



**MEETING MINUTES
(August 13, 2018)**

The Board of Adjustment convened in a meeting on August 13, 2018, City Council Chambers, 301 West 2nd Street, Austin, Texas.

William Burkhardt called the Board Meeting to order at 5:34 p.m.

Board Members in Attendance: Brooke Bailey, William Burkhardt (Chair), Christopher Covo (late in 5:52pm), Eric Goff, Melissa Hawthorne (Vice Chair), Bryan King, Don Leighton-Burwell, Rahm McDaniel, Veronica Rivera, James Valadez, Michael Von Ohlen

Board Staff in Attendance: Leane Heldenfels (Board Liaison) and Diana Ramirez (Board Secretary), Brent Lloyd (Board Attorney) and Alecia Mayberry (Board Attorney)

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment 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 July 9, 2018 Draft Minutes

Board Member Veronica Rivera motions to approve the minutes for July 9, 2018, Board Member Bryan King second on 10-0 (Board Member Christopher Covo late); APPROVED MINUTES FOR JULY 9, 2018

A-2 Discussion and potential action on postponement and withdraw requests, including both previously postponed items from the July agenda and new items on this month's August agenda

Board Member Melissa Hawthorne motion to postpone agenda items B-1 and O-2 to September 10, 2018 and table item O-1 table, Board Member Brooke Bailey second on 10-0 vote (Board Member Christopher Cove late); APPROVED AS REQUESTED.

B. SIGNS NEW PUBLIC HEARINGS

**B-1 C16-2018-0006 Albert Morales for Capital Architectural Sign, Inc.
1165 Airport Boulevard**

The applicant has requested a variance(s) to Section 25-10-191 (*Setback and Structural Requirements*):

A. (E) to decrease the distance a sign support more than 36 inches in diameter must be set back from the street right-of-way from at least 12 feet (required) to 7.5 feet (requested); and to

B. (F) (1) to increase the height of a sign that is within 12 feet of a street right-of-way from not more than 30 inches (required, permitted) to 66 inches (requested); and to

C. (F) (2) to decrease clearance of a sign that is within 12 feet of a street right-of-way from at least 9 feet (required) to 0 feet (requested)

in order to erect a 96 inch diameter monument sign in a “CS-MU-NP”, General Commercial Services – Mixed Use - Neighborhood Plan zoning district. (MLK)

POSTPONED TO SEPTEMBER 10, 2018 BY APPLICANT (RE-NOTICE MAY BE REQUIRED)

C. SIGNS PREVIOUS POSTPONEMENTS

**C-1 C16-2018-0003 Phil Moncada for Norwood Park Owners Association, Inc., LDG Development, LLC and Strategic Housing Finance Corp. (Greg Cervenka)
1044 and 1030 Norwood Park Boulevard**

The applicant has requested a variance(s) to:

A. 25-10-123 (B) (3) (*Expressway Corridor Sign District Regulations*) to increase the maximum allowable sign height from 35 feet (required/permitted) to 50 feet (requested, existing); and to

B. 25-10-103 (*Signs Prohibited in all Sign Districts*) (1) to permit an off-premise sign; and/or to

in order to erect a sign at this site in the Expressway Corridor Sign District within a “CH-NP”, Commercial Highway Services – Neighborhood Plan zoning district. (Heritage Hills)

The public hearing was closed on Board Member Eric Goff motion to Postpone to September 10, 2018, Board Member Rahm McDaniel second on a 11-0 vote; POSTPONED TO SEPTEMBER 10, 2018. (RE-NOTICE MAY BE REQUIRED)

D. SIGNS RECONSIDERATIONS

NONE

E. SIGNS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

F. INTERPRETATION NEW PUBLIC HEARINGS

NONE

G. SPECIAL EXCEPTION NEW PUBLIC HEARINGS

NONE

H. VARIANCES NEW PUBLIC HEARINGS

**H-1 C15-2018-0031 Joshua Lien
14000 Echo Lane**

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum front setback from 40 feet (required) to 21 feet 6 inches (requested) in order to complete a recently erected garage in a “LA”, Lake Austin zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on an 11-0 vote; GRANTED.

**H-2 C15-2018-0033 David Ramos/Meredith Bradley, Ben May
1016 Avondale Road**

The applicant has requested variance(s) from:

- A. Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum front setback from 25 feet (required) to 12 feet 6 inches (requested, existing*); and to
- B. decrease the minimum rear setback from 10 feet (required) to 5 feet (requested, existing*); and to
- C. Section 25-2-963 (*Modification and Maintenance of Noncomplying Structures*) (F) (2) to exceed the additional length of a modified portion of a building's nonconforming wall by more than 25 feet (permitted) 32 feet (requested)

in order to add a second story to a portion of the first story footprint of an existing single family home in a "SF-3-NP", Family Residence zoning district. (South River City)

*Note: the proposed addition will not increase the current building footprint or the current impervious cover of the site.

The public hearing was closed on Board Member Bryan King motion to Grant with condition to reduce the existing impervious cover area as displayed per drawing H02/9, Board Member Don Leighton-Burwell second on an 11-0 vote; GRANTED WITH CONDITON TO REDUCE THE CURRENT IMPERVIOUS COVER AREA AS DISPLAYED PER DRAWING H02/9.

**H-3 C15-2018-0034 Vincent Huebinger for Dean Davidov
610 ½ Kenniston Drive (Aka 6919 ½ Airport Road located at the
Southeast corner of Airport Road and North Lamar Boulevard)**

The applicant has requested variance(s) from Section 25-2-839 (Telecommunication Towers) (D) (4) to change the appearance of a replacement tower by changing its location in a "CS-CO-NP-TOD", General Commercial Services – Conditional Overlay – Neighborhood Plan – Transit Oriented Development zoning district. (Highland)

Note: Section 25-2-839 (D) states that a telecommunication tower that complies with the requirements of this subsection is permitted in any zoning district provided (1) that the tower is a replacement for a functioning telecommunication tower.

The public hearing was closed on Board Member Brooke Bailey motion to Postpone to September 10, 2018, Board Member Rahm McDaniel second on an 11-0 vote; POSTPONED TO SEPTEMBER 10, 2018.

**H-4 C15-2018-0035 Bruce Aupperle PE for Skylark Partners II LP/Edward
B. Frierson, AIA
1704 Channel Road**

The applicant has requested variance(s) from Section 25-2-551 (*Lake Austin (LA) District Regulations*) (B) (1) (b) to decrease the shoreline setback from 25 feet (required) to 10 feet (requested) in order to erect a single family home in a "LA", Lake Austin zoning district.

The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to October 8, 2018, Board Member Rahm McDaniel second on an 11-0 vote; POSTPONED TO OCTOBER 8, 2018.

I. INTERPRETATIONS PREVIOUS POSTPONEMENTS

NONE

J. INTERPRETATIONS RECONSIDERATIONS

NONE

K. INTERPRETATIONS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

L. SPECIAL EXCEPTIONS PREVIOUS POSTPONEMENTS

**L-1 C15-2017-0035 Donald and Amy Smith
3207 Beverly Road**

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 side setback from 5 feet (required) to 3.5 feet (requested, existing); and to

B. decrease the rear yard setback from 10 feet (required) to 3.5 feet (requested, existing)

in order to maintain detached accessory living space structure at this location for at least 10 years in a “SF-3-NP”, Family Residence – Neighborhood Plan - zoning district. (Windsor Road)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Eric Goff second on an 11-0 vote; GRANTED.

M. SPECIAL EXCEPTIONS RECONSIDERTIONS

NONE

N. SPECIAL EXCEPTIONS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

O. VARIANCES PREVIOUS POSTPONEMENTS

**O-1 C15-2017-0047 Phil Moncada for Ryan Dumont/Hank Coleman
3602 and 3604 Rivercrest Drive**

The applicant has requested variance(s) from Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an “LA”, Lake Austin zoning district.

ACTION TABLED AT APPLCIANT REQUEST

**O-2 C15-2018-0024 Jim Wittliff for Susan Pollo
1219 Bickler Road**

The applicant has requested variance(s) to Section 25-2-774 (*Two-Family Residential Use*) (C) (5) to:

A) (a) to increase the size of a second dwelling from not to exceed 1,100 total square feet or a floor-to-area ratio of .15 (1,542 for this lot), whichever is smaller (required) to 2,500 square feet (requested/); and to

B) (b) to increase the size of the 2nd story from 550 square feet (required/permitted) to 1,250 square feet (requested)

in order to erect a second dwelling unit behind the existing 1,050 square foot single family home in a "SF-3-NCCD-NP", Family Residence – Neighborhood Conservation Combining District - Neighborhood Plan zoning district. (South River City)

POSTPONED TO SEPTEMBER 10, 2018 AT APPLICANT REQUEST

P. VARIANCE RECONSIDERATIONS

NONE

Q. VARIANCES RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

R. NEW BUSINESS

R-1 Review and possible action on Board of Adjustment Rules and Procedure

DISCUSSED; Board Member Rahm McDaniel motion to Postpone to a Special

Called Meeting date TBD with expectation to bring item back to Board October 10, 2018 regular meeting for action, Board Member Eric Goff second on an 11-0 vote;

REVIEW POSTPONED TO A SPECIAL CALLED MEETING DATE; ACTION POSTPONED TO OCTOBER 8, 2018

R-2 July monthly activity report compiled by staff; discussion of content, format, additional information for August report, and format ideas for August report

DISCUSSED AND CONTINUED TO SEPTEMBER 10, 2018; AUGUST ACTIVITY WILL BE ADDED

R-3 Announcements: (*Wednesday August 14, 9:30am, City Hall Board and Commission Room, Audit and Finance Council Committee meeting with Board of Adjustment June 2018 Resolution on the agenda for discussion of item #2 of the Resolution - provide independent legal counsel for the Board during Interpretation Appeal cases*); other announcements.

ANNOUNCED; DAY OF WEEK CORRECTION NOTED (TUESDAY RATHER THAN WEDNESDAY)

R-4 Future agenda new business items, requests; potential special called meeting and/or workshop requests, discussion

S. ADJOURNMENT

9:42 PM

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 2 days before the meeting date. Please call** Board Liaison Leane Heldenfels, Development Services, at 512-974-2202 or Board Secretary Diana Ramirez, Development Services, at 512-974-2241, for additional information; *TTY users route through Relay Texas at 711.*

