

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	25689	Agenda Number	113.
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Meeting Date:	8/8/2013	Department:	Planning and Development Review
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Subject

Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 relating to the granting of special exceptions for existing residential structures.

Amount and Source of Funding

Fiscal Note

Purchasing Language:

Prior Council Action:

May 26, 2011 – Council conducted a public hearing and approved Ordinance No. 20110526-098 amending Title 2 and Title 25 of the City Code to authorize special exceptions and fee waivers for longstanding code violations that do not threaten public safety or negatively impact surrounding properties.
 May 24, 2012 – Council approved a resolution initiating code amendments to City Code 25-2-476 relating to the Board of Adjustment’s review of special exceptions from setback regulations.
 November 8, 2012 – Council conducted a public hearing and approved Ordinance No. 20121108-091 amending Chapter 25-2-476, relating to the requirements for granting special exceptions from setback regulations.

For More Information:

John McDonald, 512-974-2728.

Boards and Commission Action:

May 28, 2013 - Initiated by the Planning Commission on a 8-0 vote with Commissioner Hernandez absent.
 June 25, 2013 - Approved by the Planning Commission on a 7-0 vote with Commissioner’s Stevens and Oliver absent.

MBE / WBE:

Related Items:

Additional Backup Information

The existing ordinance, adopted in 2011 (Ordinance No. 20110526-098) and amended in 2012 (Ordinance No. 20121108-091), added a new "special exceptions" section that could be considered by the Board of Adjustment for an existing residential structure or a portion of an existing structure that violates a setback required under zoning if certain criteria are met.

The intent of the ordinance was to allow residents with long-standing minor code violations for existing structures that posed no harm or adverse impacts to public health, safety, or welfare, to be granted an exception that may allow the structure to remain in place. The proposed amendment would extend both deadlines established in 25-1-366 and 25-2-476 an additional three years. The proposed amendment would also shorten the years of non-compliance established in 25-2-476 from 15 years to 10 years.

Staff recommends approval of this amendment.