



BOARD OF ADJUSTMENT/SIGN REVIEW BOARD

May 11, 2015

5:30pm

CITY COUNCIL CHAMBERS

301 WEST 2ND STREET

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

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment/Sign Review Board will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Board of Adjustment/Sign Review Board may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

A APPROVAL OF MINUTES

A-1 April 13, 2015

B. SIGN REVIEW BOARD RECONSIDERATIONS

NONE

C. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS

NONE

D. SIGN REVIEW BOARD NEW PUBLIC HEARINGS

**D-1 C16-2015-0005 Jim Bennett for Blake Hillin
5908 Manor Road**

The applicant has requested a variance to: 1. Section 25-10-127 (B) (1) (Multifamily Residential Sign District Regulations) to exceed the sign height from 6 feet (required) to 13 feet 10 inches (requested); and to 2. Section 25-10-127 (B) (2) (Multifamily Residential Sign District Regulations) to exceed the sign area from 35 feet (required) to 44.3 feet (requested) in order to construct a new freestanding changeable copy sign at the Achieve Public School located in a “SF-6-NP” – Family Residence – Neighborhood Plan zoning district. (Windsor Park)

**D-2 C16-2015-0006 Jim Bennett for Ann B. Lewis
5701 W. Slaughter Lane**

The applicant has requested a variance to: 1. Section 25-10-124 (B) (Scenic Roadway Sign District Regulations) to increase the number of signs permitted on a lot fronting on two streets from 1 free standing sign on each street (required) to 3 signs (requested); and to 2. Section 25-10-124 (F) (Scenic Roadway Sign District Regulations) to increase areas of internal illumination from individual letters only (required) to also include directional arrows and emergency medical cross symbols (requested) in order to add signage for an Emergency entrance at this lot in a “GR-CO”, Community Commercial – Conditional Overlay zoning district and Scenic Roadway Sign District.

E. BOARD OF ADJUSTMENT INTERPRETATION RECONSIDERATIONS

NONE

F. BOARD OF ADJUSTMENT INTERPRETATION PREVIOUS POSTPONEMENTS

F-1 C15-2015-0038 David Piper for Zilker Neighborhood Association

The appellant has filed an application challenging the Planning and Review Department’s staff memo stating Subchapter F, Article 3, Section 3.3.3 (C) “serves no purpose and is not interpretable”.

Note: Subchapter F, Article 3, Section 3.3.3 (C), of the Land Development Code states: “Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area:

C. 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. 50% of more of the area has a ceiling height of 7 feet or less.”

G. BOARD OF ADJUSTMENT INTERPRETATION NEW PUBLIC HEARINGS

NONE

H. BOARD OF ADJUSTMENT RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

I. BOARD OF ADJUSTMENT RECONSIDERATIONS

NONE

J. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS POSTPONEMENTS

NONE

K. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS

**K-1 C15-2014-0148 George Arzegar
5718 Highland Hills Drive**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side yard setback from 5 feet (required) to 3 feet (requested) in order to maintain the residential structure in its current configuration within a “SF-3”, Family Residence Zoning District.

**K-2 C15-2015-0055 Juan Barajas for Robert Hughes
3303 Whitepine Drive**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the front yard setback from 25 feet (required) to 12 feet (requested) in order to maintain a carport structure in a “SF-2”, Family Residence Zoning District.

**K-3 C15-2015-0058 Phil Moncada for Mary Ann Schroeder
1501 Minnie Drive**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to: A. decrease the street side yard setback from 15 feet (required) to 10 feet (requested) for the carport structure; and B. decrease the rear yard setback from 10 feet (required) to 5 feet (requested) for the residential structure in order to maintain the carport and residential structure in an “SF-2”, Family Residence Zoning District.

**K-4 C15-2015-0067 Mary Jane Garza
6006 Dunbury Drive**

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 2 feet (requested) in order to maintain a carport structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Park)

L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS

**L-1 C15-2015-0043 Richard Weil for Robin Moore
4708 Colorado Crossing**

The applicant has requested a variance(s) from Section 25-2-551(C) (2) (a) (Lake Austin (LA) District Regulations) to:

A. increase the maximum impervious cover from 5% (required) to 15.5% (requested, 9.62% existing) on a 25-35% slope area; and to

B. increase from 10% (required) to 52.74% (requested, 52.45% existing) on a 15-35% slope area

in order to rebuild and expand an elevated deck area including the addition of stairs in an “LA”, Lake Austin zoning district.

**L-2 C15-2015-0046 Geoff Gilbert for Tres Waters LLC
5605 Jeff Davis Avenue**

The applicant has requested a variance(s) from Section 25-2-1604 (C) (1) to permit the parking structure to be closer to the front lot line than the building facade in order to construct a garage in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Brentwood)

**L-3 C15-2015-0047 Martin Barrera for Josue Sanchez
2316 Santa Maria Street**

The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the front setback from 25 feet (required) to 13 feet (requested, existing); and to

B. increase the building cover from 40% (required) to 55% (requested); and from

C. Subchapter F: Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.1 (Maximum Development Permitted) to increase square footage from 2,300 square feet (required) to 2,850 square feet (requested); and to

D. Section 2.7.1. (A) (1) (Side Wall Articulation) to decrease the sidewall articulation from 4 feet deep for at least 10 feet along the side property line (required) to 0 feet deep for 0 feet along the side property line (requested)

in order to construct an addition to an existing single family home in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly)

NOTE: The Holly Neighborhood Plan allows for Small Lot Amnesty lots of 2,500 square feet or greater to be developed with a Single Family use, the area of this lot is 3,375 square feet. In addition, the Neighborhood Plan allows for Small Lot Amnesty lots to have up to 65% impervious cover which the proposed use of this lot will meet.

**L-4 C15-2015-0052 Letty McGarrahan for Marcelo Vera
106 & 108 Comal Street**

The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

- A. decrease the front setback from 25 feet (required) to 15 feet (requested); and to
 - B. decrease the rear setback from 10 feet (required) to 5 feet (requested); and to
 - C. decrease the side setback from 5 feet (required) to 3.5 feet (requested); and to
 - D. increase the building cover from 40% (required) to 55% (requested); and from
 - E. Subchapter F: Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.1 (Maximum Development Permitted) to increase square footage from 2,300 square feet (required) to 2,500 square feet (requested)
- in order to construct a new single family home in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez)

NOTE: The East Cesar Chavez Neighborhood Plan allows for Small Lot Amnesty lots of 2,500 square feet or greater to be developed with a Single Family use, the area of these combined lots is 3,820 square feet. In addition, the plan allows for Small Lot Amnesty lots to have up to 65% impervious cover which the proposed use of this lot will meet.

M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS

**M-1 C15-2015-0054 Vincent Huebinger for American Tower & Verizon Wireless
4701 ½ East Stassney Lane #C**

The applicant is requesting a variance(s) to: 1. Section 25-2-839 (G) (2) (b) (Telecommunication Towers) to increase the tower height, excluding antenna array, from not exceeding 100 feet in height for a tower that is at least 100, but less than 200, feet from an MH district or use or from an SF-5 or more restrictive district use (required) to 110 feet in height and 107 feet from an SF-3-NP district (requested); and to 2. Section 25-2-839 (G) (2) (c) (Telecommunication Towers) to increase the tower height, excluding antenna array, from not exceeding 120 feet in height for a tower that is at least 200, but less than 300, feet from an MH district or use or from an SF-5 or more restrictive district use (required) to 110 feet in height and 107 feet from an SF-3-NP district (requested) in order to extend the height of an existing 100 foot telecommunication tower that is located 107 feet from a SF-3-NP zoning district and is located within a “LR-NP”, Neighborhood Commercial – Neighborhood Plan zoning district. (Franklin Park)

**M-2 C15-2015-0056 Nelisa Heddin for Donna Fullerton
9506 Woodshire Drive**

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 49.49 feet (requested)

in order to plat the property in its current configuration within a “SF-2”, Family Residence zoning district.

**M-3 C15-2015-0057 Jim Bennett for Lamar Clemons
2900 Clearview Drive**

The applicant has requested a variance(s) from Subchapter F: Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.1 (*Maximum Development Permitted*) to increase square footage from .4:1 Floor to Area Ratio (FAR) (required) to .47:1 FAR (requested) in order to add 79 square feet to an existing residence with .45:1 FAR in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

**M-4 C15-2015-0059 Lotte Vehko for Steven Roselle
4005 Avenue D**

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) and from NCCD-NP Ordinance 20120112-086, Part 8. Residential District, 1. (*Site Development Standards*) to increase the building cover from 40% (required) to 70% (requested) in order to enlarge an existing single family home that currently has 68% building coverage in a “SF-3-HD-NCCD-NP”, Family Residence – Historic Area – Neighborhood Conservation Combining District - Neighborhood Plan zoning district. (Hyde Park)

**M-5 C15-2015-0060 Jane Stansfeld for William Scott Admire
2012 Hamilton Avenue**

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to: A. decrease the minimum lot size from 5,750 square feet (required) to 2,277.97 square feet (requested, existing); and to B. decrease the minimum lot width from 50 feet (required) to 29.99 feet (requested, existing); and to C. increase the impervious cover from 45% (required) to 50% (requested); and to D. decrease the rear yard setback from 10 feet (required) to 5 feet (requested); and to E. Subchapter F: Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.7.1. (A) (1) (*Side Wall Articulation*) to decrease the sidewall articulation from 4 feet deep for at least 10 feet along the side property line (required) to 0 feet deep for 0 feet along the west side property line (requested) in order to construct a single family home in an “SF-3-NP”, Family Residence zoning district. (Central East Austin) Note: The Central East Austin Neighborhood Plan does permit small lot amnesty for existing lots up to 2,500 square feet in size. However this lot is too small to qualify for that exemption.

**M-6 C15-2015-0061 Roger and Mary Ellen Borgelt
106 Laurel Lane**

The applicant has requested variance(s) from: 1. Section 25-2-554 (Single-Family Residence Standard Lot (SF-2) District Regulations) to decrease the rear yard setback from 5 feet for an accessory building that is not more than one story or 15 feet in height (required) to 2 feet

(requested); and from 2. Section 25-2-496 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an accessory structure in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

**M-7 C15-2015-0063 Jennifer Pace
2105 Allred**

The applicant has requested a variance(s) from Section 25-2-899 (E) (Fences as Accessory Uses) to permit an 8 foot solid fence (requested) without obtaining the signature of City of Austin who is a neighboring property owner (required) on this lot with a grade change of at least 2 feet within 50 feet of the property boundary between adjoining properties in an “SF-2”, Family Residence zoning district.

**M-8 C15-2015-0064 Jim Bennett for Steve Walkup
4710 Sinclair Avenue**

The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 2 feet 6 inches (requested, former location) in order to reconstruct a detached garage in a “SF-3”, Family Residence zoning district.

**M-9 C15-2015-0065 Jim Bennett for Ernest Cragolino
1906 David Street**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 40 feet (requested) in order to re-subdivide the property into two lots in a “SF-3-CO-NP”, Family Residence – Conditional Overlay - Neighborhood Plan zoning district. (West University)

**M-10 C15-2015-0066 Matt Jones for Mark Haymes
1509 East Lane**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the front yard setback from 40 feet (required) to 15 feet (requested) in order to construct a single family home in an “LA”, Lake Austin zoning district.

**M-11 C15-2015-0068 Nikelle Meade for Adam Wilson
5001 Evans Avenue & 5000 & 5002 Martin Avenue**

The applicant has requested a variance(s) from Section 25-2-832 (*Private Schools*) (1), of Division 3 – Civic Uses to decrease the minimum paved width of a street that the site must be located on from at least 40 feet from the site to where it connects with another street that also has a paved width of at least 40 feet (required) to 27 feet paved width on both 50th Street and Evans Avenue and 31 feet paved width on Martin Avenue (requested) in order to remodel and increase the maximum number of students from 68 students (previous BOA variance requirement) to 125

student in a “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District - Neighborhood Plan zoning district. (Hyde Park)

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.