



**BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
MEETING MINUTES
(February 10, 2014)**

The Board of Adjustment/Sign Review Board convened in a meeting on February 10, 2014, 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, Michael Von Ohlen, Will Schnier and Stuart Hampton (Alternate), Cathy French (SRB)

Board Member Absent: Sallie Burchett

Staff in Attendance: Leane Heldenfels and Diana Ramirez (out partial)

A APPROVAL OF MINUTES January 13, 2013

Board Member Bryan King motion to Grant; Board Member Michael Von Ohlen second on 8-0; GRANTED.

B. SIGN REVIEW BOARD

**B-1 C16-2014-0002 Phil and Jane Hutson
2307 W. Parmer Lane**

The applicant has requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-10-127 (B) (1) from 6 feet in height to 15 feet in height in order to raise an existing sign in a "NO", Neighborhood Office zoning district. (Multi-family Sign District)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant 10 feet of height of a freestanding sign, Board Member Bryan King second on a 8-0 vote; GRANTED 10 FEET OF HEIGHT OF A FREESTANDING SIGN.

C. BOARD OF ADJUSTMENT PUBLIC HEARING POSTPONEMENTS

**C-1 C15-2013-0120 Jim Bennett for Ricardo Vega
3015 Westlake Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-551 (D) (3) (b) from 10% to 18.03% on a slope with a gradient of more than 15% and not more than 25% in order to erect a 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) (c) from 5% to 8.88% on a slope with a gradient of more than 25% and not more than 35% in order to erect a 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 (B) (5) from 0% to 10.19% on a slope with a gradient that exceeds 35% in order to erect a single-family residence in an “LA”, Lake Austin zoning district.

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant as per attached drawings, Board Member Michael Von Ohlen second on a 7-0 vote; GRANTED AS PER ATTACHED DRAWINGS.

**C-2 C15-2014-0004 Jim Bennett for Eustolio Vasquez & Jose Castro
304 & 306 West Milton Street**

304 W Milton – The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet in width to 32 feet in width and to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 3,360 square feet in order to erect a single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

306 W Milton - The applicant has requested a variance to decrease the minimum lot width requirement of Section 25-2-492 (D) from 50 feet in width to 25 feet in width and to decrease the minimum lot size requirement of Section 25-2-492 (D) from 5,750 square feet to 2,625 square feet in order to erect a single family residence 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 Grant .4 FAR, pitched roof shape, front porch-(not counted in FAR), Board Member Bryan King second on a 7-0 vote; GRANTED .4 FAR, PITCHED ROOF SHAPE AND FRONT PORCH-(NOT COUNTED IN FAR).

**C-3 C15-2014-0007 Anthony & Sylvan Pools, Joe Warwick for Rex L. Preis
6608 Via Correto Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 46.6% in order to maintain a swimming pool for a single-family residence in an “SF-2-NP”, Single-Family Residence – Neighborhood Plan zoning district. (West Oak Hill Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition that no pool deck be constructed Board Member Will Schnier second on a 7-0 vote; GRANTED WITH CONDITON THAT NO POOL DECK BE CONSTRUCTED.

**C-4 C15-2014-0009 Tim McCabe
 1601 West 39 ½ 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 15 feet (along Seiders Avenue) in order to erect a duplex residential use in an “MF-3”, Multi-Family Residence zoning district.

WITHDRAWN

**C-5 C15-2014-0010 Jim Bennett for Valla Diafari
 2009 Lake Shore**

The applicants have requested a variance from Section 25-2-1174 (D) which states a retaining wall, bulkhead, or other erosion protection device may not capture or recapture land on a lake, unless, capturing or recapturing the land is required to restore the land to the lesser of: (1) the shoreline as it existed 10 years from the date of application, with documentation as prescribed by rule, or (2) the lakeside boundary of the subdivided lot line.

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.

**C-6 C15-2014-0013 Rey Cedillos for Chun Phap Hoa Buddhist Temple
 203 Provines Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 78% in order to pave a gravel parking lot for a religious assembly use in an “SF-2-NP”, Single Family Residence – Neighborhood Plan zoning district. (North Lamar Neighborhood Plan)

The public hearing was closed on Board Member Michael Von Ohlen motion to Grant as per drawing C6/11, Board Member Fred McGhee second on a 6-1 vote (Board member Bryan King nay); GRANTED AS DRAWING C6/11.

D. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**D-1 C15-2014-0014 David Cancialosi for Connie Leaverton
 1806 Drake Avenue**

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

existing covered porch in an SF-3-CO-NP family residence – conditional overlay – neighborhood plan zoning district.

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 56% in order to maintain an existing single family residence in an SF-3-CO-NP family residence – conditional overlay – neighborhood plan zoning district.

POSTPONED TO MARCH 10, 2014

**D-2 C15-2014-0016 Rodrigo Castaneda
5903 Cherry Loop**

The applicant has requested a **special exception** from Section 25-2-476 in order to maintain an existing garage for a single family residence 20” from the side property line (5 feet required) in an SF-3 Family Residence zoning district.

The applicant has requested a **special exception** from Section 25-2-476 in order to maintain an existing attached recreational room for a single family residence 7’4” from the rear property line (10 feet required) in an SF-3 Family Residence zoning district.

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

**D-3 C15-2014-0017 Michael Kane for Ulon W. Rankin Jr.
6004 Highland Hill Drive**

The applicant has requested a **special exception** from Section 25-2-476 in order to maintain an attached carport for a single family residence 24 feet (25 is required) in an “SF-3”, 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.

**D-4 C15-2014-0018 Mike Livingston for Sel and Beth Unite
9556 Indigo Brush**

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 along the east property line in order to maintain an outdoor kitchen for a single-family residence in an “SF-2”, Single-Family Residence zoning district.

The public hearing was closed on Board Member Melissa Hawthorne motion to Grant as per drawing D4/6, Board Member Fred McGhee second on a 7-0 vote; GRANTED AS PER DRAWING D4/6.

**D-5 C15-2014-0019 Adrianna Alter for Alvaro Bastidas
702 West Milton Street**

The applicant has requested a variance to decrease the minimum lot size requirement for a duplex residential use of Section 25-2-773 (B) (1) from 7,000 square feet to 6,986 square feet in order to erect a duplex residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

POSTPONED TO MARCH 10, 2014 PER APPLICANT

**D-6 C15-2014-0020 John Ramseur for Tere Coats
204 West 33rd Street**

The applicant has requested a variance to decrease the through lot setback requirement of Ordinance Number 040826-58, Part 7 (1) from 15’ to 0’ in order to remodel the interior and change the use from an accessory building to a two-family residential use in a SF-3- NCCD-NP Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district (North University Neighborhood Association).

The public hearing was closed on Board Member Will Schnier motion to Grant with no parking variance, 3 parking spaces as per attached drawing , Board Member Fred McGhee second on a 7-0 vote; GRANTED WITH CONDITIONS WITH NO PARKING VARIANCE, 3 PARKING SPACES AS PER ATTACHED DRAWING.

**D-7 C15-2014-0021 Jeff Derebery for Janice Fischer
903 Shelley Avenue**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 52.4% (existing 63.9%) in order to enclose existing deck and balcony as screened porches in an SF-3-NP district 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 conditions non-complying stairway (confirmed no variance needed) and porch shall not be enclosed for living area, Board Member Melissa Hawthorne second on a 7-0 vote; GRANTED WITH CONDITIONS NON-COMPLYING STAIRWAY (CONFIRMED NO VARIANCE NEEDED) AND PORCH SHALL NOT BE ENCLOSED FOR LIVING AREA.

**D-8 C15-2014-0022 Brandon & Melissa McDarling
1301 Harvey Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet (13.25 feet existing) to 13.25 feet in order to rebuild a wider front porch for an existing single family residence in an “SF-3-NP”, Family Residence zoning district. (Rosewood Neighborhood Plan)

POSTPONED TO MARCH 10, 2014 (TO MEET WITH NEIGHBORHOOD ASSOCIATIONS)

**D-9 C15-2014-0023 Moore-Tate Projects & Design LLC for Dawn Moore
1602 Newton 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 5,178.14 square feet in order to erect a new two story single family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Neighborhood Plan)

WITHDRAWN BY APPLICANT

**D-10 C15-2014-0024 Jim Bennett for John C Horton III
2009 Lake Shore Bldg BD**

The applicants have requested a variance from Section 25-2-1174 (D) which states a retaining wall, bulkhead, or other erosion protection device may not capture or recapture land on a lake, unless capturing or recapturing the land is required to restore the land to the lesser of: (1) the shoreline as it existed 10 years from the date of application, with documentation as prescribed by rule, or (2) the lakeside boundary of the subdivided lot line.

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.

***Minutes Approved on 3/10/14 with corrections:
Add Board Member Cathy French to attendance***