



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

The Board of Adjustment/Sign Review Board convened in a joint meeting on July 9, 2012, City Council Chambers, 301 West 2<sup>nd</sup> 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), Bryan King (BOA), Susan Morrison, Michael Von Ohlen, Nora Salinas, Cathy French (SRB), Will Schnier (Alternate)

Board Members Absent: Melissa Hawthorne and Dan Graham (SRB)

Staff in Attendance: Susan Walker, Viktor

Staff Absent: Diana Ramirez

**A. APPROVAL OF MINUTES**

**June 11, 2012**

**The public hearing was closed on Board Member Bryan King motion to Grant, Board Member Heidi Goebel second on a 8-0 vote; GRANTED.**

**June 20, 2012 (Special Called Meeting)**

**The public hearing was closed on Board Member Bryan King motion to Grant with corrections to Item A-2, Board Member Heidi Goebel second on a 8-0 vote; GRANTED WITH CORRECTIONS TO ITEM A-2.**

**B. SIGN REVIEW BOARD**

**B-1 C16-2012-0009 Mark Rocke for Wm. F. Munday  
4610 South IH 35**

The applicant has requested a variance to increase the maximum sign face area requirement of Section 25-10-123 (B) (2) (b) (ii) from 300 square feet to 380 square feet in order to erect a freestanding sign in a "CS-NP", Commercial Services – Neighborhood Plan zoning district.

**The public hearing was closed on Board Member Heidi Goebel motion to Grant as shown on drawing B1/9, Board Member Susan Morrison second on a 8-0 vote; GRANTED AS SHOWN ON DRAWING B1/9.**

**B-2     C16-2012-0010             Daniel Hornung for George Llewellyn  
6201 Wynona Avenue**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-101 (G) (3) from 6 feet above grade to 20 feet above grade in order to erect a freestanding sign for a Public School in an “SF-2”, Single Family Residence zoning district.

The applicant has requested a variance to increase the maximum sign area of a freestanding sign requirement of Section 25-10-101 (G) (2) from 32 square feet to 150 square feet in order to erect a freestanding sign for a Public School 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 50% illumination after 9:00 pm for EMC, Turn EMC off at 10:00 pm, Red LED EMC only, Board Member Bryan King second on a 8-0 vote; GRANTED WITH FRIENDLY AMENDMENT 50% ILLUMINATION AFTER 9:00PM FOR EMC, TURN EMC OFF AT 10:00PM, RED LED EMC ONLY.**

**B-3     C16-2012-0011             Kevin Hull and Bryan Hardeman  
3400 Steck Avenue**

The applicant has requested a variance to increase the maximum sign height of a freestanding sign requirement of Section 25-10-130 (G) (1) from 30 feet above frontage street pavement grade to 60 feet above frontage street pavement grade in order to erect a freestanding sign for an Automotive Sales use in an “LI”, Limited Industrial zoning district. (Commercial Sign District)

**POSTPONED TO AUG. 13, 2012**

**C.     BOARD OF ADJUSTMENT RECONSIDERATIONS**

**C-1     C15-2012-0058             Elvira Escobar  
2016 Jesse E. Segovia Street**

The applicant has requested a variance from Section 25-2-1463 (C) (2) (a) 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. The Land Development Code states that a secondary apartment must be located at least 15 feet to the rear of the principal structure. (Note: This variance was approved on 12-8-2008 under case # C15-2008-0145 and approved again on 4-11-2011 under case # C15-2010-0150 – variances have since expired.) **WITHDRAWN**

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 maintain a carport in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Note: This variance was approved on 4-11-11 under case #C15-2010-0150 but has since expired.) **GRANTED**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 47% in order to maintain a single-family residence, secondary apartment and accessory structures in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. **WITHDRAWN**

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 a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Note: This variance was approved on 4-11-11 under case #C15-2010-0150 but has since expired) **WITHDRAWN**

**Board Member Bryan King motion to Reconsider, Board Member Heidi Goebel second on a 7-0 vote; RECONSIDERATION REQUEST GRANTED; The public hearing was closed on Board Member Heidi Goebel motion to Grant side yard setback variance only, Board Member Bryan King second on a 7-0 vote; GRANTED SIDE YARD SETBACK VARIANCE ONLY.**

#### **D. BOARD OF ADJUSTMENT POSTPONEMENTS**

**D-1 C15-2012-0056 Jim Bennett for R.L. Horn Trust (John Horne)  
2800 E. 22<sup>nd</sup> 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 18 feet in order to erect the primary structure of a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood Neighborhood Plan)

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with friendly amendment to have City Arborist come and evaluate possible root zone and pruning mitigation, Board Member Nora Salinas second on a 5-2 vote (Board Members Heidi Goebel and Bryan King nay); DENIED.**

**D-2 C15-2012-0057 Annemarie and John Bagby  
8005 Finch Trail**

The applicant has requested a special exception from Section 25-2-476 in order to maintain a covered patio 10.4 feet from the side street property line instead of the required 15 feet for a single-family residence in an “SF-3”, Family Residence zoning district. **GRANTED**

The applicant has requested a variance from Section 25-2-963 (E) (1) (b) to maintain and increase the height of a non-complying structure in order to increase the height of an existing two story accessory building for a single-family residence in an “SF-3”, Family Residence zoning district. **DENIED**

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant the special exception request and to Deny the variance request, Board Member Heidi Goebel**

**second on a 7-0 vote; GRANTED THE SPECIAL EXCEPTION REQUEST AND TO DENY THE VARIANCE REQUEST.**

**D-3 C15-2012-0059 Roel and Theresa Chapa  
10708 Desert Willow Loop**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet along the east property line in order to maintain a detached accessory building 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 10 feet to 5 feet in order to maintain a detached accessory building (over 15’ in height) in an “SF-2”, Single – Family Residence zoning district. **WITHDRAWN**

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to reduce height to 14’6” and plant trees as proposed, Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION TO REDUCE HEIGHT TO 14’6” AND PLANT TREES AS PROPOSED.**

**D-4 C15-2012-0062 Kari Blachly for Barbara Wohlgemuth  
1701 Brackenridge**

The applicant has requested a variance to decrease the minimum separation requirement of Section 25-2-774 (C) (2) (a) for a two-family residential use from 15 feet to 0 feet in order to construct an addition and maintain a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. 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 decrease the minimum rear yard of a through lot setback requirement of Section 25-2-515 from 25 feet to 18 feet in order to maintain a non-complying two-family residential structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. **GRANTED JUNE 11, 2012**

**POSTPONED TO AUG. 13, 2012 (RENOTIFICATION NEEDED)**

**D-5 C15-2012-0063 Benjamin Siewert for Luis A. Aquino  
2316 Webberville Road**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 from 65 required off-street parking spaces to 17 provided off-street parking spaces in order to erect an addition of a 1200 square foot patio for an existing Cocktail Lounge use in a “CS-CO-MU-NP”, Commercial Services – Conditional Overlay – Mixed Use – Neighborhood Plan zoning district. (Central East Austin Neighborhood Plan)

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to use neighboring property or within 1000 feet to add 13 additional spaces, Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION TO USE NEIGHBORING PROPERTY OR WITHIN 1000 FEET TO ADD 13 ADDITIONAL OFF SITE SPACES.**

**D-6    C15-2012-0068            Philip Just for Bryan Bayerdorffer  
1502 West 9<sup>th</sup> 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 feet in order to erect a detached accessory building (over 15feet in height) for a single-family residence in an “MF-4-NP”, Multi-Family – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

**POSTPONED TO AUG. 13, 2012**

**D-7    C15-2012-0070            Robert Tillotson  
2102 Roundtree 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 2.5 feet in order to maintain a Secondary Apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood Neighborhood Plan)

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

## **E.    BOARD OF ADJUSTMENT PUBLIC HEARINGS**

**E-1    C15-2011-0115            Richard Swisher  
3605 Robbin Road**

The applicant has requested a variance to decrease the front street setback requirement of Section 25-2-492 (D) from 25 feet to 12 feet in order to erect a garage and elevator tower for a new single family residence in an “LA”, Lake Austin zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (a) from 35% (57.3% existing) to 55.2% in order to erect a new single-family residence in an “LA”, Lake Austin zoning district. The Land Development Code states that impervious cover may not exceed 35 percent on a slope with a gradient of 15 percent or less.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (b) from 10% (14.3% existing) to 25.2% in order to erect a new single family residence in an “LA”, Lake Austin zoning district. The Land

Development Code states that impervious cover may not exceed 10 percent on a slope with a gradient of more than 15% and not more than 25%.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (B) (5) from 0% (16.8% existing) to 33.7% in order to erect a new single family residence in an “LA”, Lake Austin zoning district. The Land Development Code states that development is prohibited on land with a gradient that exceeds 35%. This prohibition does not apply to a fence, driveway, road or utility that cannot be reasonable placed elsewhere, or a pedestrian facility.

Note: (This case was approved on 11-14-11 for the same variances however the project is now considered new construction instead of a remodel and addition to existing single-family residence)

**The public hearing was closed on Board Member Bryan King motion to Grant with same findings as previous BOA approval on 11-14-11, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED WITH SAME FINDINGS AS PREVIOUS BOA APPROVAL ON 11-14-11.**

**E-2     C15-2012-0073             Jim Bennett for Steve Bourne  
5306 Tortuga Trail**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (a) from 35% to 47.76% in order to maintain a single-family residence and reconstruct a deck in an “LA”, Lake Austin zoning district. The Land Development Code states that the impervious coverage may not exceed 35%, on a slope with a gradient of 15% or less.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (C) from 5% to 12.33% in order to maintain a single-family residence and reconstruct a deck in an “LA”, Lake Austin zoning district. The Land Development Code states that the impervious coverage may not exceed 5%, on a slope with a gradient of more than 25% and not more than 35%.

**The public hearing was closed on Board Member Bryan King motion to Grant variance provided open slat deck construction, no roof constructed, and no more than 10 footings, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED VARIANCE PROVIDED OPEN SLAT DECK CONSTRUCTION, NO ROOF CONSTRUCTED, AND NO MORE THAN 10 FOOTINGS.**

**E-3     C15-2012-0074             Jim Bennett for Mark Traeger  
3400 Barranca Circle**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 20 feet in order to maintain a swimming pool deck for a single-family residence in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 10 feet in order to maintain a swimming pool deck for a single-family residence in an “SF-3”, Family Residence zoning district.

**POSTPONED TO AUG. 13, 2012**

**E-4    C15-2012-0075            Tom Blackwell for Eix & Blackwell, Inc.  
1710 West 10<sup>th</sup> Street**

The applicant has requested a variance to increase the maximum gross floor area of a Two-Family residential use requirement of Section 25-2-774 (C) (7) (a) from 850 square feet to 940 square feet in order to relocate two single-family residences and remodel to create the second dwelling unit of a Two-Family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

The applicant has requested a variance from Section 25-2-774 (C) (2) (a) requiring the second dwelling unit to be located at least 15 feet to the rear of the principal structure in order to locate the second dwelling unit of a Two-Family Residential use in front of the proposed primary structure of a Two-Family Residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

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

**E-5    C15-2012-0076            Jim Whittliff for David Whittlesey  
4106 McBrine Place**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 40 feet to 32 feet in order to erect a garage for a single-family residence in an “LA”, Lake Austin 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 1 foot in order to erect a garage for a single-family residence in an “LA”, Lake Austin zoning district.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Bryan King second on a 6-1 vote (Board member Jeff Jack nay); GRANTED.**

**E-6    C15-2012-0077            John Puhr for David Bravo  
5609 Joe Sayers Avenue**

The applicant has requested a variance to remodel an existing residence to create a Secondary Apartment use with a gross floor area of 860 square feet in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Brentwood Neighborhood Plan) The Land Development



The applicant has requested a variance from Section 25-2-1463 (C) (2) (a) requiring a secondary apartment to be located at least 15 feet to the rear of the principal structure in order to erect the principal structure of a Secondary Apartment use to the rear of a proposed secondary apartment in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Brentwood Neighborhood Plan)

**E-7      C15-2012-0078      Vicki Faust  
1414 Eva Street**

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with friendly amendment to meet parking requirements and not return to BOA for parking variance, Board Member Susan Morrison second on a 6-1 vote (Board Member Bryan King nay); GRANTED WITH FRIENDLY AMENDMENT TO MEET PARKING REQUIREMENTS AND NOT TO RETURN TO BOA FOR PARKING VARIANCE.**

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 8 feet in height in order to erect an 8 foot fence along the rear property lines and a side property line (13134 Travis View Loop) in an “SF-2”, Single-Family Residence zoning district.

**E-9     C15-2012-0080     Nicole Yates  
4701, 4703, 4705 Travis View Court**



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 8 feet in height in order to erect an 8 foot fence along the rear property lines in an “SF-2”, Single-Family Residence zoning district.

**POSTPONED TO AUG. 13, 2012**

**E-10 C15-2012-0081      Tonianne Soster for Michael Jaimes  
2110 Griswold Lane**

The applicant has requested a variance from the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 49.15% in order to maintain a single family residence, guest house, swimming pool and deck in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central West Austin Combined Neighborhood Planning Area)

**POSTPONED TO AUG. 13, 2012**

**E-11 C15-2012-0082      Ryan Fleming and Mary Lu Walker  
5108 Eilers Avenue**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 6 inches along the south property line in order to maintain an accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 1 foot in order to maintain an accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with friendly amendments to install gutters on shed and sheet wall in setback with fire rated material, Board Member Heidi Goebel second on a 7-0 vote; GRANTED WITH FRIENDLY AMENDMENTS TO INSTALL GUTTERS ON SHED AND MEET FIRE CODE.**

**E-12 C15-2012-0083      Brian Crockett for Linda Thomas  
1410 West 13<sup>th</sup> Street**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6, Appendix A from 3 off-street parking spaces to 0 off-street parking spaces (4 noncomplying spaces will be provided) in order to relocate a driveway for a duplex residential use in an “MF-3-NP”, Multi-Family Residence (Medium Density) – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (65% existing) to 65% in order to relocate a

driveway for a duplex residential use in an “MF-3-NP”, Multi-Family Residence (Medium Density) – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

**POSTPONED TO AUG. 13, 2012**

**E-13 C15-2012-0084 Don Hurst for Scott Mitchell  
1211 Lorrain Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-513 (G) from 20 feet to 15 feet in order to erect a single-family residence in an “MF-3-NP”, Multi-Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 22 feet in order to erect a single-family residence in an “MF-3-NP”, Multi-Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 10 feet in order to erect a two story single-family residence and from 15 feet to 11 feet 9 inches in order to erect an accessory building (carport and guest house) in an “MF-3-NP”, Multi-Family Residence – Neighborhood Plan zoning district.

NOTE: A variance was approved for this address on 11-8-2010 to remodel and erect a second story addition, but the project went beyond the scope of work that was approved.

**The public hearing was closed on Board Member Michael Von Ohlen motion to Grant as per plans dated February 2011, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED AS PER PLANS DATED February 2011.**

**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.

***E-11 – revise “meet fire code”. 8/14/12***