



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD**

**May 13, 2013**

**CITY COUNCIL CHAMBERS  
301 WEST 2<sup>ND</sup> STREET  
AUSTIN, TEXAS**

\_\_\_ **Jeff Jack (Chair)**  
\_\_\_ **Melissa Hawthorne (Vice Chair)**  
\_\_\_ **Fred McGhee**  
\_\_\_ **Nora Salinas**  
\_\_\_ **Michael Von Ohlen**  
\_\_\_ **Bryan King**

\_\_\_ **Sallie Burchett**  
\_\_\_ **Cathy French (SRB only)**  
\_\_\_ **Will Schnier (Alternate)**  
\_\_\_ **Stuart Hampton (Alternate)**

**AGENDA**

**CALL TO ORDER – 5:30 P.M.**

**A. APPROVAL OF MINUTES April 8, 2013**

**B. SIGN REVIEW BOARD POSTPONEMENTS**

**B-1 C16-2013-0001 Jim Bennett for Cielo Realty Partners  
4410 East Riverside Drive**

The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-124 (B) from one freestanding sign to two freestanding signs for a General Retail use in a “GR”, Community Commercial zoning district. (Scenic Sign District)

**C. SIGN REVIEW BOARD**

**C-1 C16-2013-0008 Brian Lumbatis for Dan Madden  
415 West Martin Luther King Jr.**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-129 (G) (1) from 6 feet in height to 25 feet in height in order to erect a sign for a Restaurant use in an “DMU”, Downtown Mixed Use zoning district.

**C-2 C16-2013-0009 R.W. Duggan III for Schlosser Development Corp.  
405 North Lamar & 907 West 5<sup>th</sup> Street**

The applicant has requested a variance from the hazardous signs described and prohibited requirement of Section 25-10-23 (B) (7) in order to erect a sign that has less than nine feet of clearance and is located within a triangle formed by connecting the intersection point of two

streets and the points 45 feet from the intersection point on the street frontage property line of each intersecting street in order to erect a sign in a “DMU”, Downtown Mixed Use zoning district.

#### **D. BOARD OF ADJUSTMENT RECONSIDERATIONS**

**D-1 C15-2013-0028 Lindsey Lane  
2004 Goodrich Avenue**

The applicant has requested a special exception from Section 25-2-476 (B) (a) (ii) of the Land Development Code in order to maintain a side yard setback of 3 feet 9 inches instead of the required 5 feet in order to maintain a screened porch in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that the Board shall grant a special exception if the Board finds that the violation has existed for at least 15 years if the application for a special exception is submitted on or before June 6, 2013.

#### **E. BOARD OF ADJUSTMENT PUBLIC HEARING POSTPONEMENTS**

**E-1 C15-2012-0135 Jim Bennett for Grit and Grace  
4112 Medical Parkway**

The applicant has requested a variance from Section 25-6-501 (C) to increase the minimum distance between an off-site parking facility and the use that it serves from 1,000 feet to 1,200 feet in order to provide 69 of the required 88 parking spaces off site in order to remodel the second floor of a commercial building to expand a Cocktail Lounge use in a “CS-1”, Commercial – Liquor Sales zoning district.

**E-2 C15-2012-0142 Jim Bennett for Kevin Smith  
2710 and 2712 East 12<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-1444 (B) (2) from 3,500 square feet to 2,750 square feet for Lot 2C and from 3,500 square feet to 2,625 square feet for Lot 2D in order to erect a Cottage Special Use on each lot in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan) The Land Development Code states that the minimum lot area for a cottage special use is 3,500 square feet for a lot that is located in an “SF-3” district and adjoins a lot that is (i) zoned “SF-3”; (ii) has a lot area of at least 5,750 square feet; and (iii) is developed as a single-family residence.

**E-3 C15-2013-0023 Efren Mercado  
12509 Cortaro Cove**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 3 feet 8 inches in order to maintain an accessory structure (gazebo/cabana) for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

The applicant has requested a variance to increase the maximum height of a solid fence requirement of Section 25-2-899 (D) from 6 feet to 7 feet 4 inches at the highest point in order to maintain a solid fence for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

**E-4    C15-2013-0024            Scott Turner for Getsemani Pentacostal Church  
2501 East 4<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 5 feet in order to erect a single family residence on a lot in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly Neighborhood Plan)

**E-5    C15-2013-0026            Bryan Ennenga for Allison Sallee  
6703 Leprechaun Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (a) from 35% (36.98% existing) to 40.2% in order to erect a swimming pool for a single-family residence in an “LA”, Lake Austin zoning district.

**F.       INTERPRETATION**

**F-1    C15-2013-0048            P. Michael Hebert for Kevin Cutsinger & Russ Cole  
718, 720 and 722 Harris Avenue**

The applicant has filed an administrative appeal alleging that the Planning and Development Review Department’s decision to issue building permits for the construction of duplexes at 718, 720 & 722 Harris Avenue violates City Code Section 25-2-3(4).

**G.       BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**G-1    C15-2013-0035            Randall Owen for Brent McGrath & Deirdre Sanborn  
2005 Bluebonnet Lane**

The applicant has requested a variance to increase the maximum floor to area ratio of Subchapter F; Article 2; Subsection 2.1 from 0.4 to 1.0 to 0.439 to 1.0 in order to erect a detached garage in the front of a duplex residential use in an “SF-3”, Family Residence zoning district.

**G-2    C15-2013-0036            Darby Noonan for Luis Sentis & Adela Ben-Yakar  
1512 West 29<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum separation requirement of Section 25-2-774 (C) (2) (a) from 15 feet to 4 inches in order to erect an addition to an existing two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**G-3 C15-2013-0037 Robert O'Mahony for Jeff Breitenstein  
12229 Tanglewild Drive**

The applicant has requested a variance to increase the maximum height of a solid fence requirement of Section 25-2-899 (D) from six feet to eight feet for a wood privacy fence and to nine feet for a stucco privacy wall for a single-family residence in an "RR", Rural 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.

**G-4 C15-2013-0038 Damon Faigle  
8800 Ampezo Trail**

The applicant has requested a variance to increase the maximum height of a solid fence requirement of Section 25-2-899 (D) from 6 feet above grade to 8 feet above grade (at the highest point) in order to erect a fence (along Cortina Drive) 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.

**G-5 C15-2013-0039 William Hodge AIA for Hemmasi Majid (Seyed Miri)  
2507 East 16<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-1406 (5) (a) from 2,500 square feet to 1,876 square feet in order to erect a single-family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

**G-6 C15-2013-0040 Jeremy Broadhead & Kristen Anderson  
1300 Chicory Cove**

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 ½ feet in order to maintain a detached accessory building for a single family residence in an "SF-2", Single-Family Residence zoning district.

**G-7 C15-2013-0041 Michael & Leann Gillette  
3207 Rivercrest Drive**

The applicant has requested a variance to increase the maximum impervious cover requirement of Section 25-2-551 (C) (3) (a) from 20% to 32% in order to erect a swimming pool for a single family residence in an "LA", Lake Austin zoning district. The Land Development Code states that the impervious cover may not exceed 20 percent on a slope with a gradient of 25 percent or less.

**G-8 C15-2013-0042 Nick Moya for Catherin Abston  
1605 Forest Hill 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 8 ½ feet in order to complete the construction of a detached carport for a single-family residence in an “SF-3”, Family Residence zoning district.

**G-9 C15-2013-0044 Linda L. Beam for Travis Mellard  
3620 Josh Lane**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (45.66%) to 47.88% in order to erect a swimming pool and spa for a single-family residence in an “I-SF-2”, Interim – Single-Family Residence zoning district.

**G-10 C15-2013-0045 David Cancialosi for Richard Esselstyn  
608 Academy Drive**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 5 feet 2 inches in order to erect an addition to a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district.

**G-11 C15-2013-0046 Starwood Pools for John & Rebecca Grubenman  
4008 Lob Cove**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 47.07% in order to erect a swimming pool for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

**G-12 C15-2013-0047 Lucy Begg & Robert Gay  
64 Navasota 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 3 feet in order to maintain and remodel an addition to a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

## **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.