



BOARD OF ADJUSTMENT
June 12, 2017
5:30PM
CITY COUNCIL CHAMBERS
301 WEST 2ND STREET
AUSTIN, TEXAS

___ Brooke Bailey	___ Rahm McDaniel
___ William Burkhardt (Chair)	___ Veronica Rivera
___ Christopher Covo	___ 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 – May 8, 2017

B. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS POSTPONEMENTS

NONE

C. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS

C-1 C15-2017-0024 Carlos Acevedo
11400 Hilltop 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 front yard setback from 25 feet (required) to 17 feet (requested, existing) in order to maintain a carport that has been at this location for at least 10 years in a “SF-1”, Family Residence Large Lot zoning district.

**C-2 C15-2017-0027 Ryan Green
2404 Santa Rita 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 2 feet (requested, existing) in order to maintain a carport that has been at this location for at least 10 years in a “SF-3-NP”, Family Residence - Neighborhood Plan zoning district. (Holly)

**C-3 C15-2017-0029 Paloma Efron
4412 Barrow 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 Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to:

- A. decrease the side yard setback from 5 feet (required) to 4.7 feet (requested, existing); and to
- B. decrease the rear yard setback from 10 feet (required) to 9.7 feet (requested, existing)

in order to maintain an accessory structure that has been at this location for at least 10 years in a “SF-3-CO-NP”, Family Residence - Neighborhood Plan zoning district. (Hancock)

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)

WITHDRAWN BY APPLICANT

F. SIGN REVIEW BOARD NEW PUBLIC HEARINGS

**F-1 C16-2017-0003 Ray Oujesky for Bell Steiner Ranch, LLC
4800 Steiner Ranch Boulevard**

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 25-10-127 (Multifamily Residential Sign District Regulations) to:

A. (B. 1.) increase the maximum sign height from 6 feet (permitted) to 8 feet 8 ½ inches (requested/existing); and to

B. (B. 2.) increase the maximum sign area from 35 square feet (permitted) to 60 square feet (requested/existing)

in order to replace the face of an existing freestanding sign that was originally installed without permits and is located within the City of Austin 2-mile Extraterritorial Jurisdiction. (Multifamily Sign District)

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

NONE

L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS

L-1 C15-2017-0008 Patricia & William Schaub

.../NetScan/PDRD/OTC01OlmosPark/APril_2017/april_10_packet/late_back_up/0008_late_back_up/M03_c15-2017-0008_final_back_up_redacted.pdf

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 C15-2017-0016 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-4 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 STRICTY ENFORCED DURING THE TIME OF CONSTRUCTION NEAR AE TRANSMISSION ALONG KOENIG LANE.

The applicant has requested variance(s) to:

A. 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); and to

B. Article 10, Compatibility Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (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. Article 10, Compatibility Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (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)

in order to erect a multi-family residence in a “MF-6-CO-NP”, Multifamily Residence Highest Density – Conditional Overlay - Neighborhood Plan zoning district. (Brentwood).

**L-5 C15-2017-0022 Aaron McGarry
2210 S 2nd 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)

WITHDRAWN BY APPLICANT

**L-6 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)

M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS

**M-1 C15-2016-0018 Mike McHone for William Thorgersen
915 West 22nd 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 Division 9, University Neighborhood Overlay District Requirements, Section 25-2-754 (Use Regulations) (G) to permit on-site surface parking in order to erect a 27 bed group residential use in a “MF-4-CO-NP”, Multifamily Residence Medium Density – Conditional Overlay – Neighborhood Plan zoning district. (West University, Outer West Campus)

Note: September 28, 2016 the Board approved a variance to reduce the number of required parking spaces to 3 on-site and 4 off-site spaces. These spaces were depicted as surface parking and a revised findings request in the back up refers to requesting approval of surface parking, however the notice and agenda language did not include the required code reference that is now included in this request.

**M-2 C15-2017-0026 Ron Thrower for Eric Behrens
1814, 1816, 1820 Kenwood 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) at:

A. at 1814 Kenwood Avenue to decrease the side yard setback from 5 feet (required) to 1.1 feet (requested, existing) and decrease the rear yard setback from 10 feet (required) to .7 feet (requested, existing); and at

B. 1816 Kenwood Avenue to decrease the side yard setback from 5 feet (required) to 1.4 feet (requested, existing) and decrease the rear yard setback from 10 feet (required) to .6 feet (requested, existing); and at

C. 1820 Kenwood Avenue to decrease the side yard setback from 5 feet (required) to 3.4 feet (requested, existing) and decrease the rear yard setback from 10 feet (required) to .5 feet (requested, existing)

in order to permit an amended plat in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City)

**M-3 C15-2017-0028 B.J. Cornelius for Sylvia W. Sharplin
910 Baylor 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 decrease the front yard setback from 25 feet (required) to 20 feet (requested) in order to permit subdivision of an existing lot in a “SF-3-HD-NP”, Family Residence - Historic Area - Neighborhood Plan zoning district. (Old West Austin)

**M-4 C15-2017-0030 Tom Hatch for Cassandra Ramirez
2800 Prado 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 decrease the street side yard setback from 15 feet (required) to 6 feet (requested) in order to permit a new single family home and 2nd dwelling unit in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Govalle)

N. BOARD OF ADJUSTMENT NEW BUSINESS

N-1 Update Re: action on fees charged for Interpretation cases and all other cases.

- N-2** CodeNEXT Working group report, possible action.
- N-3** Discussion and possible action on a Board workshop for general Board of Adjustment information.
- N-4** Discussion and possible action on Budget.
- N-5** Update on Bylaws and 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.