



**BOARD OF ADJUSTMENT**  
**May 8, 2017**  
**5:30PM**  
**CITY COUNCIL CHAMBERS**  
**301 WEST 2<sup>ND</sup> STREET**  
**AUSTIN, TEXAS**

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

**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 – April 10, 2017

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

**NONE**

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

C-1 C15-2016-0071      La Sonia Y. Knight  
7100 Siepel Drive

**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 front yard setback from 25 feet (required) to 10 feet (requested, existing) in order to maintain a carport constructed at least 10 years ago in an “SF-2”, Family Residence zoning district.

**D. SIGN REVIEW BOARD RECONSIDERATIONS**

**NONE**

**E. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS**

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

**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) 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)

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

**NONE**

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

**NONE**

**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**

**L-1 C15-2016-0084 Scott Jacobs  
2003 Arpdale 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 25-2-492 (D) (Site Development Regulations) to:

- A. 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. increase the maximum building cover from 40% (required/permitted) to 41% (requested, existing); and to
- E. increase 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 5,500 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.

**M-2 C15-2017-0005 Wenkai Chen  
1211 Cedar 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 variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the side yard setback from 5 feet (required) to 2 feet 5 and 5/8 inches (requested); and to

B. decrease the minimum lot size from 5,750 square feet (required) to 1,594 square feet (requested); and to

C. decrease the minimum lot width from 50 feet (required) to 13.6 feet (requested, existing)

in order to erect a 904 square foot single family home in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut)

Note: The Chestnut Neighborhood Plan permits a single family home to be built on a tract of land as small as 2,500 square feet but not smaller as proposed, therefore the variance requested is from the Land Development Code not the Neighborhood Plan.

Subchapter F, Residential Design and Compatibility Standards of the Land Development Code will permit 4:1 FAR or 2,300 square feet which this application currently meets.

This tract does have Land Status that exempts it from platting.

**L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS**

**L-1 C15-2017-0008 Patricia & William Schaub  
804 Winflo Drive**

**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. NOTE- THE P.U.P.L.E. PUBLIC UTILITY POLE LINE EASEMENTS MAY NEED TO BE RELEASED IN ORDER TO NOT COFLICT WITH THE ABOVE DESIGN PLAN, IN THE SITE PLAN REVIEW PROCESS. CONTACT THE OFFICE OF REAL ESTATE SERVICES AT THE CITY OF AUSTIN TO START THIS ACTION. – 512-974-7196**

The applicant has requested variance(s) to Section 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot size for a multi-family residential use from 8,000 square feet (required) to 7,353.87 square feet (requested, existing in order to erect 3 residential units in one structure in a “MF-3-NP”, Multifamily Residence Medium Density zoning district. (Old West Austin)

Note: Section 25-2-943 of the Land Development Code permits Substandard Lots for single family use if configured prior to March 14, 1946. The subject lot was configured in 1948 and proposes a multifamily use; therefore the substandard lot section of the Code does not apply. Further, the Old West Austin Neighborhood Plan only provides small lot amnesty for single family use.

**L-2 C15-2017-0014 Terrence & Christine Moline  
205 San Saba 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 variance to Section 25-2-492 (Site Development Regulations) (D) to:

A. decrease the minimum lot width requirement from 50 feet (required) to 0 feet\* (requested, existing), and to

B. decrease the minimum lot size requirement from 5,750 square feet (required) to 2,107 square feet (requested, existing); and to

C. increase impervious cover from 45% (required, permitted) to 65% (requested); and to

D. decrease front yard setback from 25 feet (required) to 11 feet (requested, 10 feet existing including front porch); and to

E. Subchapter F, Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.6 (Setback Planes), A. Side and B. Rear Setback Plane increase the amount from not to exceed 3 feet (required) to not exceed 6 feet (requested)

in order to reconstruct a single family home in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Holly)

**L-3 C15-2017-0015 Sudhakar Allada  
911 West 22<sup>nd</sup> 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 25-6-601 (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)

**L-4 C15-2017-0016 Omer Bisen  
608 West St. Johns Avenue**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST FOR VARIANCES, 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 DESIGN PLAN AS PRESENTED WILL BE DIFFICULT TO PROVIDE ELECTRIC SERVICE, TO COMPLY WITH THE ABOVE ELECTRIC REQUIREMENTS. I WOULD RECOMMEND THAT YOU SPEAK TO AE DESIGN TO ENSURE AE CLERANCES ARE MET.**

The applicant has requested variance(s) from Article 10, Compatibility Standards Section 25-2-1062 (Height Limitations and Setbacks for Small Sites):

A. (B) to decrease the required setback from a property in an urban family residence (SF-5) or more restrictive zoning district or on which a use permitted in SF-5 or more restrictive zoning district is located from 15 feet (required) to 0 feet (requested); and to

B. (D) to increase the allowed height of a structure 50 feet or less from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 2 stories and 30 feet (required) to 3 stories and 35 feet (requested)

in order to erect a multifamily structure in a “TOD-NP”, Transit Oriented Development - Neighborhood Plan zoning district. (Highland)

**L-5 C15-2017-0018 David Hartman for Hardeman Family Joint Venture, Ltd.  
1301 West Koenig Lane**

**AUSTIN ENERGY DOES NOT OPPOSE REQUEST FOR VARIANCES, 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. NOTE – THE EXISTING OVERHEAD EASEMENT WILL NEED TO BE RELOCATED, AS IT IS IN CONFLICT WITH THE PROPOSED DESIGN PLAN. PLEASE CONTACT THE OFFICE OF REAL ESTATE SERVICES AT THE CITY OF AUSTIN – 512-974-7196  
NOTE; OSHA CLEARANCES ARE STRICTLY ENFORCED DURING THE TIME OF CONSTRUCTION NEAR AE TRANSMISSION ALONG KOENIG LANE.**

The applicant has requested variance(s) from Article 10, Compatibility Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites):

A. (B) to decrease the required setback from a property in an urban family residence (SF-5) or more restrictive zoning district or on which a use permitted in SF-5 or more restrictive zoning district is located from 25 feet (required) to 5 feet (requested, to allow for potential 8 foot concrete sidewalk within 12 foot Public Sidewalk, Recreational and Trail Easement required by Parks and Recreation Department); and to

B. (C) (2) to increase the allowed height of a structure more than 50 feet and not more than 100 feet from property in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 3 stories and 40 feet (required) to 4 stories and 45 feet (requested); and to

C. (C) (3) to increase the allowed height of a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive (required) to 45 feet (requested); and to

D. Section 25-2-899 (Fences as Accessory Uses) (D) to increase the height of a solid fence constructed along a property line from an average height of six feet or maximum height of seven feet (required/permitted) to eight feet average (requested)

in order to erect an apartment in a “CS-MU-CO-NP”, General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Brentwood)

Note: subject tract is undergoing rezoning approval to a multifamily designation by Council at their late April, May meetings, the pending zoning designation requires the fence variance #D above.

**APPLICANT REQUESTING POSTPONEMENT TO JUNE 12, 2017**

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

**M-1 C15-2017-0021 Phil Moncada for Jon J. Notarthomas  
2400 Wilson 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:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the rear yard setback from 10 feet (required) to 3 feet (requested, existing) for the partially covered elevated deck/egress structure and to 7 feet (requested, existing) for the accessory dwelling structure; and to

B. Section 25-2-555 (Single Family Residence District Regulations) (B) to decrease the rear yard from 5 feet (required) to 0 feet (requested, existing) for the storage structure on concrete blocks; and to

C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 8 feet (requested/existing)

in order to permit a second dwelling unit in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin)

**M-2 C15-2017-0022 Aaron McGarry  
2210 S 2<sup>nd</sup> 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 25-2-492 (D) (Site Development Regulations) to:

A. decrease the front yard setback from 25 feet (required) to 1.5 feet (requested); and to

B. decrease the side setback from 5 feet (required) to 1 foot (requested)

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



**M-3 C15-2017-0023 Vincent G. Huebinger for Michael Osborne  
5111 Eilers 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:

A. 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 paved width (required) to 30 feet paved width (requested/existing); and to

B. Section 25-2-1062 (Height Limitations and Setbacks for Small Sites) (B) (1) to decrease the distance a structure can be located from 15 feet or less (required) to 0 feet (requested, existing)

in order to establish a private primary education facility with parking in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop)

**N. BOARD OF ADJUSTMENT NEW BUSINESS**

**NONE**

**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.