



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING
MINUTES
(April 9, 2012)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on April 9, 2012, 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), Heidi Goebel (Vice Chair), Melissa Hawthorne, Bryan King, Susan Morrison, Michael Von Ohlen, Nora Salinas, Cathy French (SRB), Dan Graham (SRB), Will Schnier (Alternate)

Board Members Absent: none

Staff in Attendance: Susan Walker, Diana Ramirez, George Zapalac, Sue Welch,

A. APPROVAL OF MINUTES March 12, 2012

Board member Melissa Hawthorne motion to approve the minutes with corrections (Items D-1, E-4 and F-7) for March 12, 2012, Board member Michael Von Ohlen second on 6-3 vote (Board members Bryan King, Nora Salinas and Dan Graham abstained), GRANTED with corrections (Items D-1, E-4 and F-7).

C. SIGN REVIEW BOARD

**C-1 C16-2012-0005 Sign Builders of America (Lee Williams) for Starbucks
11521 N FM 620**

The applicant has requested a variance from Section 25-10-124 (F) in order to allow the internal lighting of logos for wall signs and freestanding signs in a "GR-CO", Community Commercial – Conditional Overlay zoning district. The Land Development Code states that internal lighting of signs is prohibited, except for the internal lighting of individual letters.

The public hearing was closed on Board Member Michael Von Ohlen motion to Deny (applicant no show), Board Member Dan Graham second on a 8-1 vote; DENIED (APPLICANT NO SHOW).

**C-2 C16-2012-0006 Doni Allen for Avery Ranch Dental (Altamira, LLC)
15004 Avery Ranch Blvd. Bldg A**

The applicant has requested a variance to increase the maximum number of freestanding signs requirement of Section 25-10-130 (B) from one freestanding sign to two freestanding signs for a Medical Office use in a “PUD”, Planned Unit Development zoning district.

The applicant has requested a variance to increase the maximum sign face area requirement of Section 25-10-130 (F) (2) (a) from 12 square feet to 69.58 square feet each in order to erect two freestanding signs for a Medical Office use in a “PUD”, Planned Unit Development zoning district.

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, to comply with scenic criteria but allow 2 signs not to exceed 64 square feet, Board Member Michael Von Ohlen second on a 9-0 vote; GRANTED, TO COMPLY WITH SCENIC CRITERIA BUT ALLOW 2 SIGNS NOT TO EXCEED 64 SQUARE FEET.

D. BOARD OF ADJUSTMENT POSTPONEMENTS

D-1 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.

WITHDRAWN BY APPLICANT

D-2 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)

POSTPONED TO JUNE 11, 2012 BY APPLICANT

**D-3 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.

Board Member Heidi Goebel motion to Grant (3 loading spaces), Board Member Will Schnier second on a 3-4 vote (Board Members Jeff Jack, Nora Salinas, Bryan King, Susan Morrison nay); DENIED; Substitute Motion, Board Member Michael Von Ohlen motion to Grant (4 loading spaces, 3 - 55 footers and 1 - 30 footers); Board Member Will Schnier second on a 4-3 vote (Board Members Jeff Jack, Nora Salinas, Bryan King nay); DENIED. Board Member Michael Von Ohlen motion to re-send, Board Member Bryan King second on a 7-0 vote; Granted motion to re-send. The public hearing was closed on Board Member Bryan King motion to Grant (5 loading spaces, 3 - 55 footers and 2 - 30 footers), Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED (5 loading spaces, 3 – 55 footers and - 30 footers).

**D-4 C15-2012-0015 Mike Brown for Judith Kenney
1603 Raleigh Avenue**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (69% existing) to 62% in order to remove portions of driveway and sidewalks and erect a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant at 54% Impervious Cover with conditions that carport remain open on 3 sides and add gutters, Board Member Bryan King second on a 7-0 vote; GRANTED AT 54% IMPERVIOUS COVER WITH CONDITIONS THAT CARPORT REMAIN OPEN ON 3 SIDES AND ADD GUTTERS.

**D-5 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 Grant all three variances, parking variance to two parking spaces, Board Member Susan Morrison second on a 7-0 vote; GRANTED ALL THREE VARIANCES, PARKING VARIANCE TO TWO PARKING SPACES .

**D-6 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 JUNE 11, 2012

**D-7 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 along the west property line 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.

POSTPONED TO JUNE 11, 2012

E. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**E-1 C15-2012-0034 Justin Bailey for Shannon Peris
 8208 Via Verde Drive**

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 increase the height of an

existing fence for a single-family residence 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 Bryan King motion to Grant, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED.

**E-2 C15-2012-0035 Leslie Lawson
 1302 Ardenwood 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 2 feet in order to erect a carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek Neighborhood Plan)

The public hearing was closed on Board Member Heidi Goebel motion to Grant with conditions that carport remain open on 3 sides except for the outdoor storage cubicle as shown on E2/11, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS THAT CARPORT REMAIN OPEN ON 3 SIDES, EXCEPT FOR THE OUTDOOR STORAGE CUBICLE AS SHOWN ON E2/11.

**E-3 C15-2012-0036 Craig Nasso for David Limon
 2604 Canterbury Street**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5.90 feet in order to remodel an existing accessory building to create a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly 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 4.40 feet in order to remodel an existing accessory building to create a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly Neighborhood Plan)

The public hearing was closed on Board Member Bryan King motion to Grant with condition to remain a single story, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITION TO REMAIN A SINGLE STORY.

**E-4 C15-2012-0037 James & Ingrid Smith
 2611 Garrettson Drive**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from 4 off-street parking spaces to 2 off-street parking spaces in order to maintain the garage enclosure for additional living area for each unit of a duplex-residential use in an “SF-3”, Family Residence zoning district.

Board Member Bryan King motion to Postpone to May 14, 2012, Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO MAY 14, 2012.

**E-5 C15-2012-0038 Isidora Gonzales
 2016 Payne Avenue**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% allowable to 53% in order to complete the construction of an accessory building in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

Board Member Bryan King motion to Postpone to May 14, 2012, Board Member Michael Von Ohlen second on a 6-0 vote (Board member Susan Morrison off the dias); POSTPONED TO MAY 14, 2012.

**E-6 C15-2012-0039 Francois Levy for Greg Shattuck
 1208 Inks Avenue**

The applicant has requested a variance from two-family residential use requirement of Section 25-2-774 (C) (2) (a) in order to erect a two-family residential use (to replace existing structure) in an “MF-2-H-NP”, Multi-family – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) The Land Development Code states that for a two-family residential use the second dwelling unit must be located at least 15 feet to the rear of the principal structure.

The applicant has requested a variance to increase the maximum impervious requirement of Section 25-2-492 (D) from 45% to 50% in order to erect a two family residential use (to replace existing structure) in an “MF-2-H-NP”, Multi-family – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant at 47% Impervious Cover, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED AT 47% IMPERVIOUS COVER.

**E-7 C15-2012-0040 David Cancialosi for Jason Demitri
 5605 Wagon Train 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 2.5 feet in order to maintain a detached accessory building for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 2.2 feet in order to maintain a detached accessory building 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, friendly amendment with fire rated wall, Board Member Bryan King second on a 7-0 vote; GRANTED, FRIENDLY AMENDMENT WITH FIRE RATED WALL.

**E-8 C15-2012-0041 Charlie Nohra for Rosemary Follis
2201 East Ben White Boulevard**

The applicant has requested a variance to decrease the minimum separation distance from an adult-oriented business and a public park requirement of Section 25-2-801 (D) (2) from 1,000 feet to 863.65 feet in order to create an adult-oriented business in a “CS-1-NP”, Commercial-Liquor Sales – Neighborhood Plan zoning district. The Land Development Code states that an adult-oriented business may not be located on a lot that is within 1,000 feet of a lot on which a school, church, public park or playground, or licensed day-care center is located.

Board Member Bryan King motion to Postpone to May 14, 2012, Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO MAY 14, 2012.

**E-9 C15-2012-0042 Anthony Brummer
8200 Stillwood Lane**

The applicant has requested a variance to increase the maximum height of a solid fence requirement of Section 25-2-899 (D) from 6 feet in height to 7 ½ feet in height in order to erect a fence for a single-family residence in an “SF-3”, 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 Bryan King motion to Grant, Board Member Nora Salinas second on a 7-0 vote; GRANTED.

**E-10 C15-2012-0043 Javier Delgado for Austin Housing Finance Corporation
(Regina Copic)
900, 902 Juniper Street; 903, 905, 907 Olive Street**

900 Juniper Street – The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-1424 (A) (4) from 10 feet to 5 feet for an Urban Home Special Use in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

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.

902 Juniper Street – The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-1424 (A) (1) from 3,500 square feet to 2,300 square feet for an Urban Home Special Use in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

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.

903 Olive Street - The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-1424 (A) (1) from 3,500 square feet to 2,029 square feet for an Urban Home Special Use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED TO 2303 SQUARE FEET**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-1424 (A) (5) from 5 feet to 3 feet along Lot One for an Urban Home Special Use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-1424 (B) from 20 feet to 0 feet for an Urban Home Special Use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant all three variances, lot size to 2303 square feet, Board Member Bryan King second on a 7-0 vote; GRANTED ALL THREE VARIANCES, LOT SIZE TO 2303 SQUARE FEET.

905 & 907 Olive St - The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-1424 (B) from 20 feet to 0 feet for an Urban Home Special Use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

The applicant has requested a variance to decrease the minimum side yard setback requirement from Section 25-2-1424 (A) (5) from 5 feet to 3 feet for an Urban Home Special Use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan) **GRANTED**

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. Approve the creation of a Working Group to develop recommendations for changes to the Board of Adjustment’s procedures and protocols, including potential amendments to the Board’s Rules of Procedure.

Board Member Bryan King motion to Grant, Board Member Susan Morrison second on a 7-0 vote; GRANTED.

G. Approval of Annual Internal Review for Board of Adjustment

Board Member Bryan King motion to Grant, Board Member Michael Von Ohlen 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.