



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
JOINT MEETING MINUTES
(October 14, 2013)**

The Board of Adjustment/Sign Review Board convened in a joint meeting on October 14, 2013, 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), Melissa Hawthorne (Vice Chair), Bryan King, Fred McGhee, Nora Salinas, Michael Von Ohlen, Cathy French (Sign Review Board), Stuart Hampton (Alternate)

Board Members Absent: Sallie Burchett

Staff in Attendance: Susan Walker and Diana Ramirez

A-1 APPROVAL OF MINUTES August 12, 2013

Board Member Melissa Hawthorne motion to Grant; Board Member second on 6-2 vote (Board Members: Bryan King Abstained, Michael Von Ohlen late); GRANTED.

A-2 ACTION ITEM Election of Officers

Board Member Bryan King motion to re-appoint Jeff Jack as Chair and Melissa Hawthorne as Vice Chair; Board Member Michael Von Ohlen second on 8-0 vote, GRANTED

B. SIGN REVIEW BOARD POSTPONEMENT

**B-1 C16-2013-0013 Kevin Hull for Parmer Place Apartments
12101 Dessau Road**

The applicant has requested a variance from the maximum sign height requirement of Section 25-10-127 (B) (1) from 6 feet in height to 10 feet in height in order to erect a freestanding sign for a Multi-Family residential use in an "I-MF-3", Interim – Multi-Family Residence zoning district.

WITHDRAWN BY APPLICANT

C. SIGN REVIEW BOARD

**C-1 C16-2013-0015 Daktronics (Jose Rodriguez) for Lake Travis ISD
15600 Lariat Trail**

The applicant has requested a variance from the internal lighting of signs requirement of Section 25-10-124 (F) in order to allow the internal lighting of a logo and electronic message center for a freestanding sign for a Public School in the “ETJ”, Extra-Territorial-Jurisdiction zoning district. (Scenic Roadway Sign District). The Land Development Code states that the 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, Board Member Bryan King second on a 8-0 vote; DENIED.

**C-2 C16-2013-0016 Mark Rocke for Kevin L. Timpson
8201 Tuscany Way**

The applicant has requested a variance to increase the maximum freestanding sign height requirement of Section 25-10-123 (3) (a) from 35 feet above frontage street pavement grade to 55 feet above frontage street pavement grade in order to erect a freestanding sign in an “LI-CO”, Limited Industrial – Conditional Overlay zoning district. (Expressway Corridor Sign District)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Cathy French second on a 7-1 vote (Board Member Jeff Jack nay); Granted.

D. BOARD OF ADJUSTMENT RECONSIDERATIONS POSTPONMENT

**D-1 C15-2013-0059 Aaron Googins for Barlett Family Living Trust
2807 Del Curto Road**

The applicant has requested a variance to decrease the minimum compatibility setback requirement of Section 25-2-1063 (B) from 25 feet to 10 feet along the south property line (side) and from 25 feet to 15 feet (for pond only) along the east property line (rear) in order to erect detached condominium residences in an “SF-6-CO”, Townhouse and Condominium Residence – Conditional Overlay zoning district.

WITHDRAWN RECONSIDERSTION BY APPLICANT

E. BOARD OF ADJUSTMENT PUBLIC HEARING POSTPONEMENTS

**E-1 C15-2013-0068 Phil Moncada for Jose Gomez
304 West Grady Drive**

The applicant has requested a special exception from Section 25-2-476 in order to maintain a two-family residential use 4.9 feet from the east property line (5 feet required) and a portion of

the primary structure 4.3 feet from the west property line (5 feet required) in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant a portion of the primary structure 4.3 feet from the west property line and to deny the 4.9 feet from the east property line, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED A PORTION OF THE PRIMARY STRUCTURE 4.3 FEET FROM THE WEST PROPERTY LINE AND TO DENY THE 4.9 FEET FROM THE EAST PROERTY LINE.

**E-2 C15-2013-0076 Zach Reich
5515 Duval Street**

The applicant has requested a variance to increase the maximum gross floor area requirement of Section 25-2-1463 (7) (a) from 850 square feet to 1534 square feet in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum gross floor area requirement on the second story of a secondary apartment use requirement of Section 25-2-1463 (7) (b) from 550 square feet to 767 square feet in order to maintain and remodel a secondary apartment use 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 entrance from a property line for a secondary apartment requirement of Section 25-2-1463 (C) (4) from 10 feet to between 9.9 feet and 10 feet in order to maintain and remodel a secondary apartment use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-1463 (D) from 45% to 48% in order to maintain and remodel a secondary apartment use 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 Deny, Board Member Fred McGhee second on a 7-0 vote; DENIED.

E-3 C15-2013-0079 Rogelio Lozano
612 Bissonet Lane

The applicant has requested a variance to increase the maximum gross floor area for a two-family residential use requirement of Section 25-2-774 (7) (a) from 850 total square feet to 918.09 total square feet in order to remodel a detached accessory structure to create a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland 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.

**E-4 C15-2013-0084 Jeff Layne
 1312 Meriden Lane**

The applicant has requested a variance from the garage placement requirement of Section 25-2-1604 (C) (1) in order to erect a front facing carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Plan) The Land Development Code states that a parking structure with an entrance that faces the front yard may not be closer to the front lot line than the building façade.

POSTPONED TO DECEMBER 9, 2013

F. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**F-1 C15-2013-0081 Jeff Pegalis
 2910 Zeke Bend**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 10.4 feet in order to maintain a carport for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

POSTPONED TO NOVEMBER 14, 2013

**F-2 C15-2013-0089 Steve Spada
 4705 Westslope Circle**

The applicant has requested a variance to increase the maximum height requirement of Subchapter F; Article 2; Subsection 2.2 from 32 feet to 41 ½ feet in order to maintain/complete a single family residence in an “SF-2”, Single-Family Residence zoning district. (This residence was currently permitted in 2006 but the building permit has expired.)

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.

**F-3 C15-2013-0091 Robin Lea Curle
 7009 Quill Leaf Cove**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 feet 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, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED.

**F-4 C15-2013-0093 Skelly Wiz
5700 Westslope Drive**

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 remodel a partially enclosed carport into living area for a single-family residence in an “SF-2”, Single-Family Residence zoning district. (The Board of Adjustment granted a variance for the 22 foot setback for the partially enclosed carport on January 8, 2007. The variance has since expired and a building permit for the work was not obtained.)

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.

**F-5 C15-2013-0094 Thomas Rouse for Cleo Nunn and Judy Rouse
106 East 49th 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 10 feet (along Rowena Avenue) in order to erect an addition of a second floor balcony for a single-family residence in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North Hyde Park NCCD)

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant with condition that balcony not have stairway to ground, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED WITH CONDITION THAT BALCONY NOT HAVE STAIRWAY TO GROUND.

**F-6 C15-2013-0095 Adam Stephens
2900 West Avenue**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-773 (B) (1) from 7,000 square feet to 4489.7 in order to remodel and erect an addition to an existing duplex residential use in an “LR-MU-CO-NP”, Neighborhood Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (West University Neighborhood Plan) **DENIED**

The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-773 (B) (2) from 50 feet to 49.93 feet in order to remodel and erect an addition to an existing duplex residential use in an “LR-MU-CO-NP”, Neighborhood Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (West University Neighborhood Plan) **GRANTED**

The applicant has requested a variance from Section 25-2-773 (D) (3) which states that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit in order to remodel and erect an addition to an existing duplex residential use in

an “LR-MU-CO-NP”, Neighborhood Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (West University Neighborhood Plan) **DENIED**

The public hearing was closed on Board Member Bryan King motion to Grant lot width from 50 feet to 49.3 feet, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED LOT WIDTH FROM 50 FEET TO 49.3 FEET and Board Member Michael Von Ohlen motion to Deny lot size variance and Deny variance which states that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit, Board Member Fred McGhee second on a 7-0 vote; DENIED LOT SIZE VARIANCE AND DENIED VARIANCE WHICH STATES THAT UNITS LOCATED ON A CORNER LOT MUST EACH HAVE A FRONT PORCH THAT FACES A SEPARATE STREET AND AN ENTRY TO THE DWELLING UNIT.

**F-7 C15-2013-0096 Patrick King Masonry for Joseph Kurth
2009 Alta Vista 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 0 feet (along the south property line) in order to erect a carport and accessory structure for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

POSTPONED TO November 14, 2013

**F-8 C15-2013-0097 Cayce Weems
403 San Saba 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 10 feet in order to move a single-family residence onto the lot 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 Postpone to November 14, 2013, Board Member Melissa Hawthorne second on a 7-0 vote; POSTPONED TO November 14, 2013 (RE-NOTIFICATION REQUIRED).

**F-9 C15-2013-0098 Frances T. Ruedas
6307 Woodhue Drive**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 7 feet in order to erect a 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 Bryan King second on a 7-0 vote; DENIED.

F-10 C15-2013-0099 Melynda Nuss & Jose Skinner

2308 S. 2nd Street

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 1.5 feet (along the south property line) in order to erect an outdoor staircase for an accessory structure 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 rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 4.5 feet (at the closest point) in order to erect an outdoor staircase and maintain a portion of an existing accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 14, 2013, Board Member Melissa Hawthorne second on a 7-0 vote; POSTPONED TO November 14, 2013.

**F-11 C15-2013-0100 Eduardo Nunez for Nathan New
8016 Tahoe Parke Circle**

The applicant has requested a variance to increase the maximum building coverage requirement of Section 25-2-492 (D) from 35% to 37.8% in order to erect a covered patio for a single-family residence in an “SF-1”, Single-Family Residence (Large Lot) zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 40% to 43.6% in order to erect a covered patio for a single-family residence in an “SF-1”, Single-Family Residence (Large Lot) zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 14, 2013, Board Member Bryan King second on a 7-0 vote; POSTPONED TO NOVEMBER 14, 2013.

**F-12 C15-2013-0075 Margaret Murphy
910 Sweetwater River Drive**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 8 feet in order to maintain a two story accessory structure for a single-family 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-13 C15-2013-0101 Sherri Woolley Ancipink for Lee and Laurie Schneider
1013 Melissa Lane**

The applicant has requested a variance from Section 25-2-963 (E) (1) (b) in order to increase the roof height of a noncomplying accessory structure (garage) by 2 feet in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. The Land Development Code states that a person may modify a building that is a noncomplying structure based on a yard setback requirement if the modified portion of the building is not greater in height than the existing noncomplying portion of the building.

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that the garage remains a garage and no habitable space, Board Member Bryan King second on a 7-0 vote; GRANTED WITH CONDITION THAT THE GARAGE REMAINS A GARAGE AND NO HABITABLE SPACE.

**F-14 C15-2013-0104 Karen Burke
8101 West Highway 71**

The applicant has requested a variance to decrease the minimum off-street parking requirement of Section 25-6 Appendix A from 6 off-street parking spaces to 4 off-street parking spaces in order to remodel to create office use in an “LO-NP”, Limited Office – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 14, 2013 , Board Member Melissa Hawthorne second on a 7-0 vote; POSTPONED TO November 14, 2013.

**F-15 C15-2013-0105 Eric Brown for Thomas Esparza
1811 South 1st Street**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 10 feet to 4 feet 3 ½ inches in order to convert an existing porch into a vestibule and erect an addition of a covered stoop for an existing office building in a “CS-MU-V-CO-NP” zoning district.

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.

**F-16 C15-2013-0106 Gabriel Barba
913 West Elizabeth**

The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-773 (B) (1) from 7,000 square feet to 6,103 square feet (existing) in order to remodel, maintain and erect a second story addition to an existing duplex residential use 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 25-2-773 (B) (2) from 50 feet to 46.33 feet (existing) in order to remodel, maintain and

erect a second story addition to an existing duplex residential use 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 side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.4 feet (existing) in order to remodel, maintain and erect a second story addition to an existing duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

POSTPONED TO November 13, 2014 (RE-NOTIFIATION REQUIRED)

**F-17 C15-2013-0107 Simon and Melinda Wallace
1194 Chestnut 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 15 feet in order to erect a second story addition to an existing single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood 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 0 feet along the south property line in order to maintain a wood deck and brick patio for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood 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 along the west property line in order to erect a second story addition to an existing single family residence and from 10 feet to 0 feet along the west property line in order to maintain a wood deck for a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood Neighborhood Plan)

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 55% in order to provide off-street parking for an existing single family residence 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 condition that the 2nd floor is on top of the existing house footprint as per drawings F17/18 and F17/20, Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITION THAT THE 2ND FLOOR IS ON TOP OF THE EXISTING HOUSE FOOTPRINT AS PER DRAWINGS F17/18 AND F17/20.

**F-18 C15-2013-0108 Jeffrey and Pamela M. Archer
4103 Rosedale 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 7 feet in order to erect a detached carport for a single-family residence 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 0 feet (along the west property line) in order to erect a detached 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 Postpone to November 14, 2013, Board Member Bryan King second on a 7-0 vote; POSTPONED TO November 14, 2013.

**F-19 C15-2013-0109 William Hodge for Matthew Ikard
1111 Richardine 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 2.8 feet (along the north property line) in order to maintain an accessory structure for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

The public hearing was closed on Board Member Bryan King motion to Grant with condition that the structure not be habitable (accessory structure only), Board Member Fred McGhee second on a 7-0 vote; GRANTED THAT THE STRUCTURE NOT BE HABITABLE (ACCESSORY STRUCTURE ONLY).

G. DISCUSSION AND ACTION ITEM:

G-1 Re-establishment of the working group.

To focus on user’s guide book

G-2 Selection of members for working group.

Board Member Fred McGhee motion to elect Jeff Jack, Melissa Hawthorne and Bryan King, Board Member Michael Von Ohlen second on a 7-0 vote; Granted.

G-3 Set meeting date and time for working group.

Board member Jeff Jack requested available times from the rest of the board members to set meeting the last week in October

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.