



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING
MINUTES
(April 8, 2013)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on April 8, 2013, City Council Chambers, 301 West 2nd Street, Austin, Texas.

Chair Jeff Jack called the Board Meeting to order at 5:35 p.m.

Board Members in Attendance: Jeff Jack (Chair), Melissa Hawthorne (Vice Chair), Sallie Burchett, Bryan King, Fred McGhee, Michael Von Ohlen, Nora Salinas, Will Schnier (Alternate for 3 case), Cathy French (SRB only)

Staff in Attendance: Susan Walker and Diana Ramirez

A. APPROVAL OF MINUTES March 11, 2012

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with corrections for items D2 and E1; Board Member Bryan King second on 8-0 vote; GRANTED.

B. SIGN REVIEW BOARD POSTPONEMENTS

**B-1 C16-2013-0001 Jim Bennett for Cielo Realty Partners
4410 East Riverside Drive**

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 General Retail use in a "GR", Community Commercial zoning district. (Scenic Sign District)

POSTPONED TO MAY 13, 2013 BY APPLICANT

**B-2 C16-2013-0003 Steven Martinez for St. David's Healthcare Partnership LP
901 West Ben White Boulevard**

The applicant has requested a variance from the maximum sign area for a directional sign requirement of Section 25-10-101 (C) (2) from 12 square feet to 30 square feet for four directional signs; from 12 square feet to 13.5 square feet for two directional signs and from 12 square feet to 18.06 square feet for one directional sign in order to erect a total of seven

directional signs for a Hospital Services (General) use in a “PUD”, Planned Unit Development zoning district.

The applicant has requested a variance from the maximum sign height for a directional sign requirement of Section 25-10-101 (C) (3) (a) from 4 feet above grade to 20 feet above grade for one directional sign; from 4 feet above grade to 9 feet 7 inches for three directional signs; from 4 feet above grade to 7 feet 6 inches above grade for one directional sign; from 4 feet above grade to 8 feet 1 inch above grade for one directional sign and from 4 feet above grade to 7 feet 2 inches above grade for one directional sign in order to erect a total of seven directional signs for a Hospital Services (General) use in a “PUD”, Planned Unit Development zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant (one sign was eliminated, refer to B2/11), Board Member Michael Von Ohlen second on a 7-1 vote (Board Member Sallie Burchett nay; Board member Melissa Hawthorne recused, Board member Will Schnier attended); GRANTED (ONE SIGN WAS ELIMINATED, REFER TO B2/11).

C. SIGN REVIEW BOARD

**C-1 C16-2013-0006 Bill Teel for White Lodging
4525 South IH 35**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-123 (B) (3) from 35 feet above frontage street pavement grade to 62 feet above frontage street pavement grade (existing) in order to install two double faced illuminated sign cabinets on existing sign support for a Hotel-Motel use in a “GR-NP”, Community Commercial – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Bryan King second on a 8-0 vote (Board member Melissa Hawthorne recused, Board member Will Schnier attended); GRANTED.

**C-2 C16-2013-0007 Bill Teel for White Lodging
4533 South IH 35**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-123 (B) (3) from 35 feet above frontage street pavement grade to 62 feet above frontage street pavement grade (existing) in order to install two double faced illuminated sign cabinets on existing sign support for a Hotel-Motel use in a “GR-NP”, Community Commercial – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Bryan King second on a 8-0 vote (Board member Melissa Hawthorne recused, Board member Will Schnier attended); GRANTED.

D. BOARD OF ADJUSTMENT RECONSIDERATIONS

**D-1 C15-2012-0111 Pablo Serna for Will Fowler
3312 Beverly Road**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 10.6 feet in order to maintain and erect an addition to an existing 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 12 feet side street setback, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED 12 FEET SIDE STREET SETBACK.

**D-2 C15-2013-0018 Jesse Herman
1805 Third Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 3,566 square feet in order to remodel and erect an addition to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet to 39.94 feet in order to remodel and erect an addition to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

WITHDRAWN BY APPLICANT

E. BOARD OF ADJUSTMENT PUBLIC HEARING POSTPONEMENTS

**E-1 C15-2012-0142 Jim Bennett for Kevin Smith
2710 and 2712 East 12th Street**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-1444 (B) (2) from 3,500 square feet to 2,750 square feet for Lot 2C and from 3,500 square feet to 2,625 square feet for Lot 2D in order to erect a Cottage Special Use on each lot in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan) The Land Development Code states that the minimum lot area for a cottage special use is 3,500 square feet for a lot that is located in an “SF-3” district and adjoins a lot that is (i) zoned “SF-3”; (ii) has a lot area of at least 5,750 square feet; and (iii) is developed as a single-family residence.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to May 13, 2013, Board Member Nora Salinas second on a 6-0 vote (Board Member Jeff Jack recused); POSTPONED TO MAY 13, 2013.

E-2 C15-2012-0147 Jim Bennett for Jan Currier

608 Blanco Street

The applicant has requested a variance to increase the maximum floor to area ratio of Subchapter F; Article 2; Subsection 2.1 from .4 to 1.0 to .48.2 to 1.0 in order to erect an addition to an existing multi-family residence (3 units) in an “MF-4-HD-NP”, Multi-Family Residence – Historic District – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to increase the floor to area ratio .42, Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITION TO INCREASE THE FLOOR TO AREA RATIO . 42

**E-3 C15-2013-0005 Michael Blackhurst and Elizabeth Hurley
1504 Canterbury Street**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Subchapter F; Article 2; Subsection 2.4 from 5 feet to 2.8 feet in order to remodel an accessory structure to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan) The Land Development Code states that the minimum rear yard setback of a second dwelling unit may be reduced to 5 feet if the rear lot line is adjacent to an alley.

The applicant has requested a variance to decrease the minimum separation distance requirement of Section 25-2-774 (C) (2) (a) from 15 feet to 13.5 feet in order to remodel an accessory structure to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan) 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 condition to stay as Type 1 STR only, refer to drawing E3/24, Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION TO STAY AS TYPE 1 STR ONLY, REFER TO DRAWING E3/24.

**E-4 C15-2013-0011 David Cancialosi for John Gordon Muir
1404 Rockcliff Road**

The applicant has requested a variance to decrease the minimum shoreline setback requirement of Section 25-2-551 (D) (1) (a) from 75 feet to 10 feet in order to remodel and erect an addition to a single family residence in an “LA”, Lake Austin zoning district. **GRANTED TO 15 FEET**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-551 (D) (2) from 5 feet to 3.5 feet in order to remodel and erect an addition to a single family residence in an “LA”, Lake Austin zoning district. **WITHDRAWN BY APPLICANT**

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant 15 foot shoreline setback, Board Member Fred McGhee second on a 7-0 vote; GRANTED 15 FEET SHORELINE SETBACK

F. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**F-1 C15-2011-0051 Justina and Nelson Sorto
2015 Willow Street**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 5 feet (at the closest) in order to maintain an addition to a single-family residence with accessory apartment in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly Neighborhood Plan) **GRANTED**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 60% in order to maintain a single-family residence with accessory apartment in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly Neighborhood Plan) **GRANTED 52% IMPERVIOUS COVERAGE**

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant side street setback to 5 feet and 52% impervious coverage (covered concrete remains per drawing F1/6), Board Member Bryan King second on a 7-0 vote; GRANTED SIDE STREET SETBACK TO 5 FEET AND 52% IMPERVIOUS COVERAGE (COVERED CONCRETE REMAINS PER DRAWING F1/6)

**F-2 C15-2013-0022 Smith Holt for John & Tamara Plemmons
1706 Westover Road**

The applicant has requested a variance to decrease the minimum side setback requirement of Section 25-2-492 (D) from 5 feet to 2.85 feet (second floor will be compliant with 5 foot setback) in order to maintain and erect a second story addition to an existing accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 3.38 feet (second floor will be compliant with 10 foot setback) in order to maintain and erect a second story addition to an existing accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that bottom structure remains as garage, Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION THAT BOTTOM STRUCTURE REMAINS AS GARAGE.

F-3 C15-2013-0023 Efren Mercado

12509 Cortaro Cove

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 3 feet 8 inches in order to maintain an accessory structure (gazebo/cabana) for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **POSTPONED TO MAY 13, 2013**

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 to 7 feet 4 inches at the highest point in order to maintain a solid fence for a single-family residence in an “SF-2”, Single-Family Residence zoning district. **GRANTED**

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant height of fence and Postpone to May 13, 2013 for side street setback for gazebo, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED HEIGHT OF FENCE AND POSTPONED TO MAY 13, 2013 FOR SIDE STREET SETBACK FOR GAZEBO.

**F-4 C15-2013-0024 Scott Turner for Getsemani Pentacostal Church
2501 East 4th Street**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 5 feet in order to erect a single family residence on a lot in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly Neighborhood Plan)

The public hearing was closed on Board Member Melissa Hawthorne motion to postpone to May 13, 2013, Board Member Michael Von Ohlen second on a 7-0 vote; POSTPONED TO MAY 13, 2013.

**F-5 C15-2013-0025 Jim Bennett for Arthur Keen
1103 Bouldin Avenue**

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet to 36.28 feet (existing) in order to subdivide a lot 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 6 inches (existing) in order to subdivide a lot in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet (3,772 square feet existing) to 5,650 square feet in order to subdivide a lot to increase the lot size by 1886.4 square feet in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant with conditions to remain Single Family Residence and contingent upon both tracts having one owner, Board Member Sallie Burchett second on a 7-0 vote; GRANTED WITH CONDITIONS TO REMAIN SINGLE FAMILY RESIDENCE AND CONTINGENT UPON BOTH TRACTS HAVING ONE OWNER.

**F-6 C15-2013-0026 Bryan Ennenga for Allison Sallee
6703 Leprechaun Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (a) from 35% (36.98% existing) to 40.2% in order to erect a swimming pool 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 Postpone to May 13, 2013, Board Member Bryan King second on a 7-0 vote; POSTPONED TO MAY 13, 2013.

**F-7 C15-2013-0027 James Blow for Jean and Mark Grove
4300 Canoas Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (52.5% existing) to 49.4% in order to erect a swimming pool for a residence in an “I-SF-2”, Interim – Single-Family Residence zoning district.

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.

**F-8 C15-2013-0028 Lindsey Lane
2004 Goodrich Avenue**

The applicant has requested a special exception from Section 25-2-476 (B) (a) (ii) of the Land Development Code in order to maintain a side yard setback of 3 feet 9 inches instead of the required 5 feet in order to maintain a screened porch in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that the Board shall grant a special exception if the Board finds that the violation has existed for at least 15 years if the application for a special exception is submitted on or before June 6, 2013.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on a 3-4 vote (Board members Jeff Jack, Nora Salinas, Bryan King and Melissa Hawthorne nay); DENIED.

**F-9 C15-2013-0029 Jim Wittliff for Daniel Armendariz
1608 West 8th Street**

The applicant has requested a variance to decrease the minimum separation distance requirement of Section 25-2-1463 (C) (2) (a) from 15 feet to the rear of the principal structure to 7.5 feet in front of the rear wall of the principal structure in order to erect a secondary apartment in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

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 erect a secondary apartment 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 with condition to reduce the rear overhang roofline to two feet, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITION TO REDUCE THE REAR OVERHANG ROOFLINE TO TWO FEET.

**F-10 C15-2013-0030 Denise Cheney for Paul and Sarah Sarahan
6801 Jester Wild Drive**

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 portion of a deck for a single-family residence in an “SF-6”, Townhouse and Condominium Residence zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition to modify the appearance of the bottom portion of the deck with landscape, etc., Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION TO MODIFY THE APPEARANCE OF THE BOTTOM PORTION OF THE DECK WITH LANDSCAPE, ETC.

**F-11 C15-2013-0032 Kristina Olivent for Ryan and Melissa Cush
10911 Country Knoll Road**

The applicant has requested a variance to increase the maximum allowable impervious coverage requirement of Section 25-2-492 (D) from 40% to 47.4% in order to erect an addition to a single-family residence in an “SF-1”, Family Residence Large Lot zoning district.

The public hearing was closed on Board Member Fred McGhee motion to Grant 46.3 % Impervious coverage, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED 46.3 % IMPERVIOUS COVERAGE.

**F-12 C15-2013-0033 Richard Suttle Jr. for Julie Lipton
4416 Sinclair Avenue**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) along the south property line from 5 feet to 0 feet in order to maintain an

existing wood deck and from 5 feet to 3 feet in order to maintain an existing trellis and support for a single-family residence in an “SF-3”, Family Residence zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant with conditions to remove encroachment from neighbors, to add gutters and to remain open on all 3 sided, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS TO REMOVE ENCROACHMENT FROM NEIGHBORS, TO ADD GUTTERS AND TO REMAIN OPEN ON ALL 3 SIDES.

**F-13 C15-2013-0034 Ross DeGreve
502 Lone Oak Drive**

The applicant has requested a special exception from Section 25-2-476 (B) (a) (ii) in order to maintain a carport for a single family residence 7 feet 6 inches from the front property line instead of the required 25 feet in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. The Land Development Code states that the Board shall grant a special exception if the Board finds that the violation has existed for at least 15 years if the application for a special exception is submitted on or before June 6, 2013.

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

REVISED and APPROVED on May 13, 2013 – Items B1 and F5