CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, January 12, 2015
CASE NUMBER: C15-2015-0011

Y Jeff Jack - Chair
Y Michael Von Ohlen
Y Melissa Whaley Hawthorne - Vice Chair
Y Sallie Burchett
Y Ricardo De Camps
Y Brian King
Y Vincent Harding

APPLICANT: David, King
OWNER: Darrell C., Parker

ADDRESS: 904 JESSIE ST

VARIANCE REQUESTED: The applicant has requested the Board of Adjustment to
interpret whether staff erred in issuing a building permit at 904 Jessie Street
because:
A. per Section 25-2, Subchapter F, (Residential Design and Compatibility
Standards), Article 3. Definitions and Measurement, Section 3.3. Gross Floor
Area, the plans submitted do not appear to be drawn to the outer edge of the
wood framing; and
B. per Section 25-2, Subchapter F, (Residential Design and Compatibility
Standards), Article 3. Definitions and Measurement, Section 3.3. Gross Floor
Area, 2. A.3., the plans submitted measure the full length of the entire carport
which is not needed in calculating the north side opening; and
C. per Section 25-2, Subchapter F, (Residential Design and Compatibility
Standards), Article 3. Definitions and Measurement, Section 3.3. Gross Floor
Area, 2. A.3, the plans submitted allow an exemption even though the north side
is obstructed by a covered entryway
in the permit plan review application to construct a single family home at this lot
in an “SF-3”, Family Residence zoning district.

BOARD’S DECISION: The public hearing was closed on Chair Jeff Jack motion to close
the public hearing. Chair Jack asked Vice Chair Melissa Hawthorne to serve as chair for
the following motions:

A. per Section 25-2, Subchapter F, (Residential Design and Compatibility Standards),
Article 3. Definitions and Measurement, Section 3.3. Gross Floor Area, the plans submitted
do not appear to be drawn to the outer edge of the wood framing;
Motion by Jeff Jack to affirm city staff and appellants position that the correct way to 
determine the gross floor area of a plan is to measure from the outside of the exterior wall 
finish to the outside of the exterior wall finish. Passed on a 7-0 vote

B. per Section 25-2, Subchapter F, (Residential Design and Compatibility Standards), 
Article 3. Definitions and Measurement, Section 3.3. Gross Floor Area, 2. A.3., the plans 
submitted measure the full length of the entire carport which is not needed in calculating 
the north side opening; and

Motion by Jeff Jack to affirm city staff’s interpretation on the correct way to measure the 
length of a carport wall with the stipulation that the adjacent parking space have a 
minimum dimension of 8’- 6” wide by 17’ deep. Passed on a 7-0 vote

C. per Section 25-2, Subchapter F, (Residential Design and Compatibility Standards), 
Article 3. Definitions and Measurement, Section 3.3. Gross Floor Area, 2. A.3, the plans 
submitted allow an exemption even though the north side is obstructed by a covered 
entryway

Motion by Jeff Jack to reverse the city staff’s interpretation with the following 
interpretation.

That if a carport has a garage door on a side that is not counted toward one of the two sides 
that must be open, then a wall of the house parallel to the open side of the carport must 
have at least a 20 foot separation from the carport if the carport and adjacent house walls 
are in line with each other.

It is the finding of the Board that there is reasonable doubt or difference of interpretation 
as to the specifics of the intent of the regulations, the resulting interpretation will not grant 
a special privilege to one property inconsistent with other properties or uses similarly 
situated and granting the appeal would permit a use in character with the rules of the 
district in questions.

Passed by a vote of 7-0

FINDING:
It is the finding of the Board that there is reasonable doubt or difference of interpretation 
as to the specifics of the intent of the regulations, the resulting interpretation will not grant 
a special privilege to one property inconsistent with other properties or uses similarly 
situated and granting the appeal would permit a use in character with the rules of the 
district in questions.

Leane Heldenfels
Executive Liaison

Jeff Jack
Chairman