



BOARD OF ADJUSTMENT/SIGN REVIEW BOARD

February 9, 2015

5:30pm

CITY COUNCIL CHAMBERS

301 WEST 2ND STREET

AUSTIN, TEXAS

___ Jeff Jack (Chair)	
___ Melissa Hawthorne (Vice Chair)	___ Cathy French (SRB only)
___ Vincent Harding	___ Will Schnier (Alternate)
___ Sallie Burchett	___ Stuart Hampton (Alternate)
___ Michael Von Ohlen	
___ Bryan King	
___ Ricardo De Camps	

AGENDA

CALL TO ORDER – 5:30 P.M.

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment/Sign Review Board will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Board of Adjustment/Sign Review Board may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

A APPROVAL OF MINUTES

A-1 January 12, 2015

B. SIGN REVIEW BOARD RECONSIDERATIONS

NONE

C. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS

C-1 C16-2015-0001 Tracy Bedwell for Perry Phillips 9665 Highway 290 East

The applicant has requested a variance to Section 25-10-123 (B) (3) (a) (*Expressway Corridor Sign District Regulations*) to increase the maximum height of a freestanding sign from 35 feet (required) to 50 feet (requested) in order to add a sign within the City's 2 mile ETJ (Extra Territorial Jurisdiction).

C-2 C16-2015-0002 Michael Hunter for North Austin Medical Center 12221 North Mopac Expressway

The applicant has requested a variance(s) to:

A.1. for sign 11, Section 25-10-124 (B) (1) (b) (*Scenic Roadway Sign District Regulations*) to increase the maximum area of a freestanding sign from 64 feet (required) to 90 feet (requested); and to

A.2. for sign 11, Section 25-10-124 (F) (*Scenic Roadway Sign District Regulations*) to permit internal lighting of sign; and to

A.3. for sign 11, Section 25-10-124 (G) (*Scenic Roadway Sign District Regulations*) to permit signs to be less than 12 feet from street right-of-way (required) to 11 feet from street right-of-way (requested); and to

A.4. for sign 11, Section 25-10-191 (F) (*Setback and Structural Requirements*) a sign within 12 feet of street right-of-way must have either: 1) a height of not more than 30 inches; or 2) a clearance of nine feet (required) to 11 feet from street right-of-way, height of 77 inches and clearance of 7 inches (requested); and to

A.5. for sign 11, Section 25-10-23 (B)(7)(*Hazardous Signs Described and Prohibited*) a person may not install, maintain or use a sign that has less than 9 feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the points 45 feet from the intersection point on the street frontage property line of each intersecting street (required) to 7 inches clearance and located within a triangle formed by connecting the intersection points 26 ft from the street frontage property line (requested); and to

B.1. for sign 21, Section 25-10-124 (F) (*Scenic Roadway Sign District Regulations*) to permit internal lighting of sign; and to

B.2. for sign 21, Section 25-10-124 (G) (*Scenic Roadway Sign District Regulations*) to permit signs to be less than 12 feet from street right-of-way (required) to 9 feet 9 inches from street right-of-way (requested); and to

B.3. for sign 21, Section 25-10-191 (F) (*Setback and Structural Requirements*) a sign within 12 feet of street right-of-way must have either: 1) a height of not more than 30 inches; or 2) a clearance of nine feet (required) to 9 feet 9 inches from street right-of-way, height of 81 inches and clearance of 1 foot (requested); and to

B.4. for sign 21, Section 25-10-23 (B)(7)(*Hazardous Signs Described and Prohibited*) a person may not install, maintain or use a sign that has less than 9 feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the points 45 feet from

the intersection point on the street frontage property line of each intersecting street (required) to 7 inches clearance and located within a triangle formed by connecting the intersection points 19 ft 9 inches from the street frontage property line (requested); and to

C.1. for sign 24, Section 25-10-124 (F) (*Scenic Roadway Sign District Regulations*) to permit internal lighting of sign; and to

C.2. for sign 24, Section 25-10-124 (G) (*Scenic Roadway Sign District Regulations*) to permit signs to be less than 12 feet from street right-of-way (required) to 9 feet from street right-of-way (requested); and to

C.3. for sign 24, Section 25-10-191 (F) (*Setback and Structural Requirements*) a sign within 12 feet of street right-of-way must have either: 1) a height of not more than 30 inches; or 2) a clearance of nine feet (required) to 9 feet from street right-of-way, height of 120 inches and clearance of 3 inches(requested); and to

C.4. for sign 24, Section 25-10-23 (B)(7)(*Hazardous Signs Described and Prohibited*) a person may not install, maintain or use a sign that has less than 9 feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the points 45 feet from the intersection point on the street frontage property line of each intersecting street (required) to 3 inches clearance and located within a triangle formed by connecting the intersection points 19 ft from the street frontage property line (requested) and to

D.1. for sign 26, Section 25-10-124 (F) (*Scenic Roadway Sign District Regulations*) to permit internal lighting of sign; and to

D.2. for sign 26, Section 25-10-124 (G) (*Scenic Roadway Sign District Regulations*) to permit signs to be less than 12 feet from street right-of-way (required) to 0 feet from street right-of-way (requested); and to

D.3. for sign 26, Section 25-10-191 (F) (*Setback and Structural Requirements*) a sign within 12 feet of street right-of-way must have either: 1) a height of not more than 30 inches; or 2) a clearance of nine feet (required) to 0 feet from street right-of-way, height of 126 inches and clearance of 14 inches (requested); and to

D.4. for sign 26, Section 25-10-23 (B)(7)(*Hazardous Signs Described and Prohibited*) a person may not install, maintain or use a sign that has less than 9 feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the points 45 feet from the intersection point on the street frontage property line of each intersecting street (required)) to 14 inches clearance and located within a triangle formed by connecting the intersection points 26 ft from the street frontage property line (requested); and to

E. for signs 11, 21, 24, and 26, Section 25-10-124 (B) (*Scenic Roadway Sign District Regulations*) 1 freestanding sign is permitted on a lot (required) to replace 4 existing signs, retain 5 other freestanding signs - a total of 9 freestanding signs on the lot (requested)

in order to replace signs at same location as existing signs within this property in a Scenic Roadway District within a “PUD”, Planned Unit Development zoning district.

D. SIGN REVIEW BOARD NEW PUBLIC HEARINGS

NONE

E. BOARD OF ADJUSTMENT INTERPRETATION RECONSIDERATIONS

NONE

F. BOARD OF ADJUSTMENT INTERPRETATION PREVIOUS POSTPONEMENTS

F-1 C15-2014-0144 Mat Gorman for Katie Van Dyk

The appellant has filed an appeal challenging the Planning & Development Review Department's decision that the Land Use Determination for Group Home, Class 1 is more appropriate than Residential Treatment for the use proposed which includes greater than 15 residents.

BOARD TO ASSIGN PUBLIC HEARING DATE FOR THIS MATTER

G. BOARD OF ADJUSTMENT INTERPRETATION NEW PUBLIC HEARINGS

NONE

H. BOARD OF ADJUSTMENT RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

I. BOARD OF ADJUSTMENT RECONSIDERATIONS

**I-1 C15-2015-0005 William Hodge for Lark Miller
1210 Angelina Street**

The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

- A. decrease the minimum size lot from 5,750 square feet (required) to 1,129 square feet (requested); and to
- B. increase the impervious cover from 45% (required) to 56% (requested); and to
- C. decrease the front yard setback from 25 feet (required) to 10 feet (requested);

in order to construct a single family home in a "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Holly)

J. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS POSTPONEMENTS

**J-1 C15-2014-0159 Elizabeth Purcell
2224 Parkway**

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 0 feet (requested) in order to maintain an existing deck constructed more than 10 years ago in an “SF-3”, Family Residence Zoning District.

**J-2 C15-2015-0010 Nikelle Neade and Bethany Bartel
2910 Rio Grande Street**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an existing garage structure constructed over the property line at 2908 Rio Grande more than 10 years ago in an “SF-3-NP”, Family Residence Zoning District. (West University)

K. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS

**K-1 C15-2015-0002 Mary Gonzalez
1105 Brass Street**

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 0 feet (requested) in order to maintain an existing carport constructed more than 10 years ago in an “SF-3-NP”, Family Residence Zoning District. (Govalle)

**K-2 C15-2015-0021 Jesse Attas
1803 Princeton Avenue**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side yard setback from 5 feet (required) to 0 feet (requested) in order to maintain an existing carport structure constructed up to and slightly over the property line in an “SF-3-NP”, Family Residence Zoning District. (Crestview)

**K-3 C15-2015-0026 Tracy Perkins
1502 Kinney Avenue**

The applicant has requested a Special Exception under Section 25-2-476 (*Special Exception*) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side yard setback from 5 feet (required) to 4.6 feet (requested) in order to maintain an existing garage structure constructed more than 10 years ago in an “SF-3”, Family Residence Zoning District.

L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS

**L-1 C15-2014-0111 Phyllis Patek
3801 Island Way**

The applicant has requested variance from Section 25-2-551 (D) (3) to increase the maximum impervious cover on a slope with a gradient of 15% or less from 35% (required) to 97% (requested) in order to remodel an existing structure and attached guest house, drive, and walkways that account for 86% impervious cover on the site; add a pool; and change the use from duplex to single family in a “LA”, Lake Austin zoning district.

THE APPLICANT REQUESTING BOARD TO VOTE ON POSTPONEMENT OF CASE TO APRIL 13, 2015 AGENDA (HEARING PENDING ENVIRONMENTAL BOARD REVIEW)

**L-2 C15-2014-0151 Vick Faust for Kimberly Cavendish
1414 Eva Street**

The applicant has requested a variance from Section 25-2-782 (I) to decrease the distance of a bed and breakfast from another bed and breakfast from 1,000 feet (required) to 941 feet (requested) in order to establish a Bed and Breakfast in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek)

WITHDRAWN BY APPLICANT

**L-3 C15-2014-0159 Elizabeth Purcell
2224 Parkway**

The applicant has requested a variance(s) to
:

A. Section 25-2, Subchapter F. Residential Design and Compatibility Standards, Article 2 (Development Standards) Section 2.1 (Maximum Development Permitted) to increase the maximum amount of development permitted on a property from the greater of 0.4 to 1.0 floor-to-area ratio (required) to 0.46 to 1.0 floor-to-area ratio (requested); and to

B. Section 25-2-492 (D) (Site Development Regulations) to decrease the rear setback from 10 feet (required) to 0 feet (requested)

in order to remodel and expand a single family home in a “SF-3”, Family Residence zoning district.

THE APPLICANT IS REQUESTING BOARD TO VOTE ON POSTPONEMENT OF CASE TO March 9, 2015 AGENDA

**L-4 C15-2014-0162 Jim Bennett for William Reid
1301 West 29th Street**

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to increase the maximum impervious cover from 45% (required) to 50.15% (requested) in order to maintain existing single family home, drive and landscape components in an “SF-3-H-NP”, Family Residence – Historic – Neighborhood Plan zoning district. (Windsor Road)

**L-5 C15-2014-0163 Steve Smith for Amanda Ferrier
1303 East 2nd Street**

The applicant has requested a variance from Section 25-2, Subchapter F. Residential Design and Compatibility Standards, Article 2 (*Development Standards*) Section 2.1 (*Maximum Development Permitted*) to increase the maximum amount of development permitted on a property from the greater of 0.4 to 1.0 floor-to-area ratio (required) to .49 to 1.0 floor-to-area ratio (requested) in order to add a 2nd story to the existing single family structure in a “SF-3-NP”, Family Residence - Neighborhood Plan zoning district. (East Cesar Chavez)

**L-6 C15-2014-0167 Andrew Hutton
5010 Strass Drive**

The applicant has requested a variance from Section 25-2-893 (B) (7) (Accessory uses for a Principal Residential Use) to allow storage of a recreational vehicle on the property that is not located within an enclosed building or is not screened from public view by either a solid wood or masonry fence in an “SF-2”, Family Residence zoning district.

**L-7 C15-2014-0168 Adrian Young
3216 Lafayette**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the side street yard setback from 15 feet (required) to 0 feet (requested) in order to retain a recently constructed carport in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek)

**L-8 C15-2014-0170 Jeffrey Howard for Daughters of Charity Ministries Inc. and
St. Andrew’s Episcopal School
32nd Street and Wabash**

The applicant has requested a variance(s) from Section 25-2-832 (Private Schools) (1), of Division 3 – Civic Uses to decrease the minimum paved width of a street that the site must be located on from at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet (required) to 24 feet on Wabash Street, 31.03 and 36.90 feet on W. 32nd Street and 27 feet on W. 31st (requested) in order to construct a kindergarten facility in a “LO-MU-CO-NP”, Local Office – Mixed Use – Conditional Overlay - Neighborhood Plan and

“GR-CO-NP”, Community Commercial – Conditional Overlay – Neighborhood Plan zoning district. (Windsor Road)

**L-9 C15-2014-0171 Gregory Millard
1604 West Lane**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to:

- A. decrease the front yard setback from 40 feet (required) to 15 feet (requested); and
- B. decrease minimum lot width from 100 feet (required) to 48.7 feet (requested); and
- C. decrease the minimum side setback on north side of lot from 10 feet (required) to 5 feet (requested)

in order to construct a single family home in a “LA”, Lake Austin zoning district.

**L-10 C15-2014-0176 Augustina Gonzalez
2108 S.L. Davis Avenue**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the front yard setback from 25 feet (required) to 20 feet (requested) in order to extend and enclose an existing porch in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood)

**THE NEIGHBORHOOD ASSOCIATION IS REQUESTING BOARD TO VOTE ON
POSTPONEMENT OF CASE TO March 9. 2015 AGENDA**

**L-11 C15-2015-0001 Jim Bennett for Rosa E. Santis
1105 E. 6th Street**

Section 25-6-611 (A) (*Parking Requirements for a Transit Oriented Development District*) of Article 7, Off-street parking and Loading to decrease the parking space requirement from 60% of the parking spaces required by Appendix A, 6 spaces (required) to 0 spaces (requested) in order to change the use of an existing building in a “TOD-NP”, Transit Oriented Development – Neighborhood Plan zoning district. (East Cesar Chavez)

**L-12 C15-2015-0003 Michael Baez for Jay Walker
3405 Mountain Top Circle**

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to increase the maximum impervious cover from 45% (required) to 53.9% (requested, 60.44% existing) in order to remodel an existing residence in an “SF-3”, Family Residence zoning district.

M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS

M-1 C15-2014-0101 Kindra Welch for Jacqueline May 7101 Old Bee Caves Road

The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum side yard setback from 10 feet (required) to 8.3 feet (existing) in order to reconstruct a residence in an “RR-NP”, Rural Residence – Neighborhood Plan zoning district. (West Oak Hill)

M-2 C15-2015-0013 Amanda Morrow 70 Pascal Lane

The applicant has requested variance(s) from Section 25-2-551 (B) (3) (a) (Lake Austin (LA) District Regulations) to permit a mechanized access facility in a “LA”, Lake Austin zoning district.

The Land Development Code states that no structures are allowed in a shoreline setback area, except that: (a) a bulkhead, retaining wall, dock, non-mechanized pedestrian facility, or marina may be constructed and maintained in accordance with applicable regulations of this title.

M-3 C15-2015-0014 David Cancialosi for Greg Crouch 3206 Rivercrest Drive

The applicant has requested variance(s) from Section 25-2-1176 (A) (3) (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) to decrease the minimum distance a dock may be constructed from not closer than 10 feet from the side property line (required) to 8 feet from the side property line (requested, existing) in order to reconstruct a dock at the same location, size as existing dock in an (LA) Lake Austin zoning district.

M-4 C15-2015-0015 David Cancialosi for Mark Pulda 1307 A Brentwood

The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

- A. increase the impervious cover from 45% (required) to 47% (requested); and to
- B. decrease the front yard setback from 25 feet (required) to 13 feet (requested); and from
- C. Section 25-2-1604 (C) (1) to permit the parking structure to be closer to the front lot line than the building facade

in order to construct a carport in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Brentwood)

M-5 C15-2015-0016 Alan Gonzalez
1313 Comal Street

The applicant has requested a variance(s) from:

A. Section 25-2-774 (B) (Two-family Residential Use) to decrease the minimum lot size from 7,000 square feet (required) to 6,274 square feet (requested); and from

B. Section 25-2-774 (C) (2) (a) (Two-family Residential Use) to permit the second dwelling unit to be in front of the principal structure

in order to construct a new 1,236 square foot principal structure/single family home behind an existing 660 square foot, 40 year old single family home in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin)

M-6 C15-2015-0017 Jian Ku
7012 Quill Leaf Cove

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum rear yard setback from 10 feet (required) to 4 feet (requested) in order to reconstruct a residence in an “SF-2”, Family Residence zoning district.

STAFF IS REQUESTING BOARD TO VOTE ON POSTPONEMENT OF CASE TO March 9, 2015 AGENDA

M-7 C15-2015-0018 Jim Bennett for Bob Herd
7909 Big View Drive

The applicant has requested a variance(s) from Section 25-2-551(C) (2) (a) (*Lake Austin (LA) District Regulations*) to increase the maximum impervious cover from 20% (required) to 35.2% (requested) in order to construct a single family home in an “LA”, Lake Austin zoning district.

M-8 C15-2015-0019 Marion McGrew
6013 Glen Meadow

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum front yard setback from 25 feet (required) to 0 feet (requested) in order to reconstruct a residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Sweetbriar)

M-9 C15-2015-0020 Jim Bennett for Michael P. Valenzuela
7405 Cooper Lane

The applicant is requesting a variance(s) from Section 25-2-1067 (G) (1) (*Design Regulations*) in Division 2, Development Standards of Article 10, Compatibility Standards to decrease the distance a driveway may be constructed from a property zoned SF-5 or more restrictive from 25

feet (required) to 0 feet (requested) in order to construct condominium townhomes in a “SF-6-CO”, Family Residence -Conditional Overlay zoning district.

**M-10 C15-2015-0022 Sterling McMath
5111 Saddle Ridge Cove**

The applicant has requested a variance(s) from Section 25-2-899 (D) (*Fences as Accessory Uses*) to exceed the average height of six feet or a maximum height of seven feet for a solid fence constructed along a property line in order to construct an 8 foot solid fence along the property line in an “PUD”, Planned Unit Development zoning district.

**M-11 C15-2015-0023 Kevin S. Sims
1701 Waterston Avenue**

The applicant has requested a variance(s) from Section 25-2-774 (C) (2) (a) (Two-family Residential Use) to permit the second dwelling unit to be in front of the principal structure in order to construct a new principal structure/single family home behind an existing 820 square foot single family home in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Old West Austin)

**M-12 C15-2015-0024 Erika Levack
4206 Wildwood Drive**

The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum street side yard setback from 15 feet (required) to 0 feet (requested); and to

B. decrease the minimum rear yard setback from 5 feet (required) to 4.5 feet (requested)

in order to maintain a recently constructed shed in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Upper Boggy Creek)

**M-13 C15-2015-0025 Charles Fisk for Richard Schneeman
2000 Garden Street**

The applicant has requested a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease minimum lot width from 50 feet (required) to 48.5 feet (requested) in order to construct a single family home in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly)

O. BOARD OF ADJUSTMENT NEW BUSINESS

O-1 Citizen Guide Update, Brent Lloyd

O-2 2014-Annual Internal Review

P. 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 Leane Heldenfels at Planning & Development Review Department, at 512-974-2202 or Diana Ramirez at Planning & Development Review Department at 512-974-2241, for additional information; TTY users route through Relay Texas at 711.