



**BOARD OF ADJUSTMENT  
March 13, 2017  
5:30PM  
CITY COUNCIL CHAMBERS  
301 WEST 2<sup>ND</sup> STREET  
AUSTIN, TEXAS**

___ Brooke Bailey	___ Rahm McDaniel
___ Michael Benaglio	___ Melissa Neslund
___ William Burkhardt (Chair)	___ James Valadez
___ Eric Goff	___ Michael Von Ohlen
___ Melissa Hawthorne (Vice Chair)	___ Kelly Blume (Alternate)
___ Bryan King	___ Martha Gonzalez (Alternate)
___ Don Leighton-Burwell	___ Pim Mayo (Alternate)

**AGENDA**

**EXECUTIVE SESSION (No public discussion)**

The Board of Adjustment 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 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 Draft minutes – February 13, 2017**

**B. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS POSTPONEMENTS**

**NONE**

**C. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS**

**C-1 C15-2017-0012 Joe Del Rio  
2006 Canterbury Street**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.**

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, existing) in order to maintain an enclosed carport and shed that have been at this location for at least 10 years in a “SF-3-NP”, Family Residence - Neighborhood Plan zoning district. (Holly)

**D. SIGN REVIEW BOARD RECONSIDERATIONS**

**NONE**

**E. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS**

**NONE**

**F. SIGN REVIEW BOARD NEW PUBLIC HEARINGS**

**F-1 C16-2017-0002 Rodney Bennett and Ann B. Lewis for Michael M. Boyle  
2935 East Highway 71**

**DENIED BY AUSTIN ENERGY. (AE) DUE TO POTENTIAL CONFLICT WITH AE FACILITIES. THE LOCATION OF PROPOSED SIGN IS UNKNOWN. OWNER/APPLICANT MUST OBTAIN WRITTEN APPROVAL OF CONFLICT RESOLUTION FROM AE PRIOR TO BOA APPROVAL. PLEASE CONTACT EBEN KELLOGG WITH AE PUBLIC INVOLVEMENT AND REAL ESTATE SERVICES AT 322-6050.**

The applicant has requested a variance(s) to Section 25-10-124 (B) (Scenic Roadway Sign District Regulations) to:

A. (1. B.) increase the maximum sign area from 64 square feet (permitted) to 104 square feet (requested); and to

B. (2.) increase the maximum sign height from 12 feet (permitted) to 24 feet (requested)

in order to add a freestanding sign within a “CS-CO”, General Commercial Services, Conditional Overlay zoning district. (Scenic Sign District)

**G. BOARD OF ADJUSTMENT INTERPRETATION RECONSIDERATIONS PREVIOUS POSTPONEMENT**

**G-1 C15-2016-0131 Nikelle Meade for David Krug  
2510 and 2530 SOUTH CONGRESS AVENUE**

**AUSTIN ENERGY HAS NO COMMENT**

The appellant asks the Board of Adjustment to reverse staff’s determination that a religious assembly use exists on a neighboring property located at 2530 South Congress Avenue which triggers the site development standards in Subchapter C., Article 10 (*Compatibility Standards*) of the Land Development Code. The staff determination under appeal was made in review of a site plan application (File No. SP-2015-0300C) requesting to construct a new hotel at 2510 South Congress Avenue, located in an “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan and “GR-V-CO-NP”, Community Commercial – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Dawson)

**H. BOARD OF ADJUSTMENT INTERPRETATION PREVIOUS POSTPONEMENTS**

**NONE**

**I. BOARD OF ADJUSTMENT INTERPRETATION NEW PUBLIC HEARINGS**

**NONE**

**J. BOARD OF ADJUSTMENT RECONSIDERATION PREVIOUS POSTPONEMENTS**

**NONE**

**K BOARD OF ADJUSTMENT RECONSIDERATIONS**

**NONE**

**L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS**

**L-1 C15-2016-0084 Scott Jacobs  
2003 Arpdale Street**

**AUSTIN ENERGY CONDITIONALLY APPROVES THE REQUESTED VARIANCES AT THE ABOVE ADDRESS - CUSTOMER MUST REMOVE A STORAGE SHED WHICH IS CONFLICT WITH THE SIX FOOT EASEMENT AREA AND DOCUMENT THIS REMOVAL. – PROVIDE DOCUMENTATION TO AUSTIN ENERGY – AT THAT POINT - AUSTIN ENERGY WILL NOT OPPOSE REQUEST - PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY**

**CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.**

The applicant has requested variance(s) to:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum east side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to

B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to

C. decrease the minimum lot size from 5,750 square feet (required/permitted) to 5,500 square feet (requested, existing); and to

D. decrease the maximum building cover from 40% (required/permitted) to 41% (requested, existing); and to

E. decrease the maximum impervious cover from 45% (required/permitted) to 52% (requested, existing); and to

F. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot area for a two-family residential use from standard lot size of 5,750 square feet (required) to 5,540 square feet (requested, existing); and to

G. (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing) in order to permit occupancy of an existing accessory structure for use as a 2nd dwelling unit in a “SF-3”, Family Residence zoning district.

**L-2 C15-2016-0122 Ted McConaghy for Brendan Gilyan  
6711 East Ben White**

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The applicant has requested a variance from Section 25-6 Appendix A (Tables of Off-Street parking and Loading Requirements) to reduce the number of required parking spaces from 250 spaces (required) to 235 spaces (requested) in order to add a 89 room hotel to the site with an existing 138 room hotel (proposed total of 227 rooms) in a “LI-CO-NP”, Limited Industrial Services – Conditional Overlay - Neighborhood Plan zoning district. (Southeast)

**L-3 C15-2017-0004 Bruce Griffing and Debra Monticciolo  
700 Bouldin Avenue**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.**

The applicant has requested a variance(s) from Subchapter F: Residential Design and Compatibility Standards, Article 3, Section 3.3.3 (Gross Floor Area – Porch, basement and attic exemptions) (B) (2) to increase the level the first story is above the average elevation at the intersections of the minimum front yard setback line and the side property lines from 3 feet above that intersection point (required/permitted) to 8.5 feet above that intersection point (requested) in order to exclude the basement area from the calculation of gross floor area in the construction of a new single family home in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek)

**WITHDRAWN BY APPLICANT**

**L-4 C15-2017-0007 Sergio Lozano-Sanchez for Richard Kooris  
1615 and 1617 South 2<sup>nd</sup> Street**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.**

The applicant has requested a variance(s) from Section 25-2-776 (B) (Condominium Residential use) to decrease the minimum site area for each condominium from at least 3,500 square feet (required/permitted) to 3,310 square feet in order to construct 8 condominium units in an “SF-5-CO-NP”, Urban Family Residence – Conditional Overlay - Neighborhood Plan zoning district. (Bouldin Creek)

**M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS**

**M-1 C15-2017-0011 Donna D. Carter for James O. Hill  
1134 Chicon Street**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.**

The applicant has requested variance(s) to Section 25-2-773 (B) (1) (Duplex Residential Use) to decrease the minimum lot size for a duplex use from 7,000 square feet (required) to 6,834 square feet (requested) in order to create a duplex in a “MF-4-NP”, Multi-Family Residence - Neighborhood Plan zoning district. (Central East Austin)

NOTE: this variance was approved by the Board at their 9/14/15 hearing, however that variance expired 9/14/16 since no subsequent application using the approval was made within a year of the approval date.

**M-2 C15-2017-0013 Robert Turner  
5201 Tortuga Trail**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST, PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. THE DOCK IS TO BE CONSTRUCTED 7.5' OUTSIDE OF THE MOST EASTERN FACING CONDUCTOR.**

**ANY CHANGES TO THE SUBMITTED PLAN FOR C15-2017-0013 THAT MAY AFFECT ELECTRIC REQUIREMENTS WILL VOID THE FOLLOWING APPROVAL FROM AUSTIN ENERGY.**

**THESE CHANGES INCLUDE, BUT ARE NOT LIMITED TO, BUILDING SQUARE FOOTAGE, BUILDING LOCATION AND HEIGHT AND WOULD REQUIRE A FORMAL REVIEW BY AUSTIN ENERGY.**

**\*NOTED THE CROWN OF THE ROOF WILL BE HIGHER THAN 12' AND WILL FOLLOW THE APPROPRIATE SLOPE TO A CROWN (APPROX.14.25')**

The applicant has requested a variance(s) to Section 25-2-1176 (A) (3) (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) to construct a dock from not closer than 10 feet to the side property line (required, permitted) to 0 feet (requested) in order to construct a boat dock in the "LA", Lake Austin zoning district.

**M-3 C15-2017-0015 Sudhakar Allada  
911 West 22<sup>nd</sup> Street**

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The applicant has requested variance(s) to Section 25-6-601 (A) (Parking Requirements for University Neighborhood Overlay District) to reduce the number of required parking spaces from 21 spaces (required, 60% of the spaces required by Appendix A) to 8 spaces (requested) in order to erect a 20 unit, 62 bedroom multi-family use in a "MF- 4 - CO - NP" Multifamily Residence Medium Density – Conditional Overlay - Neighborhood Plan zoning district. (West University, Outer West Campus)

**N. BOARD OF ADJUSTMENT NEW BUSINESS**

**N-1** Discussion and possible action on fees charged for Interpretation cases and all other cases; Potential resolution to Council

**N-2** Discussion and possible action on language in Bylaw amendment proposal

**N-3** Discussion and possible action on Reconsideration Rules

**O. 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 2 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.