



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING
MINUTES
(July 8, 2013)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on July 8, 2013, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 5:30 p.m.

Board Members in Attendance: Jeff Jack (Chair), Melissa Hawthorne (Vice Chair) Sallie Burchett, Cathy French (Sign Review Board), Bryan King, Fred McGhee, Will Schnier (Alternate), Michael Von Ohlen

Board Members Absent: Nora Salinas

Staff in Attendance: Susan Walker and Diana Ramirez

A. APPROVAL OF MINUTES June 10, 2013

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant with correction for item C6; Board Member Bryan King second on 6-0 vote (Board Members: Jeff Jack, Bryan King, Melissa Hawthorne, Sallie Burchett, Cathy French, Will Schnier; Board Members: Nora Salinas absent, Fred McGhee Late); GRANTED.

B. SIGN REVIEW BOARD

**B-1 C16-2013-0010 Doug Stuart for Stuart Investments, LLC
6920 Lee Manor Cove**

The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-130 from one freestanding sign to two freestanding signs in the "ETJ", Extra-Territorial-Jurisdiction (Commercial Sign District).

The applicant has requested a variance to increase the maximum sign face area of a freestanding sign requirement of Section 25-10-130 (2) (a) from 35 square feet to 288 square feet in order to erect a freestanding sign in the "ETJ", Extra-Territorial-Jurisdiction (Commercial Sign District).

The public hearing was closed on Board Member Sallie Burchett motion to Deny, Board Member Bryan King second on a 8-0 vote; DENIED.

**B-2 C16-2013-0011 Chandler Signs for Hampton Inn and Suites Downtown Hotel
200 San Jacinto**

The applicant has requested a variance to increase the maximum number of projecting signs requirement of Section 25-10-129 (D) (1) from one projecting sign to two projecting signs for a Hotel/Motel Use in a “CBD”, Central Business District zoning district. (Downtown Sign District)

The applicant has requested a variance to increase the maximum sign area of a projecting sign requirement of Section 25-10-129 (D) (2) from 35 square feet to 88 square feet for one and from 35 square feet to 165 square feet for the second projecting sign for a Hotel/Motel Use in a “CBD”, Central Business District zoning district. (Downtown Sign District)

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to August 12, 2013, Board Member Bryan King second on a 6-2 vote (Board members Jeff Jack and Melissa Hawthorne recused); POSTPONED TO AUGUST 12, 2013.

C. BOARD OF ADJUSTMENT RECONSIDERATIONS

**C-1 C15-2013-0051 David Paratore
8601 Bell Mountain Drive**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 10 feet to 2 feet in order to maintain stairs and landing along the north property line for a single-family residence in an “RR”, Rural Residence zoning district.

The public hearing was closed on Board Member Fred McGhee motion to Deny Reconsideration Request, Board Member Bryan King second on a 4-2-1 vote (Board members Jeff Jack and Melissa Hawthorne nay, Michael Von Ohlen recused); DENIED RECONSIDERATION REQUEST.

D. BOARD OF ADJUSTMENT PUBLIC HEARING POSTPONEMENTS

**D-1 C15-2013-0036 Darby Noonan for Luis Sentis & Adela Ben-Yakar
1512 West 29th 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.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to August 12, 2013, Board Member Bryan King second on a 7-0 vote; POSTPONED TO AUGUST 12, 2013 .

**D-2 C15-2013-0039 William Hodge AIA for Hemmasi Majid (Seyed Miri)
2507 East 16th 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)

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.

**D-3 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.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to create a vegetative buffer between shed and adjacent side and front property lines, Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITION TO CREATE A VEGETATIVE BUFFER BETWEEN SHED AND ADJACENT SIDE AND FRONT PROPERTY LINES.

**D-4 C15-2013-0052 Andrew & Ann Erben
2200 Westover Road**

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 rebuild a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Plan)

The applicant has requested a variance from the garage placement requirement of Section 25-2-1604 (C) (1) and (2) in order rebuild a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Plan) The Land Development Code states that a parking structure with an entrance that faces the front yard: (1) may not be closer to the front lot line than the building façade; and (2) if the parking structure is less than 20 feet behind the building façade, the width of the parking structure may not exceed 50 percent of the width of the principal structure, measured parallel to the front lot line.

The public hearing was closed on Board Member Bryan King motion to Grant with condition that carport remain open on all three sides, Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITION THAT CARPORT REMAIN OPEN ON ALL THREE SIDES.

**D-5 C15-2013-0055 LRH Architecture, LLC for Heather & Jack Nelson
1410 Gaston Avenue**

The applicant has requested a variance from the garage placement requirement of Section 25-2-1604 (C) (2) in order to increase the width of a garage from 21 feet 4.5 inches to 24 feet in order to erect a garage addition to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan) The Land Development Code states that for a parking structure with an entrance that faces the front yard: if the parking structure is less than 20 feet behind the building façade, the width of the parking structure may not exceed 50 percent of the width of the principal structure, measured parallel to the front lot line.

The public hearing was closed on Board Member Bryan King motion to Grant width of a garage to 22 feet 2.5 inches, Board Member Will Schnier second on a 7-0 vote; GRANTED WIDTH OF A GARAGE TO 22 FEET 2-5 INCHES.

**D-6 C15-2013-0056 Jim Bennett for Steven Mills
2504 Castledale 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 3.2 feet in order to maintain an accessory structure for a single-family residence in an “SF-1”, Single – Family Residence (Large Lot) 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 2.9 feet along the south property line in order to maintain an accessory structure for a single-family residence in an “SF-1”, Single – Family Residence (Large Lot) zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant subject to license agreement, water harvesting, guttering and piping, Board Member Fred McGhee second on a 7-0 vote; GRANTED SUBJECT TO LICENSE AGREEMENT, WATER HARVESTING, GUTTERING AND PIPING.

**D-7 C15-2013-0057 Kelly Cazales
4807 Avenue H**

The applicant has requested a variance from the modification of a noncomplying structure requirement of Section 25-2-963 (E) (2) from 18 feet to 25.8 feet in order to complete an addition to a single family residence providing a 2 foot setback in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. The Land Development Code states that a person may modify a building that is a noncomplying structure based on a yard setback requirement of this title if the modified portion of the building does not extend further into the required yard setback than the existing noncomplying portion of the building and the additional length of the modified portion of the building does not exceed the lesser of 50% of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.

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

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions to add gutters and meet building code fire separation requirements, Board Member Bryan King second on a 5-2 vote (Board Members Will Schnier and Melissa Hawthorne nay); DENIED.

**D-8 C15-2013-0059 Aaron Googins for Barlett Family Living Trust
2807 Del Curto Road**

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1063 (B) from 25 feet to 5 feet along the south property line (side) and from 25 feet to 15 feet along the east property line (rear) in order to erect detached condominium residences in an “SF-6-CO”, Townhouse and Condominium Residence – Conditional Overlay zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant 10 feet along the south property line (side) and 25 feet along the east property line (rear) and limited to 15 units maximum as shown on exhibit D8/63, pond is allowed to be placed in the 25 setback on the east side shown on exhibit D8/63, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED 10 FEET ALONG THE SOUTH PROPERTY LINE (SIDE) AND 25 FEET ALONG THE EAST PROPERTY LINE (REAR) AND LIMITED TO 15 UNITS MAXIMUM AS SHOWN ON EXHIBIT D8/63, POND IS ALLOWED TO BE PLACED IN THE 25 SETBACK ON THE EAST SIDE SHOWN ON EXHIBIT [D8/63](#)

**D-9 C15-2013-0062 Frank West
1510 Garner Avenue**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 4.9 feet in order to maintain and remodel an existing addition to a single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Will Schnier motion to Grant with conditions that current structure remain one story and remove vegetation from the 32 feet measured along both sides street property lines, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED WITH CONDITIONS THAT CURRENT STRUCTURE REMAIN ONE STORY AND REMOVE VEGETATION FROM THE 32 FEET MEASURED ALONG BOTH SIDES STREET PROPERTY LINES.

E. BOARD OF ADJUSTMENT PUBLIC HEARINGS

E-1 C15-2013-0064 Timothy Cross for Jack and Patsy Woods-Martin

3107 Pleasant Run Place

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-513 (G) from 20 feet to 17 feet in order to rebuild/enlarge an existing front porch for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

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 in order to expand a covered porch for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (56.7% existing) to 55.25% in order to rebuild/enlarge and existing front porch and expand a covered rear porch 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 Postpone to August 12, 2013, Board Member Michael Von Ohlen second on a -7-0 vote; POSTPONED TO AUGUST 12, 2013.

**E-2 C15-2013-0065 Kathryn Taylor
2012 East 16th Street**

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 (7) (b) from 550 square feet to 560 square feet on the second story in order to remodel an existing accessory structure into a two family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

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

**E-3 C15-2013-0066 Donna D. Carter for Thomas Hubbard
303 Brentwood Street**

The applicant has requested a variance to decrease the common wall for a duplex residential use requirement of Section 25-2-773 (D) (1) (a) from 49 feet 6 inches to 15 feet 7 inches in order to erect an addition to create a duplex residential use in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan) The Land Development Code states that the two units must have a common floor and ceiling or a common wall that extends for at least 50% of the maximum depth of the building, as measured from the front to the rear of the lot.

The public hearing was closed on Board Member Bryan King motion to Postpone to August 12, 2013, Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO AUGUST 12, 2013.

**E-4 C15-2013-0067 Vincent Hauser for Jerry Tredemeyer
1701 South Third Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-773 (B) (1) from 7,000 square feet to 6,900 square feet in order to erect a duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

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.

**E-5 C15-2013-0069 Jon Michael Phillips
5609 Porsche Lane**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 18 feet in order to erect a carport for a single-family residence in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan 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 3 feet (along the west property line) in order to erect a carport for a single-family residence in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan zoning district

The public hearing was closed on Board Member Will Schnier motion to Deny (applicant no show), Board Member Fred McGhee second on a 7-0 vote; DENIED (APPLICANT NO SHOW).

**E-6 C15-2013-0070 Jim Bennett for Thomas Cooke
1304 Alta Vista Avenue**

The applicant has requested a variance from the side yard setback requirement of Section 25-2-492 (D) in order to allow the enclosure of an existing carport with a side yard setback of 2.5 feet (Granted by the Board of Adjustment on September 12, 2011) 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 Deny, Board Member Bryan King second on a 6-1 vote (Board Member Jeff Jack recused); DENIED.

**E-7 C15-2013-0071 David Cancialosi for Kary Aycock and Mike Krell
2207 South 3rd Street**

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) and 25-2-774 from 50 feet to 41.25 feet in order to erect a primary residence and two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Sallie Burchett second on a 6-1 vote (Board Member Melissa Hawthorne off dias); GRANTED.

**E-8 C15-2013-0072 Jim Bennett for Hussain Malik
7804 Heathercrest Circle**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 9 feet 6 inches in order to erect a fence for a single-family residence in an “SF-3”, 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.

The public hearing was closed on Board Member Bryan King motion to Grant 6 foot fence on left side with top post cut off as per E8/10, Board Member Melissa Hawthorne second on a 7-0; GRANTED 6 FOOT FENCE ON LEFT SIDE OF PROPERTY WITH TOP POST CUT OFF AS PER E8/10.

**E-9 C15-2013-0073 Jim Bennett for Mary Ann Notzon
509 West 16th Street**

The applicant has requested a variance from the nonconforming use requirement of Section 25-2-947 (C) (2) (a) in order to expand a nonconforming use for a second time in order to allow for an addition to a single family residence in a “GO”, General Office zoning district. The Land Development Code states that a person may expand the portion of a structure or site that is used for a nonconforming use, except an expansion of the portion of the site must be on the same lot and may occur only one time.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Fred McGhee 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.

REVISED ON 8-13-13: ITEMS D-3 AND D-9