



BOARD OF ADJUSTMENT
November 13, 2017
5:30PM
CITY COUNCIL CHAMBERS
301 WEST 2ND STREET
AUSTIN, TEXAS

<p>___ Brooke Bailey</p> <p>___ William Burkhardt (Chair)</p> <p>___ Christopher Covo</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>
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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 October 9, 2017 Draft Minutes

A-2 October 26, 2017 Draft Minutes – Special Called Meeting

B. SIGNS NEW PUBLIC HEARINGS

**B-1 C16-2017-0007 National Western Life Insurance/Texas Custom Signs
 10801 North MoPac Expressway NB**

DENIED BY AUSTIN ENERGY APPLICANT DID NOT CONTACT AUSTIN ENERGY, PRIOR TO FILING THEIR APPLICATION WITH BOARD OF ADJUSTMENT. (BOA) AS REQUIRED FOR BOA COMPLETENESS CHECKLIST. PLEASE CONTACT EBEN KELLOGG AE PUBLIC

INVOLVEMENT AND REAL ESTATE SERVICES, AT (512) 322-6050 OR EMAIL EBEN.KELLOGG@AUSTINENERGY.COM

The applicant has requested a variance to Section 25-10-124 (F) (*Scenic Roadway Sign District Regulations*) to permit internal lighting of a logo in order to include an illuminated logo in a wall sign in a “NBG”, North Burnet Gateway zoning district. (Scenic Roadway Sign District)

C. SIGNS PREVIOUS POSTPONEMENTS

NONE

D. SIGNS RECONSIDERATIONS

NONE

E. SIGNS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

F. INTERPRETATIONS NEW PUBLIC HEARINGS

NONE

G. SPECIAL EXCEPTIONS NEW PUBLIC HEARINGS

NONE

H. VARIANCES NEW PUBLIC HEARINGS

**H-1 C15-2017-0058 Robbie Moseley
2801 Down Cove**

AUSTIN ENERGY DOES NOT OPPOSE REQUESTED VARIANCE, 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 DEDICATED 7.5 P.U.E. COULD POTENTIALLY BE IN CONFLICT WITH THE REQUESTED VARIANCE. POSSIBLE SOLUTION FOR THIS CONFLICT WOULD BE TO CONTACT THE OFFICE OF REAL ESTATE, CITY OF AUSTIN (512)-974-7196 TO REQUEST A RELEASE OR PARTIAL RELEASE OF THE PORTION OF THE PROPOSED STRUCTURE THAT ENCUMBERS THE P.U.E.

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 7 feet (required, permitted) to 9 feet 1 inch (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 an 8 foot solid fence, however because this is a corner lot the adjacent City of Austin owner signature could not be obtained as required. However, the grade change and adjacent owner signatures would only permit maximum of 8 feet height, not the additional 1 foot requested.

**H-2 C15-2017-0059 Lisa Laughlin Boyd
1806 Lakeshore 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 variance(s) to Section 25-2-492 (D) (Site Development Standards) to decrease the front yard from 40 feet (required) to 20 feet (requested, 25 feet existing) in order to add a 290 square foot additional one car garage and storage structure in a “SF-2”, Family Residence zoning district. (Lake Austin Overlay)

Note: in 2012 when the original house and one car garage building permit plan was reviewed and permit issued the zoning of the property was SF-2 and front setback was 25 feet. However, in 2014 the Lake Austin Overlay, Section 25-2-647, was established the property now must meet LA front setback of 40 feet.

**H-3 C15-2017-0060 Rachel Forster and Adnan Prcic
5203 Martin 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. 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, AS SHE WILL PROVIDE DIRECTION FOR THE RELOCATION OF THE NEW SERVICE DROP.

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 11 feet (requested) in order to add a 2nd dwelling unit in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop)

I. INTERPRETATIONS PREVIOUS POSTPONEMENTS

NONE

J. INTERPRETATIONS RECONSIDERATIONS

NONE

K. INTERPRETATIONS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

L. SPECIAL EXCEPTIONS PREVIOUS POSTPONEMENTS

NONE

M. SPECIAL EXCEPTIONS RECONSIDERTIONS

NONE

N. SPECIAL EXCEPTIONS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

O. VARIANCES PREVIOUS POSTPONEMENTS

**O-1 C15-2017-0037 Henry Juarez for Sal Martinez
3012 & 3014 East 14th 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)

O-2 C15-2017-0044 Simha Behar

1105 Plymouth

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 7 feet (requested, existing) in order to permit an existing carport built in 1997 to remain in a "SF-2", Family Residence zoning district.

**O-3 C15-2017-0047 Phil Moncada for Ryan Dumont and Hank Coleman
3602 & 3604 Rivercrest 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 variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

**O-4 C15-2017-0048 David Cancialosi for Valla Djafari
2009 Lakeshore Drive**

AUSTIN ENERGY DOES NOT OPPOSE YOUR APPLICATION FOR THE REQUESTED VARIANCES, PROVIDED THAT ALL PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AUSTIN ENERGY CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT LANDOWNER'S/DEVELOPER'S EXPENSE.

THE FINAL GRADE OF THE ROAD (DRIVEWAY) MUST MEET THE REQUIRED CLEARANCES FOR AE FACILITIES AND THOSE OF OUR FRANCHISED ATTACHMENTS. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ANY COSTS OF RAISING LINES AND ATTACHMENTS.CONDITIONAL TO THIS APPROVAL, AN ELEVATION PROFILE OF THE PROPOSED STEEL DECKED DRIVEWAY IS REQUESTED FOR REVIEW BY OUR OFFICE. IF THE OWNER/ DEVELOPER IS

PROPOSING GATED FENCE AT THE ENTRANCE THAT IS UNDER OUR FACILITIES, AN LICENSE AGREEMENT WITH AUSTIN ENERGY WILL BE REQUIRED.

ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT LANDOWNER'S/DEVELOPER'S 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, AS SHE WILL PROVIDE DIRECTION FOR THE RELOCATION OF THE NEW SERVICE DROP.

The applicant has requested variance(s) to:

- A. Section 25-2-492 (Site Development Regulations) (D) to reduce the minimum rear setback from 20 feet (required) to 10 feet (requested, 0 feet existing); and to
- B. Section 25-2-492 (Site Development Regulations) (D) to reduce the street side setback from 25 feet (required) to 5 feet (requested, 0 feet existing); and to
- C. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required) to 66 percent (requested, 74 percent existing); and to
- D. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (b) increase the maximum impervious cover on a slope with a gradient of more than 15 percent but not more than 25 percent from 10 percent (required) to 88 percent (requested, 0 percent existing); and to
- E. Section 25-2-551 (Lake Austin District Regulations) (C) (3) (c) increase the maximum impervious cover on a slope with a gradient of more than 25 percent and not more than 35 percent from 5 percent (required) to 9 percent (requested, 0 percent existing); and to
- F. Section 25-2-551 (Lake Austin District Regulations) (E) (2) to permit development on a slope with a gradient of more than 35 percent which is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs from 0 percent (required) to 31 percent (requested, 0 percent existing)

in order to erect a new 2 story residence, pool, deck, guest house, patio and detached garage in a "LA", Lake Austin zoning district.

**O-5 C15-2017-0054 Rick Rasberry for Dustin Donnell
1615 Westlake Drive**

REQUESTING POSTPONEMENT TO DECEMBER 11, 2017 BY STAFF

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) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A):

- A. (2) to increase the distance a dock may extend from no more than 20 percent of a channel width as measured by a line that is perpendicular to the centerline of the channel and that extends from the shoreline where the dock is located to the opposite shoreline, or in this case 28.1 feet (required, permitted) to 30 feet (requested); and
- B. (4) (a) to increase the width of a dock measured parallel to the shoreline of the lot or tract where the dock is proposed, and including all access and appurtenances, from 25.7 feet (required, permitted) to 30 feet (requested)

in order to construct a new boat dock within the “LA” Lake Austin Residence zoning district.

P. VARIANCES RECONSIDERATIONS

NONE

Q. VARIANCES RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

R. NEW BUSINESS

R-1 Discussion and possible action of AE review process added to the BOA Rules of Procedures

R-2 Discussion and possible action to approve new agenda template

R-3 Discussion and possible action to adopt a meeting schedule for the upcoming year 2018

S. 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.