



**BOARD OF ADJUSTMENT  
July 10, 2017  
5:30PM  
CITY COUNCIL CHAMBERS  
301 WEST 2<sup>ND</sup> 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 – June 12, 2017 and June 19, 2017 (Special called meeting)

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

B-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 6 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.

**B-2 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)

**REQUESTING POSTPONEMENT TO AUGUST 14, 2017 BY APPLICANT**

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

**C-1 C15-2017-0035 David Cancialosi for Kiki Osterman  
3207 Beverly Road**

**SPECIAL EXCEPTION IS DENIED BY AUSTIN ENERGY (AE), DUE TO CONSTRUCTED STRUCTURE BEING IN CONFLICT WITH AE FACILITIES AND CLEARANCE REQUIREMENTS. OWNER/APPLICANT MUST OBTAIN LIENSE AGREEMENT WITH THE CITY OF AUSTIN, OFFICE OF REAL ESTATE. IN ORDER TO RESOLVE THE CONFLICT WITH AE CLEARANCES - OWNER/APPLICANT MUST OBTAIN WRITTEN APPROVAL OF CONFLICT RESOLUTION FROM EBEN KELLOGG, 512-322-6050, AUSTIN ENERGY - PUBLIC INVOLVEMENT/REAL ESTATE, SERVICES, AND PRIOR TO A BOA APPROVAL**

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 setback from 5 feet (required) to 3.5 feet (requested, existing); and from

B. decrease the rear yard setback from 10 feet (required) to 3.4 feet (requested, existing)

in order to maintain a detached accessory living space at this location for at least 10 years in a “SF-3-NP”, Family Residence – Neighborhood Plan - zoning district. (Windsor Road)

**D. SIGN REVIEW BOARD RECONSIDERATIONS**

**NONE**

**E. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS**

**NONE**

**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**

**NONE**

**L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS**

**L-1 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) (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

- A. 8 feet (requested) on the east property line for first 46 feet measured from the St. Johns Avenue property line; and
- B. 5 feet (requested) on the remainder of the east property line; and
- C. 5 feet (requested) along the west property line

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

**L-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. 1814 Kenwood Avenue to decrease the side yard setback on the northern property line from 5 feet (required) to 1.1 feet (requested, existing) for an accessory structure and from 5 feet (required) to 0 feet (requested, existing) for a carport and to decrease the rear yard setback from 10 feet (required) to .7 feet (requested, existing) for an accessory structure; and at

B. 1816 Kenwood Avenue to decrease the side yard setback on the northern property line from 5 feet (required) to 1.4 feet (requested, existing) for an accessory structure and to decrease the rear yard setback from 10 feet (required) to .6 feet (requested, existing) for an accessory structure; and at

C. 1820 Kenwood Avenue to decrease the side yard setback on the northern property line from 5 feet (required) to 3.4 feet (requested, existing) for an accessory structure and to decrease the rear yard setback from 10 feet (required) to .5 feet (requested, existing) for an accessory structure

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

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

**M-1 C15-2017-0025 Phil Moncada for John Sanchez  
916 Jewell Street**

**VARIANCE IS DENIED BY AUSTIN ENERGY (AE), DUE POTENTIAL CONFLICTS WITH AE FACILITIES. APPLICANT/OWNER IS REQUIRED TO MEET AE CLEARANCE CRITERIA REQUIREMENTS FOR DISTANCES FROM AE FACILITIES. ALL IMPROVEMENTS AND COSTS ASSOCIATED WITH THE RELOCATION OR REMOVAL OF AE FACILITIES IS THE RESPONSIBILITY OF THE PROPERTY OWNER. OWNER/APPLICANT MUST OBTAIN WRITTEN APPROVAL OF CONFLICT RESOLUTION FROM EBEN KELLOGG, 512-322-6050, AUSTIN ENERGY - PUBLIC INVOLVEMENT/REAL ESTATE, SERVICES, AND PRIOR TO A BOA APPROVAL.**

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 5 feet (requested, existing home) in order to permit a new single family home in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin)

**REQUESTING POSTPONEMENT TO AUGUST 14, 2017 BY APPLICANT**

**M-2 C15-2017-0031 Brandon & Maureen Lamb  
2005 Bluebonnet Lane**

**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, Sub Chapter F – Residential Design and Compatibility Standards, Article 3 – Definitions and Measurements, Section 3.3.2. A. 3. to reduce the number of open sides required for a parking area to be excluded from gross floor area

from 2 (required) to 1 (requested) in order to maintain a recently added garage door to an existing carport in an “SF-3”, Family Residence zoning district.

**M-3 C15-2017-0032 Mary Neuburger  
4606 Avenue C**

**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. IF OUR SERVICE DROP IS RECOMMENDED TO BE RELOCATED, WHEN YOU OBTAIN A BUILDING PERMIT, PLEASE SPEAK WITH OUR DISTRIBUTION CONSTRUCTION LEADER, JOAN WILHITE, AT 512-505-7604, FOR THE NEW LOCATION OF YOUR SERVICE.**

The applicant has requested a variance to Ordinance #20120112-087, North Hyde Park Neighborhood Conservation-Neighborhood Plan Combining District, Part 4, Part 6 (General Provisions), 11:

A. c. i. Driveways, to allow a driveway located in a front yard for a residential use, to exceed a width of 12 feet from the driveway apron to the building setback line (required) to be 16 feet (requested); and to

B. d. (i) (a) Parking, to allow the existing one parking space to suffice even though a 300 square foot addition has been made; and to

C. d. (iii) Parking, to allow more than 25 percent width of front yard be improved with a required parking space (required), 32 percent (requested); and to

D. (v) allow one space (requested) rather than two spaces (required) per dwelling for a single family use in the residential district

in order to add 300 square feet of living space to a single family residence in a “SF-3-NCCD - NP”, Family Residence – Neighborhood Plan zoning district. (Hyde Park)

Note: Requests B. and D. are needed if existing parking is approved. Requests A. and D. are needed if proposed parking expansion is approved.

Per section 11. c. (v) of the NCCD ordinance, double driveways at the front of a building that existed on February 1, 2005 may continue to serve the existing residence even if additional square footage is added to the residence.

**M-4 C15-2017-0037 Henry Juarez for Sal Martinez  
3012 & 3014 East 14<sup>th</sup> ½ 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 25-2-943 (D) (Substandard Lot) to permit a substandard lot that is aggregated with other property to form a site may not be disaggregated after August 6, 2007 to form a site that is smaller than the minimum lot area requirements (required) to be disaggregated (requested) in order to permit a new single family home on each lot and one additional dwelling unit on one lot in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Rosewood)

**M-5 C15-2017-0038 Aruna Chindalore  
9101 Sautelle Lane**

**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 STRUCTURE BUILT IS WITHIN THE DEDICATED P.U.E. CONTACT THE OFFICE OF REAL ESTATE, CITY OF AUSTIN TO REQUEST A RELEASE OR PARTIAL RELEASE OF THE PORTION OF THE STRUCTURE THAT ENCUMBERS THE P.U.E. (512)-974-7196**

The applicant has requested variance(s) to:

- A. Section 25-2-492 (D) (Site Development Regulations) to decrease the street side yard setback from 15 feet (required) to .5 feet (requested, existing); and to
- B. increase the impervious cover from 45% (required) to 46.9% (requested, existing); and to
- C. Section 25-2-515 (Rear Yard of Through Lot) to decrease the through lot rear yard from 25 feet (required) to 10 feet (requested, existing)

in order to permit a recently constructed meditation studio and older gazebo in a “SF-2”, Family Residence zoning district.

**M-6 C15-2017-0039 Christian Krahenbuhl  
12301 Eagle Rock**

## **OUTSIDE OF SERVICE TERRITORY – AUSTIN ENERGY HAS NO COMMENT**

The applicant has requested a variance(s) from Section 25-2-899 (D) and (E) (Fences as Accessory Uses) to increase the fence height permitted from an average of 6 feet, maximum height of seven feet (required, permitted) to 8 feet (requested) in order to maintain a recently constructed solid privacy fence on a corner lot in an “SF-2”, Family Residence zoning district.

Note: there is a grade change of at least two feet between the street and this property that would permit the 8’ solid fence, however because this is a corner lot City of Austin owner signature could not be obtained as required.

### **N. BOARD OF ADJUSTMENT NEW BUSINESS**

- N-1** Update Re: action on fees charged for Interpretation cases and all other cases.
- N-2** Discussion and possible action on Annual Internal Review Report
- N-3** Workshop Monday July 17, 2017, provide [Leane.heldenfels@austintexas.gov](mailto:Leane.heldenfels@austintexas.gov) questions and topics of discussion by end of day Wednesday July 12, 2017.

### **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.