 feet above grade to 9 feet 5 inches above grade for one freestanding sign and from 4 feet above grade to 7 feet 2 inches above grade for six freestanding directional signs for a Hospital Services (General) use in a “PUD”, Planned Unit Development zoning district.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant only signs for 2a, 4a, 5a, 6a, 7a and Postpone remaining to February 13, 2012, Board Member Melissa Hawthorne second on a 9-0 vote; GRANTED ONLY SIGNS FOR 2A, 4A, 5A, 6A, 7A AND POSTPONED REMAINING TO February 13, 2012.**

**C. BOARD OF ADJUSTMENT RECONSIDERATIONS**

**C-1 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) – *Reconsideration Requested*

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 12-12-11*

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 12-12-11*

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 12-12-11*

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

**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.

**The public hearing was closed on Board Member Michael Von Ohlen motion to reverse the decision of Planning Development and Review Department’s interpretation –Habitable Attic Exemption (Section 3.3.3.C of Subchapter F) as per attached document, Board Member Heidi Goebel second on a 6-1 vote (Board member Bryan King abstained); GRANTED TO REVERSE THE DECISION OF PLANNING DEVELOPMENT AND REVIEW DEPARTMENT’S INTERPRETATION – HABITABLE ATTIC EXEMPTION (SECTION 3.3.3.C OF SUBCHAPTER F) AS PER ATTACHED DOCUMENT.**

**E. BOARD OF ADJUSTMENT POSTPONEMENTS**

**E-1 C15-2010-0134 Jim Bennett for Fred Purcell  
12912 Park Drive**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 12 feet along the 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 Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on a 5-2 vote (board members Jeff Jack and Susan Morrison nay); DENIED.**

**E-2 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 between 0-5 feet in order to allow a retaining wall structure for a Vertical Mixed Use building in a “CS-MU-V-CO-NP” zoning district.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that fence be left on property line for safety, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITION THAT FENCE BE LEFT ON PROPERTY LINE FOR SAFETY.**

**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 February 13, 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 single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan). GRANTED 18 FEET FROM FRONT STREET SETBACK

The applicant has requested a variance from Subchapter F; Article 2; Subsection 2.6 (E) (b) (i) in order to allow a shed roof with a total horizontal length of 20 feet for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning District. (Bouldin Creek Neighborhood Plan) The Land Development Code allows gables or a shed roof, with a total horizontal length of not more than 18 feet on each side of the building, measured along the intersection with the setback plane. GRANTED

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

**E-5 C15-2011-0121 Lidia Serna  
5110 Greenheart Drive**

The applicant has requested a special exception under Section 25-2-476 (B) to decrease the minimum front street setback requirement from 25 feet to 5 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 Michael Von Ohlen motion to Grant, Board Member Susan Morrison second on a 7-0 vote; GRANTED.**

**E-6 C15-2011-0124 Jaynna Sims  
2008 E 9<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet (20 feet existing) to 12.8 feet in order to erect a screened front porch for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that porch remain open, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITION THAT PORCH REMAIN OPEN.**

**E-7 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.

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.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Susan Morrison second on a 2-5 vote (Board members Jeff Jack, Nora Salinas, Bryan King, Melissa Hawthorne, Stuart Hampton nay); DENIED.**

**E-8 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.

**WITHDRAWN**

**E-9 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 MARCH 12, 2012 BY APPLICANT**

**F. BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**F-1 C15-2010-0012 Vince Huebinger for Domingo Arce  
1700 Miriam 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 9.5 feet in order to maintain a front porch addition to an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

**POSTPONED TO FEBRARY 13, 2012 BY APPLICANT**

**F-2 C15-2012-0001 Jim Wittliff for Roger Easley  
813 East 13<sup>th</sup> 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 8 feet in order to erect the front structure of a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

**POSTPONED TO FEBRARY 13, 2012**

**F-3 C15-2012-0002 Maricela Delgado Jaimes  
402 Fort Drum 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 9 feet in order to maintain an addition to an existing single-family residence in an “SF-2-NP”, Single-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-4 C15-2012-0003 Richard T Suttle Jr. for Peter Cesaro  
2015 Manor Road**

The applicant has requested a variance from Section 25-2; Subchapter E; Subsection 2.3, Subsection 2.6, and Subsection 3.2 for sidewalks, planting zones, clear zones, utilities, furniture, building placement, parking, corner site, landscape buffer, connectivity, screening and pedestrian frontage provisions to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1007 for landscape islands and trees in parking lots to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1008 for irrigation requirements so that the existing amount of landscaping and related irrigation is the required amount in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1062 (Height Limitations); Section 25-2-1066 (Screening Requirements) and 25-2-1067 (Design Regulations) for compatibility requirements to not apply to the portion of the property abutting the alley to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

**POSTPONED TO FEBRUARY 13, 2012**

**F-5 C15-2012-0004 Sam Turner  
111 Adam L Chapa Sr.**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 7 feet in order to erect a single-family residence on a lot 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 7 foot west side yard setback and east side must be 10 foot setback and must be on pier and beam and steel frame, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED 7 FOOT WEST SIDE YARD SETBACK AND EAST SIDE MUST BE 10 FOOT SETBACK AND MUST BE ON PIER AND BEAM AND STEEL FRAME.**

**F-6 C15-2012-0005 Douglas Foley for Savannah Cole  
1905 Coletto 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.

**The public hearing was closed on Board Member Bryan King motion to Grant, Board Member Melissa Hawthorne second on a 7-0 vote (Board member Heidi Goebel recused, Stuart Hampton attended); GRANTED.**

**F-7 C15-2012-0006 Jim Bennett for Judith Ronkartz  
1218 West 39<sup>th</sup> 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 0 feet in order to remodel an existing carport for a proposed two-family residential use 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 11 feet in order to remodel an existing carport for a proposed two-family residential use in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance to decrease the minimum separation requirement of Section 25-2-774 (C) (2) (a) from 15 feet to 6 feet in order to remodel and erect an addition to an accessory building to create a two-family residential use in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance from Section 25-2-774 (C) (2) (a) which requires that a two family residential use be located at least 15 feet to the rear of the principal structure in order to remodel and erect an addition to an accessory building to create a two-family residential use in an “SF-3”, Family Residence zoning district.

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

**F-8 C15-2012-0007 Jim Bennett for Cator Joseph and Shannon Palmer  
507 Upson 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 16 feet in order to maintain a front porch/deck for an existing duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**The public hearing was closed on Board Member Heidi Goebel motion to Grant with conditions that porch/deck remain open and 42” railing if necessary, Board Member Nora Salinas second on a 6-1 vote (Board member Bryan King nay); GRANTED WITH CONDITIONS THAT PORCH/DECK REMAIN OPEN AND 42” RAILING IF NECESSARY.**



**F-9 C15-2012-0008 Jinji Willingham  
4605 Navada Path**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 20 feet in order to maintain a carport for 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 15.4 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 Michael Von Ohlen second on a 7-0 vote; GRANTED.**

**F-10 C15-2012-0009 Bryan Edwards  
12417 River Bend #4**

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 south property line in order to maintain a single-family residence in an "SF-2", Single-family residence zoning district.

**POSTPONED TO February 13, 2012**

**F-11 C15-2012-0010 Lucy Katz for Pamela Quinn  
4217 Hidden Canyon Cove**

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 7 feet 4 inches in height for a total of four columns to support an ornamental wrought iron gate for a single-family residence in an "LA", Lake Austin 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.**

## **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.

***ON 2-15-12 CORRECTED ITEMS: D-1 AND E-2 FOR APPROVAL***