



BOARD OF ADJUSTMENT/SIGN REVIEW BOARD

September 8, 2014

6:30pm

**TOWN LAKE CENTER
721 BARTON SPRINGS RD RM 130
AUSTIN, TEXAS**

___ **Jeff Jack (Chair)**
___ **Melissa Hawthorne (Vice Chair)**
___ **Vincent Harding**
___ **Sallie Burchett**
___ **Michael Von Ohlen**
___ **Bryan King**
___ **Ricardo De Camps**

___ **Cathy French (SRB only)**
___ **Will Schnier (Alternate)**
___ **Stuart Hampton (Alternate)**

AGENDA

CALL TO ORDER – 6:30 P.M.

A. APPROVAL OF MINUTES

A-1 August 11, 2014

B. SIGN REVIEW BOARD RECONSIDERATIONS

NO CASES

C. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS

**C-1 C16-2013-0017 Nikelle Meade for 35 Austin Partners, Ltd.
6406 IH 35 North**

The applicant has requested variance(s) to: Section 25-10-101 (C) (1) (*Signs Allowed in All Sign Districts Without an Installation Permit*) to increase the number of freestanding or wall signs allowed per curb cut from 1 (required) to 2 (requested); and Section 25-10-101 (C) (2) (*Signs Allowed in All Sign Districts Without an Installation Permit*) to increase the maximum sign area from 12 feet (required) to 15 feet (requested); and Section 25-10-101 (C) (3) (a) (*Signs Allowed in All Sign Districts Without an Installation Permit*) to increase the maximum height of a freestanding sign from 4 feet above grade (required) to 8 feet above grade (requested); and Section 25-10-123 (*Expressway Corridor Sign District Regulations*) to allow projected and suspended signs up to 4.5 square feet for each tenant storefront; and Section 25-10-123 (B) (1)

(Expressway Corridor Sign District Regulations) to increase the maximum number of freestanding signs on a lot from 3 (required) to 8 (requested); and to Section 25-10-123 (B) (2) *(Expressway Corridor Sign District Regulations)* to increase the maximum sign area from the lesser of 300 square feet or .7 square feet for each linear foot of street frontage (required) to 600 square feet (requested); and Section 25-10-123 (B) (3) *(Expressway Corridor Sign District Regulations)* to increase the maximum sign height from 35 feet (required) to 80 feet (requested); and Section 25-10-123 (F) *(Expressway Corridor Sign District Regulations)* to increase the total sign area allowed from 20% of the façade area of the first 15 feet of the building (required) to the greater of either 25% of the façade area of the first 15 feet of the building or 30% of the total area of a storefront (requested); and Section 25-10-131 (E) *(Additional Freestanding Signs Permitted)* to waive the requirement that the space within a unified development to which this section applies must be a pad site so long as the space to which the waiver is applied is at least 6,400 square feet; and Section 25-10-132 (C) *(Roof Sign Instead of Freestanding Sign)* to increase the height of a roof sign from the lesser of either 5 feet above the building façade or 5 feet above the maximum height permitted for a freestanding sign (required) to the lesser of either 8 feet above the building façade or 8 feet above the maximum height permitted for a freestanding sign (requested) in order to erect new signage in a “CS-1-CO-NP”, Commercial Liquor Sales – Conditional Overlay – Neighborhood Plan and “CS-NP”, Commercial Services – Neighborhood Plan zoning district. (St. John)

D. SIGN REVIEW BOARD NEW PUBLIC HEARINGS

**D-1 C16-2014-0012 Wes Mendell for Lou Gambertoglio
605 Davis Street**

The applicant has requested a variance to Section 25-10-129 (F) *(Downtown Sign District Regulations)* to increase the allowable wall signage from 1,158 square feet (required) to 2,259.9 square feet (requested) in order to add wall signage to a building to be constructed in a “CBD-Waterfront Overlay”, Downtown – Waterfront Overlay zoning district.

E. BOARD OF ADJUSTMENT INTERPRETATION RECONSIDERATIONS

NO CASES

F. BOARD OF ADJUSTMENT INTERPRETATION PREVIOUS POSTPONEMENTS

NO CASES

G. BOARD OF ADJUSTMENT INTERPRETATION NEW PUBLIC HEARINGS

NO CASES

H. BOARD OF ADJUSTMENT RECONSIDERSTION PREVIOUS POSTPONEMENTS

**H-1 C15-2014-0059 Bruce Aupperle for Lebarre Family LLC
3821 & 3823 Westlake Drive**

The applicant has requested a variance to Section 25-2-1173 (D) of the Permit Required for Construction Regulations in Article 13, Docks, Bulkheads and Shoreline Access in order to construct more than 2 boat docks in an “LA”, Lake Austin zoning district.

The Land Development Code states that the director of the Planning and Development Review Department may not approve an application for a permit for the construction of more than two residential docks or other similar structures on a single lot zoned MF-1 or more restrictive, unless: 1) the lot was platted and recorded before August 26, 1976, and perpetual rights to use the water frontage of the lot were granted or conveyed to one or more owners of other lots in the subdivision before June 23, 1979; or 2) the Planning Commission has approved a site plan that clusters the residential docks on one or more lots in the subdivision.

POSTPONED TO OCTOBER 13, 2014

I. BOARD OF ADJUSTMENT RECONSIDERATIONS

**I-1 C15-2014-0105 Damian Englehart for David Paratore
8601 Bell Mountain**

The applicant has requested reconsideration of the Board’s denial of variance(s) from Section 25-2-899 (D) (*Fences as Accessory Uses*) to exceed an average height of 6 feet or a maximum height of 7 feet in order to maintain a fence that ranges from between 6 feet to 12 feet in height in a “RR”, Rural Residence zoning district.

**J. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS
POSTPONEMENTS**

NO CASES

K. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS

**K-1 C15-2014-0114 Lynn Holland
3404 Rivercrest Drive**

The applicant has requested a Special Exception from Section 25-2-476 (*Special Exception*) in order to maintain a shed built in 1992 from 1 foot to 2.5 feet from the side property line (5 feet required) in an “LA”, Lake Austin zoning district.

**K-2 C15-2014-0116 Jennalie Lyons
2428 Jarratt Avenue**

The applicant has requested a Special Exception from Section 25-2-476 (Special Exception) in order to maintain a studio constructed in 1983 3.1 feet from the side property line (5 feet required) in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Road)

**K-3 C15-2014-0118 Alice Arterberry
202 Lacey Avenue**

The applicant has requested a Special Exception from Section 25-2-476 (Special Exception) in order to maintain a existing deck constructed 18 feet from the front property line (25 feet required) in an “SF-3”, Family Residence Zoning District.

L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS

**L-1 C15-2013-0112 Mary Jane Garza
6006 Dunbury Drive**

The applicant has requested a variance from Section 25-2-493 (D) (*Site Development Regulations*) to decrease the front yard setback from 25 feet (required) to 12 feet (requested) in order to maintain an attached carport in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park), The applicant has also requested a variance from Section 25-2-1604 (C) (*Garage Placement*) of Article 8, Additional Requirements for Certain Districts in Subchapter D, Neighborhood Plan Combining District to permit 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% of the width of the principal structure, measured parallel to the front lot line (required) in order to maintain a 20.8 foot wide carport closer to the front lot line than the building façade of a 23.9 foot wide principal structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park)

**L-2 C15-2013-0119 Jim Bennett for Ryan Dumont and James Coleman
3600, 3602, 3604 Rivercrest Drive**

The applicants have requested a variance from Section 25-2-1174 (D) (*Structural Requirements*) of Article 13 Docks, Bulkheads, and Shoreline Access to permit a retaining wall, bulkhead or other erosion protection device may not capture or recapture land on a lake listed in Section 25-2-1171 (Applicability), unless capturing or recapturing the land is required to restore the land to the lesser of: (1) the shoreline as it existed 10 years from the date of application, with documentation as prescribed by rule, or (2) the lakeside boundary of the subdivided lot line in order to maintain a bulkhead in an “LA”, Lake Austin zoning district.

WITHDRAWN

**L-3 C15-2014-0068 Truc Nguyen
815 Keasbey Street**

The applicant has requested variances to Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot size requirement from 5,750 square feet (required) to 2, 295 square feet (requested); and to decrease the minimum lot width requirement from 50 feet (required) to 39.88 feet (requested); and to decrease the front yard setback requirement from 25 feet (required) to 19.5 feet (requested, existing); and to decrease the side yard setback from 5 feet (required) to

1.5 feet (requested, existing) in order to re-subdivide the property and maintain an existing single family home in an “SF-3-CO-NP”, Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (Hancock)

**L-4 C15-2014-0081 Edward Varela
6915 Villita Avenida**

The applicant has requested a variance to Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side setback from 5 feet (required) to 2.5 feet for the carport and 2 feet for the storage area (requested) in order to maintain a carport and storage area in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Montopolis)

**L-5 C15-2014-0093 Michael Padavic
900 South 1st Street**

The applicant has requested variance(s) along the 908 South 1st Street side of the lot(s), no variances requested for the 909 South 2nd Street side of the lot(s), from Section 25-2-1063 (B) (*Height Limitations and Setbacks for Large Sites*) of Article 10, Compatibility Standards to decrease the distance that a structure can be constructed from property on which a use permitted in an SF-5 or more restrictive zoning district is located from 25 feet (required) to 5 feet (requested); and from Section 25-2-1063 (C) (*Height Limitations and Setbacks for Large Sites*) of Article 10, Compatibility Standards to increase the maximum height limitation from 2 stories and 30 feet on the portion of the building that is 50 feet from SF-5 or more restrictive zoning and 3 stories and 40 feet on the portion of the building that is 50-100 feet from SF-5 or more restrictive zoning (required) to 4 stories and 45 feet (requested); and from Section 25-2-1064 (*Front Setback*) of Article 10, Compatibility Standards to decrease the front building setback line from 25 feet from a right-of-way (required) to 10 feet (requested) in order to construct a multi-family use and related parking facility in an “GR-MU-V-CO-NP”, Community Commercial – Mixed Use – Vertical Mixed Use Building – Conditional Overlay – Neighborhood Plan zoning district. (Bouldin Creek) **POSTPONED TO OCTOBER 13, 2014**

**L-6 C15-2014-0095 Holly Ratcliffe
2101 East 9th Street**

The applicant has requested variance(s) to Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum interior side yard setback from 5 feet (required) to 4.4 feet (requested); and decrease the minimum street side yard setback from 15 feet (required) to 5 feet for the wooden walkway and 0 feet for the carport (requested); and decrease the minimum rear setback from 10 feet (required) to 4 feet (requested) in order to maintain an elevated deck with wooden screen wall, a wooden walkway and a carport in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin)

**L-7 C15-2014-0100 Kasi Painter for Spencer Gibb
4905 Avenue G**

The applicant has requested a variance from Section 25-2-899 (*Fences as Accessory Uses*) and from NCCD-NP Ordinance 20050818-064, Part 6. General Provisions, 4. (*Fences*) to increase the maximum height from 7 feet while maintaining an average of 6 feet and 4 feet (required, respectively) to 6 feet 6 inches (requested) and increase the solid material ratio of from 1 to 1.5 (required) to a ratio of 1 to 1 or solid (requested) in order to maintain a solid wood fence in the front yard setback in a “SF-3-NP-NCCD”, Family Residence – Neighborhood Plan – Neighborhood Conservation Combining District zoning district.

The Hyde Park NCCD-NP states a fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5.

**L-8 C15-2014-0102 Chris Kobitz
410 East Annie**

The applicant has requested a variance to Section 25-2-774 (7) (b) (*Two-Family Residential Use*) to increase the maximum size of a second story from 550 square feet (required) to 621 square feet (requested) in order to remodel the upper level of an existing garage storage space in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City)

POSTPONED TO OCTOBER 13, 2014

**L-9 C15-2014-0104 Kieran Purcell for Lynn Holland
3404 Rivercrest Drive**

The applicant has requested variance(s) from Section 25-2-899 (*Fences as Accessory Uses*) to increase the average height of 6 feet, maximum height from 7 feet (required) to maximum height of 10 feet 8 inches (requested) in order to maintain a privacy fence in an “LA”, Lake Austin zoning district.

**L-10 C15-2014-0106 Nora Martinez for Ismael Martinez
10033 Childress Drive**

The applicant has requested a variance(s) from: Section 25-2-492 (D) (*Site Regulations*) to decrease the minimum front yard setback from 25 feet (required) to 0 feet (requested); and from Section 25-2-1604 (C) (1) to permit a parking structure to be closer to the front lot line than the building façade in order to maintain a carport in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Hills)

**L-11 C15-2014-0108 Lex Zwarun
2100 East 14th Street**

The applicant has requested variance(s) from Section 25-2-774 (B) (7) (a) (*Two-Family Residential Use*) to increase the maximum size of a second dwelling unit from 850 square feet (required) to 1,650 square feet (requested) in order to add a second dwelling unit in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut)

**L-12 C15-2014-0111 Phyllis Patek
3801 Island Way**

The applicant has requested variance from Section 25-2-551 (D) (3) to increase the maximum impervious cover on a slope with a gradient of 15% or less from 35% (required) to 97% (requested) in order to remodel an existing structure and attached guest house, drive, and walkways that account for 86% impervious cover on the site; add a pool; and change the use from duplex to single family in a “LA”, Lake Austin zoning district.

M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS

**M-1 C15-2014-0112 Holly Kincannon
3102 Lafayette**

The applicant has requested variance(s) to Section 25-2- 1463 (C) (5) (*Secondary Apartment Regulations*) to decrease the driveway requirement from 1 drive (required) to 0 drive (requested, existing); and to Section 25-6-593 (C) (*Provisions for Property in the Central Urban Redevelopment (CURE) Combining District Area*) of Article 7, Off-street parking and Loading to decrease the parking space requirement from 80% of the parking spaces required by Appendix A, 3 spaces (required) to 2 spaces (requested, existing) in order to erect a second dwelling unit in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek)

**M-2 C15-2014-0115 Jim Bennett for Kenneth Gorence
3200 Glenview Avenue**

The applicant has requested a variance(s) to Section 25-2-515 (D) (*Rear Yard of Through Lot*) to decrease the rear yard of a through lot from 25 feet (required) to 10 feet (requested) in order to rebuild a garage and add a 360 square foot 2nd story guest quarters (no kitchen) in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Road)

**M-3 C15-2014-0117 Miranda Wylie and Alex Wright
1106 Algarita Avenue**

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side yard setback from 5 feet (required) to 1 foot (requested) in order to maintain an elevated, fenced deck and stairs in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City)

**M-4 C15-2014-0120 T.R. Bartholomew for Nigel Jacobs
1009 Reagan Terrace**

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum rear setback from 10 feet (required) to 5.1 feet (requested) in order to expand an existing garage with a 2nd story space and balcony in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City)

**M-5 C15-2014-0121 Jeffrey Howard for Toria and Blake English
1307 Waller Street**

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the rear yard setback from 10 feet (required) to 0 feet (requested); and to decrease the side yard setback on the south side property line from 5 feet (required) to 0 feet for the pool equipment and housing and 4.5 feet for the single family residence (requested); and to decrease the side yard setback on the north side property line from 5 feet (required) to 2 feet (requested); and to increase the maximum impervious coverage from 45% (permitted) to 61.8% (requested) in order to maintain pool equipment with a housing structure, ac equipment and a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin)

**M-6 C15-2014-0123 Brandon Testa for John Forsythe
205 Attayac Street Unit B**

The applicant has requested a variance to Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum front yard setback from 25 feet (required) to 5 feet (requested); and to decrease the minimum lot size from 5,750 square feet (required) to 2,280 square feet (requested) decrease the minimum lot width from 50 feet (required) to 47.50 feet (requested); in order to construct a single family home in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez)

**M-7 C15-2014-0124 Cindy Black for Kelly Handran
5200 Bruning Avenue**

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 22.1 feet (requested, existing) in order to construct a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop)

**M-8 C15-2014-0125 Eric Scheibe for Kary Aycock
1400 West Oltorf**

The applicant has requested variance(s) to Section 25-2-1064 (*Front Setback*) of Article 10, Compatibility Standards in Subchapter C, Use and Development Standards to decrease the minimum front building line setback from a right of way from 25 feet (required) to 0 feet (requested); and to Section 25-2-1067 (*Design Regulations*) (H) of Article 10, Compatibility Standards in Subchapter C, Use and Development Standards to decrease the minimum side setback for parking from 14 feet to 0 feet (requested) and to decrease the minimum side setback for driveways from 9 feet (required) to 0 feet (requested) in order to construct a commercial building, walkway, deck, driveway and parking area in a “CS”, Commercial Services zoning district.

N. BOARD OF ADJUSTMENT NEW BUSINESS

O. 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 Leane Heldenfels at Planning & Development Review Department, at 512-974-2202 or Diana Ramirez at Planning & Development Review Department at 512-974-2241, for additional information; TTY users route through Relay Texas at 711.