



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING
MINUTES
(March 12, 2012)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on March 12, 2012, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 5:32 p.m.

Board Members in Attendance: Jeff Jack (Chair), Heidi Goebel (Vice Chair), Melissa Hawthorne, Susan Morrison (BOA), Michael Von Ohlen, Cathy French (Sign Review Board), Will Schnier (Alternate), Stuart Hampton (Alternate)

Board Members Absent: Bryan King, Nora Salinas (BOA), Dan Graham (SRB)

Staff in Attendance: Susan Walker, Diana Ramirez

A. APPROVAL OF MINUTES February 13, 2012

Board member Melissa Hawthorne motion to approve the minutes for February 13, 2012, Board member Heidi Goebel second on 7-0 vote (Michael Von Ohlen out-late), GRANTED.

B. SIGN REVIEW BOARD

**B-1 C16-2012-0004 360 Signs, LLC; Tom Humphries for Christopher Mariani
9911 Brodie Lane**

The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-124 (B) from one freestanding sign to two freestanding signs for a commercial development in a "GR-CO", Community Commercial – Conditional Overlay zoning district. (Scenic Roadway Sign District).

The public hearing was closed on Board Member Jeff Jack motion to Grant with conditions to eliminate one of the other signs to have the same amount of signs when this new sign goes up, Board Member Melissa Hawthorne second on a 8-0 vote; GRANTED WITH CONDITIONS TO ELIMINATE ONE OF THE OTHER SIGNS TO HAVE THE SAME AMOUNT OF SIGNS WHEN THIS NEW SIGN GOES UP.

C. BOARD OF ADJUSTMENT RECONSIDERATIONS

**C-1 C15-2012-0013 Don William for Jennie West
1601 Wethersfield Road**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet along the south property line in order to maintain a detached carport for a single family residence in an “SF-3”, Family Residence zoning district.

Board Member Heidi Goebel motion to reconsider request, Board Member Melissa Hawthorne second on a 6-1 vote (Susan Morrison nay); RECONSIDERED REQUEST; the public hearing was closed on Board Member Michael Von Ohlen motion to Deny, Board Member Heidi Goebel second on a 7-0 vote; DENIED.

D. BOARD OF ADJUSTMENT RECONSIDERATION POSTPONEMENTS

**D-1 C15-2010-0134 Jim Bennett for Fred Purcell
12912 Park Drive**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 12 feet along the west property lines in order to maintain a solid fence 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 friendly amendment that owner is to stucco side of fence approved by neighbor and that the retaining wall go through the city permit process, have it engineered and signed off, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH FRIENDLY AMENDMENT THAT OWNER IS TO STUCCO SIDE OF FENCE APPROVED BY NEIGHBOR AND THAT THE RETAINING WALL GO THROUGH THE CITY PERMIT PROCESS, HAVE IT ENGINEERED AND SIGNED OFF.

E. BOARD OF ADJUSTMENT POSTPONEMENTS

**E-1 C15-2010-0012 Vince Huebinger for Domingo Arce
1700 Miriam Avenue**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 48% for a single-family residence use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

The public hearing was closed on Board Member Susan Morrison motion to Deny, Board Member Michael Von Ohlen second on a 4-3 vote (Board members Will Schnier, Melissa Hawthorne and Heidi Goebel nay); DENIED.

**E-2 C15-2011-0138 Karen Prairie
7600 Downridge**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 6.5 feet in order to remodel a pool cabana/dressing room

and enclose a covered deck area to create a two-family residential use in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 49% in order to maintain impervious coverage for a single family residence and proposed two-family residential use in an “SF-3”, Family Residence 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 4.8 feet in order maintain the enclosure of an existing covered carport for a garage in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance from the maximum linear feet of gables or dormers protruding from the setback plane; from the maximum development permitted in Chapter 25-2; Section 2.8.1 A (2) of the Land Development Code in order to remodel a pool cabana/dressing room and enclose a covered deck area to create a two-family residential use in an “SF-3”, Family Residence zoning district.

POSTPONED TO APRIL 9, 2012 BY APPLICANT

**E-3 C15-2012-0001 Jim Wittliff for Roger Easley
813 East 13th Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 8 feet in order to erect the front structure of a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with friendly amendments that the vertical height of the new construction be approved by arborist to keep within the range of 5%, arborist requirement to include house be on piers including wooden deck and garage be no more than 18 feet off rear property line, Board Member Melissa Hawthorne second on a 5-1 vote (Board member Heidi Goebel nay and Will Schnier recused); DENIED.

**E-4 C15-2012-0003 Richard T. Suttle Jr. for VIVO Restaurant
2015 Manor Road**

The applicant has requested a variance from Section 25-2; Subchapter E; Subsection 2.3, Subsection 2.6, and Subsection 3.2 for sidewalks, planting zones, clear zones, utilities, furniture, building placement, parking, corner site, landscape buffer, connectivity, screening and pedestrian frontage provisions to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1007 for landscape islands and trees in parking lots to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1008 for irrigation requirements so that the existing amount of landscaping and related irrigation is the required amount in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The applicant has requested a variance from Section 25-2-1062 (Height Limitations); Section 25-2-1066 (Screening Requirements) and 25-2-1067 (Design Regulations) for compatibility requirements to not apply to the portion of the property abutting the alley to allow existing conditions to remain in order to maintain the existing parking facility in a “CS-MU-V-NP” zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions to add irrigation system, replace sidewalk in front of property, maintain at least 5 trees in the existing right of ways, improvements to the property screening the dumpster and utilities and repairing the retaining wall, provide parking lease agreements, install 10 racks that will accommodate 20 bicycles, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS TO ADD IRRIGATION SYSTEM, REPLACE SIDEWALK IN FRONT OF PROPERTY, MAINTAIN AT LEAST 5 TREES IN THE EXISTING RIGHT OF WAY, IMPROVEMENTS TO THE PROPERTY SCREENING THE DUMPSTER AND UTILITIES AND REPAIRING THE RETAINING WALL, PROVIDE PARKING LEASE AGREEMENTS, INSTALL 10 RACKS THAT WILL ACCOMMODATE 20 BICYCLES.

**E-5 C15-2012-0014 Richard Suttle for Tim Finley
110 East 2nd Street and 111 East 3rd Street**

The applicant has requested a variance to decrease the minimum off-street loading facility requirement of Section 25-6-592 from eight off-street loading spaces to three off-street loading spaces in order to erect a Hotel use in a “CBD-CURE”, Central Business District – Central Urban Redevelopment Combining District Area.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to April 9, 2012, Board Member Susan Morrison second on a 5-1 vote (Board Member Melissa Hawthorne recused); POSTPONED TO APRIL 9, 2012.

**E-6 C15-2012-0018 David Cancialsoi for Charles Borgeson
7404 Albert Road**

The applicant has requested a special exception from Section 25-2-476 of the Land Development Code in order to maintain a side yard setback of 0 feet (10 feet is required) along the north property line in a “DR”, Development Reserve zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 10 feet to 0 feet in order to maintain an addition to an existing carport along the north property line in a “DR”, Development Reserve zoning district.

WITHDRAWN BY APPLICANT

F. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**F-1 C15-2012-0029 Flor Lima
11710 Tanglebriar Trail**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet in height to 8 feet in height along the north property line in order to maintain a fence for a single-family residence in an “I-SF-2”, Interim – Single Family Residence zoning district. The Land Development Code states a solid fence constructed along a property line may not exceed an average height of 6 feet or a maximum height of 7 feet.

The public hearing was closed on Board Member Michael Von Ohlen motion to Deny, Board Member Susan Morrison second on a 5-2 vote (Board members Will Schnier and Melissa Hawthorne nay); DENIED.

**F-2 C15-2012-0017 Sarah Harris
1148 Northwestern Avenue**

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 erect a Secondary Apartment use in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The applicant has requested a variance to decrease the minimum number of off-street parking space requirement of Section 25-6, Appendix A from three spaces to zero spaces in order to erect a Secondary Apartment use in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The applicant has requested a variance from the minimum separation distance requirement of Section 25-2-1463 (C) (2) (a) from 15 feet to 6.1 feet in order to erect a Secondary Apartment use in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to April 9, 2012, Board Member Jeff Jack second on a 7-0 vote; POSTPONED TO APRIL 9, 2012.

**F-3 C15-2012-0022 Leo Leidlein for Joyce Gibson Moskow
1210 Payne Avenue**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 4 feet 8 inches in order to remodel and add a second story to an existing accessory building to create a two-family residential use in an “SF-3-NP”, 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 4 feet 9 inches in order to remodel and add a second story to an existing accessory building to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Heidi Goebel motion to Deny, Board Member Michael Von Ohlen second on a 7-0 vote; DENIED.

**F-4 C15-2012-0023 Hasan Khodadadi
 306 West 42nd Street**

The applicant has requested a variance to decrease the minimum rear yard setback requirement from 5 feet to 0.5 feet in order to rebuild an accessory structure for a single-family residence in an “SF-3-HD-NCCD”, Family Residence – Historic District – Neighborhood Conservation Combining District zoning district.

POSTPONED TO APRIL 9, 2012 DUE TO AE DENIAL

**F-5 C15-2012-0024 Thomas Walter for Jeri Moore
 604 Hammack Drive**

The applicant has requested a special exception from Section 25-2-476 (B) of the Land Development Code in order to maintain an accessory structure 2.9 feet from the west property line (5 feet is required) in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

The public hearing was closed on Board Member Heidi Goebel motion to Grant, Board Member Susan Morrison second on a 7-0 vote; GRANTED.

**F-6 C15-2012-0025 Mary Keating Bruton
 2201 La Casa Drive**

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 in order to re-subdivide a lot and maintain an existing carport for a single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Heidi Goebel motion to Deny, Board Member Susan Morrison second on a 4-3 vote (Board members Michael Von Ohlen, Will Schnier, Melissa Hawthorne nay); DENIED.

F-7 C15-2012-0026 Jim Wittliff for Guillermo Sanchez

1514 Hether

The applicant has requested a variance to decrease the non-complying setback requirement of Section 25-2-963 (F) (1) (a) from 2.86 feet to 2.6 feet in order to remodel to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that a person may modify a building that is a non-complying structure based on a yard setback requirement of this title if: (1) the modified portion of the building: (a) does not extend further into the required yard setback than the existing non-complying portion of the building.

The applicant has requested a variance from Section 25-2-774 (C) (2) (b) in order to allow a two family residential structure to be located 27 feet in front of the principal structure in order to remodel and maintain a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that the second dwelling unit must be located at least 15 feet to the rear of the principal structure.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with conditions that neighbors work together to help run-off and flooding and gutters to be re-routed to allow positive drainage away from neighbor, Board Member Heidi Goebel second on a 7-0 vote; GRANTED WITH CONDITIONS THAT NEIGHBORS WORK TOGETHER TO HELP RUN-OFF AND FLOODING AND GUTTERS TO BE RE-ROUTED TO ALLOW POSITIVE DRAINAGE AWAY FROM NEIGHBOR.

**F-8 C15-2012-0027 James Braeutigam
706 West 26th Street**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet in height to 8 feet in height in order to maintain a solid fence along the side and rear property lines in an “MF-4-NP”, Multi-Family Residential – Neighborhood Plan zoning district. The Land Development Codes states that a solid fence constructed along a property line may not exceed an average height of 6 feet or a maximum height of 7 feet.

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, Board Member Michael Von Ohlen second on a 6-0 vote (Board member Susan Morrison off dias); GRANTED.

**F-9 C15-2012-0028 Florence Spalding
4615 Banister Lane**

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 remodel and maintain a single accessory dwelling in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance from Subchapter F; Article 2; Subsection 2.6 in order to encroach 5 feet into the rear setback plane in order to remodel and maintain a single accessory dwelling in an “SF-3”, Family Residence zoning district.

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

**F-10 C15-2012-0030 Robert Meck
6110 Sierra Leon**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from six feet to seven feet in order to erect a solid fence along the side and rear property lines in an “SF-2”, Single-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 6 feet or a maximum height of 7 feet.

The public hearing was closed on Board Member Heidi Goebel motion to Deny, Board Member Susan Morrison second on a 5-2 vote (Board Member Will Schnier and Melissa Hawthorne nay); DENIED.

**F-11 C15-2012-0031 Jim Bennett for James Leal
8503 Stillwood 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 12 feet in order to maintain an open carport for a single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Deny, Board Member Susan Morrison second on a 7-0 vote; DENIED.

**F-12 C15-2012-0032 Jim Bennett for Michael A Colennetta
3902, 3904, 3906 Wadford Street**

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1067 (G) from 25 feet to 2.5 feet in order to erect driveway and parking for a commercial building in a “GR-MU-V-CO-NP”, Community Commercial – Mixed Use – Vertical Mixed Use Building – Conditional Overlay – Neighborhood Plan zoning district. The Land Development Code states that unless a parking area of driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is: (1) in an SF-5 or more restrictive zoning district; or (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

The public hearing was closed on Board Member Melissa Hawthorne motion to Postponed to April 9, 2012, Board Member Michael Von Ohlen second on a 5-1 vote (Board member Susan Morrison nay and Stuart Hampton recused); POSTPONED TO APRIL 9, 2012.

F-13 C15-2012-0033

**Darren Barger for Brit Taylor Burton
2425 Euclid Avenue**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 24 feet in order to maintain an addition to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Dawson 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 4.45 feet in order to maintain an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Dawson Neighborhood Plan)

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

4/10/12 - Corrections Items D-1, E-4, F-7