



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
JOINT MEETING MINUTES  
(August 12, 2013)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on August 12, 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, Fred McGhee, Nora Salinas, Cathy French (Sign Review Board), Will Schnier (Alternate) and Stuart Hampton (Alternate)

**Board Members Absent:** Bryan King and Michael Von Ohlen

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

**A. APPROVAL OF MINUTES** July 8, 2013 and July 31, 2013 (Special Called Meeting)

**July 8, 2013**

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant with correction for items D-3 and D-9; Board Member Sallie Burchett second on 7-0 vote Board Members: Michael Von Ohlen and Bryan King absent); GRANTED.**

**July 31, 2013**

**The public hearing was closed on Board Member Nora Salinas motion to Grant; Board Member Fred McGhee second on 5-2 vote (Board Members: Melissa Hawthorne and Sallie Burchett abstain; Bryan King and Michael Von Ohlen absent); GRANTED.**

**B. SIGN REVIEW BOARD RECONSIDERATION**

**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 reconsideration request, Board Member Melissa Hawthorne second on a 8-0 vote; DENIED RECONSIDERATION REQUEST.**

**C. SIGN REVIEW BOARD POSTPONEMENT**

**C-1 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) **WITHDRAWN**

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 Nora Salinas motion to Grant 35 square feet to 165 square feet sign on the northeast corner façade, Board Member Cathy French second on a 6-0 vote (Board members: Melissa Hawthorne and Jeff Jack recused); GRANTED 35 SQUARE FEET TO 165 SQUARE FEET SIGN ON THE NORTHEAST CORNER FAÇADE.**

**D. SIGN REVIEW BOARD**

**D-1 C16-2013-0012 Austin Outdoor Design for The Ridge and Pensam Capital  
6805 Wood Hollow Drive**

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 an “MF-3”, Multi-Family Residential zoning district.

**The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, Board Member Cathy French second on a 8-0 vote; GRANTED.**

**D-2 C16-2013-0013 Kevin Hull for Parmer Place Apartments  
12101 Dessau Road**

The applicant has requested a variance from the maximum sign height requirement of Section 25-10-127 (B) (1) from 6 feet in height to 10 feet in height in order to erect a freestanding sign for a Multi-Family residential use in an “I-MF-3”, Interim – Multi-Family Residence zoning district.

**The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to September 16, 2013, Board Member Cathy French second on a 8-0 vote; POSTPONED TO SEPTEMBER 16, 2013.**

#### **E. BOARD OF ADJUSTMENT RECONSIDERATIONS**

**E-1 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.

**Board Member Melissa Hawthorne motion to Reconsider request, Board Member Sallie Burchett second on a 4-3 vote (Board members: Jeff Jack, Will Schnier, Fred McGhee nay); RECONSIDERED. The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to September 16, 2013, Board Member Fred McGhee second on a 7-0 vote; POSTPONED TO SEPTEMBER 16, 2013.**

**E-2 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 Nora Salinas motion to Reconsider request, Board Member Sallie Burchett second on a 5-2 vote (Board members: Will Schnier and Melissa Hawthorne nay); RECONSIDERED REQUEST. The public hearing was closed on Board Member Will Schnier motion to Deny, Board Member Sallie Burchett second on a 7-0 vote; DENIED.**

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

**F-1 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. **WITHDRAWN BY APPLICANT**

**F-2 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 public hearing was closed on Board Member Melissa Hawthorne motion to Grant front street setback to 17 feet, Board Member Sallie Burchett second on a 7-0 vote; GRANTED FRONT STREET SETBACK TO 17 FEET.**

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 Melissa Hawthorne motion to Grant Impervious coverage to 55.25%, Board Member Sallie Burchett second on a 6-1 vote (Board Member: Jeff Jack nay); GRANTED IMPERVIOUS COVERAGE TO 55.25%.**

**F-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 Melissa Hawthorne motion to Grant, Board Member Sallie Burchett second on a 7-0 vote; GRANTED.**

**G. BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**G-1 C15-2013-0068 Phil Moncada for Jose Gomez  
304 West Grady Drive**

The applicant has requested a special exception from Section 25-2-476 in order to maintain a two-family residential use 4.9 feet from the east property line (5 feet required) and a portion of the primary structure 4.3 feet from the west property line (5 feet required) in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan zoning district.

**The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to September 16, 2013, Board Member Fred McGhee second on a 7-0 vote; POSTPONED TO September 16, 2013.**

**G-2 C15-2013-0076 Zach Reich  
5515 Duval Street**

The applicant has requested a variance to increase the maximum gross floor area requirement of Section 25-2-1463 (7) (a) from 850 square feet to 1500 square feet in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum gross floor area requirement on the second story of a secondary apartment use requirement of Section 25-2-1463 (7) (b) from 550 square feet to 750 square feet in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to decrease the minimum entrance from a property line for a secondary apartment requirement of Section 25-2-1463 (C) (4) from 10 feet to between 9.9 feet and 10 feet in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-1463 (D) from 45% to 47.1% in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

**The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to September 16, 2013, Board Member Fred McGhee second on a 7-0 vote; POSTPONED TO September 16, 2013. (RE-NOTIFICATION NEEDED)**

**G-3 C15-2013-0078 Tim Mooney for Mary Jo Powell  
2007 South 1<sup>st</sup> Street**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from 16 off-street parking spaces to 13 off-street parking spaces in order to maintain a building for mixed use development in a “CS-MU-V-CO-NP” zoning district.

**The public hearing was closed on Board Member Fred McGhee motion to Grant with conditions to add impervious pavers and bicycle parking, Board Member Will Schnier second on a 7-0 vote; GRANTED WITH CONDITIONS TO ADD IMPERVIOUS PAVERS AND BICYCLE PARKING.**

**G-4 C15-2013-0079 Rogelio Lozano  
612 Bissonet Lane**

The applicant has requested a variance to increase the maximum gross floor area for a two-family residential use requirement of Section 25-2-774 (7) (a) from 850 total square feet to 903 total square feet in order to remodel a detached accessory structure to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

**The public hearing was closed on Board Member Jeff Jack motion to Postpone to September 16, 2013, Board Member Melissa Hawthorne second on a 7-0 vote; POSTPONED TO SEPTEMBER 16, 2013. (RE-NOTIFICATION NEEDED)**

**G-5 C15-2013-0080 David Cancialosi for Jeff O’Jibway  
2313 West 8<sup>th</sup> Street**

The applicant has requested a variance from Section 25-2-1604 (C) (2) in order to erect a parking structure 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 and is less than 20 feet behind the building façade must 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 Melissa Hawthorne motion to Deny, Board Member Fred McGhee second on a 7-0 vote; DENIED.**

**G-6 C15-2013-0082 Bill Ivey for Amelie T. Parks  
1611 Dexter Street**

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 feet 7 inches in order to rebuild an existing accessory structure for a single-family residence in an “SF-3”, Family Residence zoning district.

**The public hearing was closed on Board Member Fred McGhee motion to Grant with conditions to add gutters and fire separation wall and not habitable, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS TO ADD GUTTERS AND FIRE SEPARATION WALL AND NOT HABITABLE.**

**G-7 C15-2013-0083 James Wilsford  
1211 Holly Street**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-774 (D) from 45% to 45.9% in order to remodel an existing accessory building to create a two-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan) **WITHDRAWN (HEARD BY THE WATER FRONT OVERLAY BOARD-GRANTED)**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3.8 feet along the east property line in order to remodel an existing accessory building to create a two-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 1 foot along the east property line in order to maintain a carport for a two family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.3 feet along the west property line in order to maintain an accessory structure for a two family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

**The public hearing was closed on Board Member Sallie Burchett motion to Grant with condition that the gutter remain on the carport, Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITION THAT THE GUTTER REMAIN ON THE CARPORT.**

**G-8 C15-2013-0084 Jeff Layne  
1312 Meriden Lane**

The applicant has requested a variance from the garage placement requirement of Section 25-2-1604 (C) (1) in order to erect a front facing 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 may not be closer to the front lot line than the building façade.

**POSTPONED TO September 16, 2013**

**G-9 C15-2013-0085 Kari Blachly for Hugh and Claudette Lowe  
400 Academy**

The applicant has requested a variance to increase the maximum height requirement of Subchapter F; Article 2; Subsection 2.2 from 32 feet to 55 feet 4 inches in order to reconstruct a belvedere for an existing single-family residence in an “SF-3-H-NCCD-NP”, Family Residence – Historic – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (C15-03-128 – Board of Adjustment approved 46 feet 4 inches on November 10, 2003. This application is to correct the previously approved overall height.)

**The public hearing was closed on Board Member Will Schnier motion to Grant, Board Member Sallie Burchett second on a 6-1 vote (Board member: Melissa Hawthorne recused); GRANTED.**

**G-10 C15-2013-0088 Jack Barron  
1192 Angelina Street**

The applicant has requested a variance from the requirement of Section 25-2-963 (B) (4) which states if a noncomplying portion of a structure is demolished, it loses its noncomplying status and may only be rebuilt in compliance with current code in order to remodel an existing single-family residence in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district.

The applicant has requested a variance from Section 25-2-963 (B) (1) which states that demolition or removal of walls must comply with the following requirements: (a) No more than 50% of exterior walls and supporting structural elements of the existing structure may be demolished or removed, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate. For purposes of this subsection, exterior walls and supporting structural elements are measured in linear feet and do not include the roof of the structure or interior or exterior finishes. (b) Replacement or repair of structural elements, including framing, is permitted if required by the building official to meet minimum health and safety requirements.

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 16.6 feet and the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.2 feet in order to rebuild an existing single-family residence in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district.

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

#### **H. Approval of Annual Report for Board of Adjustment/Sign Review Board**

**The public hearing was closed on Board Member Melissa Hawthorne 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.