



**INTERPRETATION
MINUTES
(April 19, 2012)**

The Board of Adjustment convened in a meeting on April 19, 2012, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 6:30 p.m.

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

Board Member Absent: Susan Morrison

Staff in Attendance: Susan Walker

A. INTERPRETATION

**A-1 C15-2012-0044 Nuria Zaragosa for Michael Said
1917 David Street**

Interpretation Request: The appellant (Nuria Zaragosa) has filed an appeal, requesting an interpretation of whether the Planning and Development Department Director's determination to approve the proposed duplex residential use at 1917 David Street complies with the following code sections:

1) the proposed application exceeds the Land Development Code limitations placed on duplexes outlined in 25-2-555(D) which states on a lot with a lot area of less than 10,000 square feet, a duplex structure may not exceed 4,000 square feet of gross floor area or contain more than six bedrooms;

2) the attic storage space does not meet the requirements of 25-2, Subchapter F, Section 3.3.3(C), which states, "A habitable portion of an attic, if: 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater; 2. It is fully contained within the roof structure; 3. It has only one floor; 4. It does not extend beyond the footprint of the floors below; 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6. Fifty percent or more of the area has a ceiling height of seven feet or less.

3.) the proposed duplex does not meet the requirements of 25-2-773(D). More specifically, the common wall of the proposed duplex does not extend for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot and the two units do not share a common roof.

- 4.) The proposed project is not compatible with an SF-3 use.
- 5.) The proposed project does not meet 25-2, Subchapter F, Section 2.1, which states the maximum development permitted on a property is limited to 0.4 to 1.0 floor-to-area ratio.
- 6.) The proposed duplex does not have the proper amount of off street parking per Appendix A of 25-6. More specifically, the appellant states the project exceeds both 4,000 square feet and more than six bedrooms, so one off street parking space should be required for each bedroom.
- 7.) The propose project should have to meet the landscaping requirements outlined under Section 25-2-981(B)(3), which states a duplex residential use is subject to landscaping requirements if it exceeds 4,000 square feet of gross floor area or has more than six bedrooms.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to May 14, 2012, Board Member Heidi Goebel second on a 7-0 vote; POSTPONED TO MAY 14, 2012.

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.