

BOA Monthly Report

October 8, 2018

| | | |
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| Granted | 4 | <ul style="list-style-type: none"> 1) 25-10-191 (E) (Setback and Structural Req) (F)(1) increase height of a sign, and (F)(2) decrease clearance of a sign 2) 25-2-492 (D) (Site Development Reg) decrease the minimum lot size 3) 25-2-492 (D) (Site Development Reg) decrease the minimum side yard setback 4) 25-2-551 (Lake Austin District Reg)(B)(1) (b) decrease shoreline setback |
| PP cases | 5 | <ul style="list-style-type: none"> 1) 25-2-492 (D) (Site Development Reg) decrease the minimum side yard setback 2) 25-2-1062 Article 10 – Compatibility (Height Limitations and Setbacks for Small Sites) (B)(2) decrease the required setback from a property, (D)(1) increase the height limitations for a structure 3) Ord 040826-58 (NUNCCD-NP) Part 7 (1) decrease the minimum lot size 4) 25-2-1176 (Site Development Reg for Docks, Marinas, other Lakefrint Uses) (A) (6) To increase the dock height 5) Ord. 20120112-086 Part 6 (General Provisions) 9. Provide maneuverability perpendicular to a parking area and Part 7, (Res district) (1) Increase minimum rear yard setback, (1.b) increase the maximum height for an accessory structure/secondary dwelling unit, (4) Decrease the minimum lot size for a two-family residential use. |
| Withdrawn | 2 | <ul style="list-style-type: none"> 1) 25-10-123 (B) (3) (Expressway Corridor Sign District Reg) increase allowable sign Height, 25-10-103 (Signs Prohibited in all Sign Districts) (1) permit an off-premise sign 2) 25-2-774 (Two-Family Residential Use) (C) (5) (a) increase size of 2nd dwelling, (b) To increase the size of 2nd dwelling |
| Denied | 1 | <ul style="list-style-type: none"> 1) 25-10-124 (B) (Scenic Roadway Sign Dist Reg) to permit a freestanding sign (1)(b) greater than 64 square feet., (2) not to exceed 12 feet in height, (F) completely internally illuminated |

September 10, 2018

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| Granted | 2 | <ul style="list-style-type: none"> 1) Subchapter F Res Design and Comp Standards Art 2 Dev Standards Sec 2.6 SB planes (E) 3.b (i) 2) 25-2-492 (D) lot area, lot width, |
| PP cases | 6 | <ul style="list-style-type: none"> 1) 25-10-123 (B) (3) (Expressway Corridor Sign District Reg) increase allowable sign Height, 25-10-103 (Signs Prohibited in all Sign Districts) (1) permit an off-premise sign 2) 25-10-191 (E) (Setback and Structural Req) (E) to decrease the distance of a sign, (F)1 to increase the height of sign, (F)2 to decrease clearance of a sign 3) Ord 040826-58 (NUNCCD-NP) Part 7 (1) decrease lot size 4) 25-2-1176 (Site Development Reg for Docks, Marinas, other Lakefrint Uses) (A) (6) To increase the dock height 5) Ord. 20120112-086 Part 7, (Res district) (7) decrease minimum lot size 6) 25-2-774 (Two-Family Residential Use) (C) (5) (a) increase size of 2nd dwelling, (b) To increase the size of 2nd dwelling |
| Withdrawn | 1 | <ul style="list-style-type: none"> 1) 25-2-839 (Telecommunication Towers) (D)(4) change the appearance of replacement Tower |

Denied 0

Discussion 2 1) Working group to Board Rules
2) Aug Monthly activity report

2. The deposition of the case items: (Added Sept 2018)

A. Granted 13

B. Denied 2

C. Withdrawn 4

D. Postponed 13

E. Indef PPmt 1

E. Discussion Items 11

August 2018 (tally/notes)

Granted 3 1) **25-2-492** (D) (Site Development Reg) front yard setback
2) **25-2-492** (D) Site Development Reg) front yard setback and rear setback, **25-2-963** (Modification and Maintenance of Noncomplying Structures) (F) (2) exceed the Additional length of a modified portion of nonconforming wall
3) **25-2-476** (Special Exception), **25-2-492** (D) (Site Development Reg) side setback and Rear year setback

PP cases 5 1) **25-10-191** (E) (Setback and Structural Req) to decrease the distance of sign, (F)1 to increase the height of sign, (F)2 to decrease clearance of a sign
2) **25-2-774** (Two-Family Residential Use) (C) (5) (a) increase size of 2nd dwelling, (b) To increase the size of 2nd dwelling
3) **25-10-123** (B) (3) (Expressway Corridor Sign District Reg) increase allowable sign Height, **25-10-103** (Signs Prohibited in all Sign Districts) (1) permit an off-premise sign
4) **25-2-839** (Telecommunication Towers) (D)(4) change the appearance of replacement Tower
5) **25-2-551** (Lake Austin District Reg)(B)(1) (b) decrease shoreline setback

Indef. PPmt 1 1) **25-2-1176** (Site Development Reg for Docks, Marinas, other Lakefrint Uses) (A) (1) To increase the distance of a dock

Withdrawn 0

Denied 0

Discussion Items 2

Items B. Variance Cases Heard:

The Board heard a total of **15 variance cases/agenda action items (6 were new cases) and 7 discussion items/new business items.**

3. Code reference(s) of **granted:** **4 cases from 25-2-492/Site Development Standards; and 1 case from 25-2-551/LA District Regs; and 1 case from 25-2-831/Additional Requirements for Certain Uses, Civic; and 1 case with Article 10/Compatibility**

Code reference(s) of **denied:** **25-10-124/Scenic Roadway Signs; and Subchapter F/Residential Design Standards**

Code reference(s) of **withdrawn:** **1 case with 25-2-492/Site Development Standards; 1 case with 25-2-1063/Compatibility; and 1 case with 25-6/Parking number; and 1 case with 25-10-103/Signs**

Code reference(s) of **postponed:** **1 case from 25-2-774/Two-family Residential Use; and 25-10-123/Signs**

C. Special Exception Cases Heard:

The Board of Adjustment heard 0 Special Exception agenda items, of which >> were granted, >> were denied, >> were postponed, >> was withdrawn.

D. Interpretation Cases Heard:

There were 0 Appeals of an Administrative Action/Interpretation cases that were heard by the Board in support of purposes and duties (A) (2). Of these appeals, >> cases affirmed staff's determination and denied appellant's request; >> cases was granted appellant's request; >> cases was withdrawn, >> cases were postponed.

June and July 2018 – no new cases were submitted; 2 inquiries were made to BOA staff, but no applications were submitted by the end of July/as of 10am 8/13/18.

2. The disposition of the case items:

- A. Granted 11
- B. Denied 2
- C. Withdrawn 3
- D. Postponed 7
- E. Indef PPmt 1
- E. Discussion Items 9

Items B. Variance Cases Heard:

The Board heard a total of **15 variance cases/agenda action items (6 were new cases) and 7 discussion items/new business items**

3. Code reference(s) of **granted:** **4 cases from 25-2-492/Site Development Standards; and 1 case from 25-2-551/LA District Regs; and 1 case from 25-2-831/Additional Requirements for Certain Uses, Civic; and 1 case with Article 10/Compatibility**

Code reference(s) of **denied:** **25-10-124/Scenic Roadway Signs; and Subchapter F/Residential Design Standards**

Code reference(s) of **withdrawn**: 1 case with 25-2-492/Site Development Standards, 1 case with 25-2-1063/Compatibility; and 1 case with 25-6/Parking number; and 1 case with 25-10-103/Signs

Code reference(s) of **postponed**: 1 case from 25-2-774/Two-family Residential Use; and 25-10-123/Signs

C. Special Exception Cases Heard:

The Board of Adjustment heard 0 Special Exception agenda items, of which >> were granted, >> were denied, >> were postponed, >> was withdrawn.

D. Interpretation Cases Heard:

There were 0 Appeals of an Administrative Action/Interpretation cases that were heard by the Board in support of purposes and duties (A) (2). Of these appeals, >> cases affirmed staff’s determination and denied appellant’s request; >> cases was granted appellant’s request; >> cases was withdrawn, >> cases were postponed.

June and July 2018 – no new cases were submitted; 2 inquiries were made to BOA staff, but no applications were submitted by the end of July/as of 10am 8/13/18.

July 2018

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| Granted | 8 | <ul style="list-style-type: none"> 1) 25-2-492 (D) (<i>Site Development Regs</i>) impervious coverage 2) 25-2-492 (D) (<i>Site Development Regs</i>) front yard setback 3) 25-2-1064, Article 10 - Compatibility, Development Standards (<i>Front Setback</i>) 4) 25-2-551 (B)(1)(b) (<i>Lake Austin (LA) District Regs</i>) shoreline setback and (C)(3)(a) pre April 1982 plat or no plat reqd impervious cover/slope 5) 25-2-492 (D) (<i>Site Development Regs</i>) rear yard setback 6) 25-2-1063, Article 10, Compatibility, Development Standards (<i>Height Limitations and Setbacks for Large Sites</i>) (B) 25 ft from property line and (C)(3) 40 foot height limit if 100-300 ft from SF-5 zone or use 7) 25-2-492 (D) (<i>Site Development Regs</i>) and Sec 25-6 Appendix A (<i>Tables of Off-Street Parking and Loading Regs</i>) 8) 25-2-831, Article 4 – Additional Requirements for Certain Uses, Division 3 – Civic Uses, (<i>College or University</i>) (B) access from 40 ft paved width that then connects with 40 foot paved width |
| Postponed | 2 | <ul style="list-style-type: none"> 1) 25-10-123, Article 6, Regulations Applicable to Certain Sign Districts, Expressway Corridor Sign District Regs (B) (3) freestanding sign height 2) 25-2-774 Article 4, Additional Requirements for Certain Uses, (<i>Two- family Residential Use</i>) (C)(5)(a) and (b) 1,100 sf or 0.15 FAR and 550 sf 2nd story |
| Withdrawn | 3 | <ul style="list-style-type: none"> 1) 25-10-103, Article 5 – Regulations Applicable to All Sign Districts, Signs Prohibited in all Sign Districts (1) off premise and 25-10-130 (<i>Commercial Sign District Regulations</i>) (F)(2)(b) maximum freestanding sign area 2) Article 10, Compatibility Standards, Sec 25-2-1063 (B), Section 25-2-1063 (C)(1) Height Limitations and Setbacks for Large Sites, Sec 25-2-1067 (G) Design Regulations 3) 25-2-492 (D) (<i>Site Development Regs</i>) lot area/lot width/impervious |

cover/side yard setback, **25-6 Appendix A** (*Tables of Off-Street Parking and Loading Requirements*)

Denied 2

- 1) **25-10-124**, Article 6, Regulations Applicable to Certain Sign Districts (*Scenic Roadway Sign*) (B) more than one freestanding sign
- 2) **Subchapter F** - Residential Design and Compatibility Standards, Article 3 (*Definitions and Measurement*), Section 3.3.3 Porches, basements, and attic exemptions to gross floor area (B)(2) habitable portion of a building that is below grade if 1st story is not more than 3 feet above the average elevation at the intersections of the min front yard setback line and the side property line

Discussion 7
Items

B. Variance Cases Heard:

The Board heard a total of **15 variance cases/agenda action items (6 were new cases)** and **7 discussion items/new business items**.

2. The deposition of the case items:

| | |
|---------------------|---|
| A. Granted | 8 |
| B. Denied | 2 |
| C. Withdrawn | 3 |
| D. Postponed | 2 |
| E. Discussion Items | 7 |

3. Code reference(s) of **granted**: **4 cases from 25-2-492/Site Development Standards; and 1 case from 25-2-551/LA District Regs; and 1 case from 25-2-831/Additional Requirements for Certain Uses, Civic; and 1 case with Article 10/Compatibility**
- Code reference(s) of **denied**: **25-10-124/Scenic Roadway Signs; and Subchapter F/Residential Design Standards**
- Code reference(s) of **withdrawn**: **1 case with 25-2-492/Site Development Standards; 1 case with 25-2-1063/Compatibility; and 1 case with 25-6/Parking number; and 1 case with 25-10-103/Signs**
- Code reference(s) of **postponed**: **1 case from 25-2-774/Two-family Residential Use; and 25-10-123/Signs**

C. Special Exception Cases Heard:

The Board of Adjustment heard 0 Special Exception agenda items, of which >> were granted, >> were denied, >> were postponed, >> was withdrawn.

D. Interpretation Cases Heard:

There were 0 Appeals of an Administrative Action/Interpretation cases that were heard by the Board in support of purposes and duties (A) (2). Of these appeals, >> cases affirmed staff's determination and denied appellant's request; >> cases was granted appellant's request; >> cases was withdrawn, >> cases were postponed.

June and July 2018 – no new cases were submitted; 2 inquiries were made to BOA staff, but no applications were submitted by the end of July/as of 10am 8/13/18.

BOA Monthly Report

July 2017-June 2018

June 2018

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| Granted | 1 | 1) 25-2-492 (D) Site Development Regulations front yard setback |
| PP cases | 8 | <ul style="list-style-type: none"> 1) 25-10-123 (B) (3) Expressway Corridor Sign District Regulations 2) 25-2-831 (College or Univeristy) (B) Article 4 3) 25-2-492 (D) Site Development Regulations lot area, lot width, impervious cover, side yard setback/Section 25-6 Appendix A (Off-Street parking) 4) 25-2-1176 Site Development Regulations for Dock, Marinas 5) 25-2-492(D) Site Development Regulations lot width, lot size, front setback/Article 10 Compatibility Standards 25-2-1062 (height limitations and setbacks for small sites)(B) distance from property 6) 25-2-492 (D) side yard setback/25-2-551 (B) (1)(b) shoreline setback/25-2-551 (Lake Austin District Regulations) (C)(3)(a) impervious cover on slope 7) Article 10 Compatibility Standards, Section 25-2-1063 height limitations and setback for large sites (C) (3) 8) 25-2-492 (D) Site Development Regulations Section 25-6 Appendix A (Off-Street Parking) |
| Withdrawn | 1 | 1) 25-2-562 Multifamily Residence Medium density District Regulations (B) (3) Article 3 |

May 2018

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|-----------|---|---|
| Granted | 0 | |
| PP cases | 7 | <ul style="list-style-type: none"> 1) 25-10-103 Sign prohibited in all Sign Districts/25-10-130 Commercial Sign District Regulations 2) 25-2-1063 Compatibility Standards-Height limitations and setback for Large sites 3) 25-2-492 Site Dev Regulations Sec 25-6, Appen A, Off Street parking 4) 25-2-562 Multifamily Residence Medium Density District Regulations 5) Article 10 Compatibility Standards Sec 1063 (B) and (C) Height Limitations and Setbacks large sites/Sec 25-2-1067 Design Regulations 6) 25-2-492 yard setback/25-2-551 shoreline setback and Lake Austin Dis Regulations for IC on a slope 7) 25-2-492 Site Development Regulations rear yard setback |
| Withdrawn | 4 | <ul style="list-style-type: none"> 1) 25-10-133 Univ Neigh Overlay Zoning Sign 2) Use determination Interp appeal LifeAustin Church 3) Site Plan Revision Interp appeal LifeAustin Church 4) 25-2-492 Site Development Regulations for yard setback |

April 2018

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| Granted | 4 | <ul style="list-style-type: none"> 1) 25-2-492 Site Development Regulations/lot area/lot width 2) 25-2-492 Site Development Regulations/LA setback 3) 25-2-492 Site Development Regulations/setback |
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4) 25-2-1176 Site Development Regulations for Docks, Marinas and other Lakefront Uses

PP cases 8

- 1) 25-10-133 Univ Neigh Overlay Zoning Sign
- 2) 25-2-492 Site Development Regulations/setback
- 3) 25-2-492 Site Development Regulations/setback
- 4) Use determination Interp appeal LifeAustin Church
- 5) Site Plan Revision Interp appeal LifeAustin Church
- 6) 25-2-492 Site Development Regulations for lot width/lot size/setback + 25-2-1062, Article 10 - Compatibility, Height for small sites
- 7) 25-2-1062, Article 10 - Compatibility, Height for small sites + 25-2-1067 Design Regulations
- 8) 25-2-492 Site Development Regulations/setback + 25-2-551 Lake Austin (LA) District Regulations/shoreline setback + 25-2-551 Lake Austin (LA) District Regulations/slope

Withdrawn 1

- 1) 25-2-492 Site Development Regulations/setback

March 2018

Granted 4

- 1) 25-10-133 Univ Neigh Overlay Zoning Sign
- 2) 25-10-123 Expressway Corridor Sign
- 3) 25-2-492 Site Development Regulations/setback/ic/through lot
- 4) Subchapter F Article 2 – Development Standards

PP cases 4

- 1) 25-2-492 Site Development Regulations for setback
- 2) 25-2-551 Lake Austin (LA) District Regulations for slope
- 3) 25-2-492 Site Development Regulations/setback
- 4) 25-2-1062, Article 10 – Compatibility, Height for small sites + 25-2-1063 Height Limitations and Setbacks for Large sites, (B) driveway/sidewalk/structures in setback + (C) height + 25-2-1067 Design Regulations

Denied 2

- 1) 25-2-1604 Garage Placement
- 2) 25-2-1176 Site Development Regulations for Docks, Marinas and other Lakefront Uses

February 2018

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|-----------|---|--|
| Granted | 3 | <ol style="list-style-type: none"> 1) 25-2-492 Site Development Regulations/lot width 2) 25-2-774 Additional Requirements for Certain Uses, Two-Family lot area + 25-2-1406 Subchapter D, Neighborhood Plan Combining Districts, Ordinance requirements 3) 25-2-492 Site Development Regulation/lot width + 25-2-774 Additional Requirements for Certain Uses, Two-Family lot area |
| PP cases | 7 | <ol style="list-style-type: none"> 1) 25-10-123 Expressway Corridor Sign District 2) Sub Chapter F 3) 25-2-476 Special Exception/25-2-492/setback 4) 25-2-492 setback/ic + 25-2-515 through lot rear yard 5) 25-2-1176 dock 6) 25-2-492/lot width/lot size/setback and Article 10 Compatibility 25-2-1062 7) Article 10 Compatibility Standards Sec 1063 and 25-2-1067 Design Regulations |
| Denied | 1 | <ol style="list-style-type: none"> 1) 25-2-492 Site Development Regulations/ ic |
| Withdrawn | 1 | <ol style="list-style-type: none"> 1) 25-10-124 Scenic Roadway Sign Article 6 and Article 9 25-10-191 F |

January 2018

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| Granted | 2 | <ol style="list-style-type: none"> 1) 25-2-476/25-2-492 Special Exception setback 2) 25-2-492 setback + 25-2-551 LA |
| PP cases | 10 | <ol style="list-style-type: none"> 1) 25-10-124 Scenic Roadway Sign 2) 25-2-492 lot width 3) 25-2-774 lot area + 25-2-1406 Ord requirements 4) 25-2-492 ic 5) 25-5-492 lot width + 25-2-774 (lot area) 6) Article 10 Compatibility Standards Sec 1063 +25-2-1067 7) Interp appeal -0147 LifeAustin Church 8) Interp appeal -0168 LifeAustin Church 9) 25-2-1176 dock 10) 25-2-492 lot width/lot size |

December 2017

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|----------|---|---|
| Granted | 3 | <ol style="list-style-type: none"> 1) 25-2-1063 Compatibility standards 2) 25-2-492 lot width 3) 25-2-1063 Compatibility standards |
| PP cases | 6 | <ol style="list-style-type: none"> 1) 25-10-124 Scenic Roadway Sign 2) 25-2-492 lot width/lot size 3) 25-2-492 setback 4) 25-2-492 setback/IC/yard through lot 5) 25-2-1176 dock 6) 25-2-1176 dock (PP Indef) |

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| Withdrawn | 1 | 1) 25-2-492 setback |
| Denied | 1 | Interp Recon – appeal to reject permit 25-10-152 to modify a Nonconforming off premise sign |

November 2017

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|-----------|---|---|
| Granted | 4 | 1) 25-2-492 setback 2) 25-2-492 setback 3) 25-2-943 Substandard lot/disaggregation 4) 25-2-492 setback |
| PP cases | 3 | 1) 25-2-1176 dock 2) 25-5-492 setback + 25-2-551 (LA reg) 3) 25-2-1176 dock |
| Withdrawn | 1 | 1) 25-10-124 Sign F |
| Denied | 1 | 1) 25-2-899 Fences |

October 26, 2017 Special Called meeting

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|--------|---|---|
| Denied | 1 | 1) Interp Case appeal to reject appl to modify nonconforming off Premise Sign 25-10-152 |
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October 2017

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| Granted | 6 | 1) 25-2-1063 Compatibility large sites 2) 25-2-774 Two-Family, minimum lot area 3) 25-2-1062 Compatibility small sites 4) 25-2-899 Fences 5) 25-2-515 yard through lot 6) 25-2-1444 cottage regulations |
| PP cases | 8 | 1) Special Exception 25-2-492 setback 2) 25-2-943 Substandard lot 3) 25-2-492 setback/ ic + 25-2-515 rear yard of a through lot 4) 25-2-492 setback 5) 25-2-492 setback + 25-2-551 (LA reg) 6) 25-2-1176 docks |
| Denied | 1 | 1) Ord 20120112-086 Part 8 (Res district) 7 |

September 2017

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|----------|---|---|
| Granted | 3 | 1) 25-6 Appendix A, Schedule C 2) 25-2-1063 Article 10 Compatibility standards 3) 25-2-1176 dock |
| PP cases | 7 | 1) 25-2-492 setback 2) 25-2-943 Article 10 Substandard lot 3) 25-2-1063 Height limitation/setback for large sites |

- 4) 25-2-774 lot area
- 5) 25-2-1062 height limitations setback for small sites
- 6) Ord. 20120112-086 Part 8
- 7) 25-2-1176 dock

Denied 1 1) New Interp appeal regards to retaining wall LA zoning

August 2017

Granted 4 1) Special Exception – 25-2-476/25-2-492
 2) Chapter F – RDCC Article 2 Compatibility
 3) 25-2-492 IC
 4) Section 25-6 Appendix A, Schedule C

PP cases 7 1) Interp prev ppmt (2015-0147) Appeal Life Austin Church
 2) Interp prev ppmt (2015-0168) Appeal Life Austin Church
 3) 25-2-492 setback
 4) 25-2-943 substandard lot
 5) 25-2-492/25-2-515 setback/IC and yard through lot
 6) 25-2-1063 Article 10 Compatibility
 7) 25-2-1063 Article 10 Compatibility

Withdrawn 1 1) 25-2-492 setback

July 2017

Granted 4 1) Special Exception – 25-2-476/25-2-492 setback
 2) Article 10 Compatibility standards – 25-2-1062
 3) Ord #20120112-087 North Hyde Park NC-NP – Part 4, Part 6
 4) 25-2-899, Fences as Accessory Structures (Height)

PP cases 7 1) Special Exception – 25-2-476/25-2-492 setback
 2) Special Exception - 25-2-476/25-2-492 setback
 3) 25-2-492 setback
 4) 25-2-492 setback
 5) Sub Chapter F Compatibility
 6) 25-2-943 Substandard Lot disaggregation
 7) 25-2-492 setback/ic + 25-2-515 through lot rear yad

B. Variance Cases Heard:

1. The Board heard a total of **138 case items, plus 54 discussion items** (new business items) during the reporting period, an average total case load of **16 agenda items per month**. Of these, **59 were new cases**, with an average of **5 new cases per month**.

2. The deposition of the case items: BOA

A. Granted 38

B. Denied 8

C. Withdrawn 10

D. Postponed 82

3. Code reference(s) of granted:

Code reference(s) of denied:

Code reference(s) of withdrawn:

Code reference(s) of postponed:

C. Special Exception Cases Heard:

The Board of Adjustment heard five (5) Special Exception agenda items, of which two (2) were granted, zero (0) were denied, three (3) were postponed, zero (0) was withdrawn.

D. Interpretation Cases Heard:

There were four (4) Appeals of an Administrative Action/Interpretation cases that were heard by the Board in support of purposes and duties (A) (2). Of these appeals, two (2) cases affirmed staff's determination and denied appellant's request; zero (0) cases was granted appellant's request; two (2) cases was withdrawn, two (2) cases were postponed.

May 2018 – one (1) case was submitted by the property owner but was rejected/no case created because appeal was not related to a 25-2 issue (all issues raised in the application were related to 25-8 Environmental) and was not timely filed (was attempting to appeal a 4/11 staff denial comment made on a site plan exemption application/request; the comment advised that a site plan revision was required rather than the site plan exemption that had been applied for/rejected).