



**BOARD OF ADJUSTMENT**  
**January 14, 2019**  
**5:30 PM**  
**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	___ Ada Corral (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. CITIZEN COMMUNICATION**

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding **items not posted on the agenda.**

**B. DISCUSSION AND REQUESTED ACTION ITEMS**

**B-1** Staff requests approval of December 10, 2018 draft minutes

**B-2** Discussion of Austin Energy Report and action on any items posted on this Agenda that staff recommends denying

**B-3** Staff and Applicant requests for postponement and withdraw of items posted on this Agenda

**C. SIGNS NEW PUBLIC HEARINGS**

**NONE**

**D. SIGNS PREVIOUS POSTPONEMENTS**

**NONE**

**E. SIGNS RECONSIDERATIONS**

**NONE**

**F. SIGNS RECONSIDERATION PREVIOUS POSTPONEMENTS**

**NONE**

**G. INTERPRETATION NEW PUBLIC HEARINGS**

**NONE**

**H. SPECIAL EXCEPTION NEW PUBLIC HEARINGS**

**NONE**

**I. VARIANCES NEW PUBLIC HEARINGS**

**I-1 C15-2019-0001 Susan Hays  
902 Herndon Lane**

The applicant has requested variance(s) to:

A. Section 25-2-492 (D) to decrease the minimum rear setback from 10 feet (required) to 5 feet (requested, existing); and to

B. Section 25-2-774 (Two-Family Residential Use) (C) (2) to decrease the distance a second dwelling unit must be located from at least 10 feet to the rear or side of the principal structure (required) to 5 feet (requested)

in order to reconstruct a garage with a second dwelling unit above in an “SF-3”, Family Residence zoning district.

**I-2 C15-2019-0002 David Cancialosi for Frankie and Gary Furman  
1119 Mission Ridge**

The applicant has requested variance(s) to Section 25-2-492 (D) to decrease the minimum front yard setback from 25 feet (required) to 22.7 feet (requested, existing) in order to modify and maintain the current structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City)

Note: the recent re-subdivision of the property changed the former street side yard setback of the home to now become the front yard setback of the home as defined in the Land Development Code.

**I-3 C15-2019-0003 David Cancialosi for Travis Machen  
3005 Westlake Drive**

The applicant has requested variance(s) to Section 25-2-551 to reduce the Lake Austin Shoreline Setback from 75-feet (required) to 25-feet (proposed) shoreline setback around an existing man-made cove to erect a single family residence and accessory structures in the LA – Lake Austin zoning district.

**J. INTERPRETATIONS PREVIOUS POSTPONEMENTS**

**NONE**

**K. INTERPRETATIONS RECONSIDERATIONS**

**NONE**

**L. INTERPRETATIONS RECONSIDERATION PREVIOUS POSTPONEMENTS**

**NONE**

**M. SPECIAL EXCEPTIONS PREVIOUS POSTPONEMENTS**

**NONE**

**N. SPECIAL EXCEPTIONS RECONSIDERTIONS**

**NONE**

**O. SPECIAL EXCEPTIONS RECONSIDERATION PREVIOUS POSTPONEMENTS**

**NONE**

**P. VARIANCES PREVIOUS POSTPONEMENTS**

**P-1 C15-2018-0046 Lila Nelson for Frank Chef and Sharon Shuppert  
1800 E. Martin Luther King Jr. Boulevard**

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

A. (B) (2) to decrease the required setback from a property on which a use permitted in SF-5 or more restrictive zoning district is located from 15 feet (required) to 5 feet (requested) for the building and 0 feet (requested) for the proposed at-grade parking, landscaping, solid fence; and to

B. (D) (1) to increase the height limitations for a structure that is 50 feet or less from a property on which a use permitted in an (SF-5) or more restrictive zoning district is

located from two-stories and 30 feet (required, permitted) to three stories and 33 feet (requested)

in order to erect a medical office and five multifamily residential units in an “LO-MU-V-NP”, Limited Office - Mixed Use – Vertical Mixed Use - Neighborhood Plan zoning district. (Upper Boggy Creek)

Note: the current zoning requires that one of the five multifamily units be designated as affordable, further it would otherwise permit 40’ height with 0’ setback if these compatibility standards did not also have to be met.

**P-2 C15-2018-0050 Alex Finnell  
2003 Tillostson Avenue**

The applicant has requested variance(s) to:

A. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot size from 5,750 square feet (required) to 5,382 square feet (requested); and to

B. Section 25-2-774 (Two-Family Residential Use) (C) (5) (a) to increase the floor-to-area ratio of the second dwelling unit from 0.15 (required, permitted) to 0.18 (requested); and to

C. Subchapter F. – Residential Design and Compatibility Standards, Section 2.7.1 Development Standards (Side Wall Articulation) to increase the unbroken length of sidewall from 36 feet (required, maximum permitted) to 39.5 feet (requested)

in order to permit a second dwelling unit with an internal staircase to be added to this existing lot in an “SF3-NP”, Family Residence – Neighborhood Plan zoning district. (Central East Austin)

## **Q. VARIANCE RECONSIDERATIONS**

**Q-1 C15-2018-0043 Alecia Browner  
3906 Manchaca Road**

The applicant has requested variance(s) from:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum side yard setback from 5 feet (required) to 2.1 feet (requested) along the south property line; and to

B. Section 25-2-1062 (C) (Height Limitations and Setbacks for Small Sites) to decrease the minimum side and rear setback from an SF-5 or more restrictive property from 22 feet (required) to 5 feet (requested)

in order to maintain a recently erected fabric and steel cantilevered shade structure for the parking area of an office building in a “LO-MU”, Limited Office – Mixed Use zoning district.

**Q-2 C15-2018-0051 Terry Roth for John Savage, Mount Bonnell Shores  
Colorado Crossing  
4704 Colorado Crossing**

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 dock length 30 feet (required) to 39.4 feet (requested, existing) in order to reconstruct a neighborhood association day boat and swim dock in an “LA” Lake Austin Residence zoning district.

**R. VARIANCES RECONSIDERATION PREVIOUS POSTPONEMENTS**  
**NONE**

**S. NEW BUSINESS**

**S-1** Working group suggested revisions to Board Rules including discussion, Legal staff comment, and potential action

**S-2** December 10, 2018 Board activity report

**S-3** Discussion of adopted 2018, 19 BOA fees  
(WORKING GROUP: Michael Von Ohlen, Christopher Covo, Rahm McDaniel, Eric Goff)  
<https://mailchi.mp/austintexas/epmgx64ngh-1515153?e=bc7a948754>

**S-4** Discussion of the BOA application and required information  
(WORKING GROUP: Bryan King)  
<http://austintexas.gov/page/development-assistance-applications#boa>  
<http://www.austintexas.gov/page/development-assistance-applications#boa>

**S-5** Discussion of BOA staff case review, notice errors, case back up  
[https://library.municode.com/tx/austin/codes/code\\_of\\_ordinances?nodeId=TIT25\\_LADE\\_CH25-1GEREPR](https://library.municode.com/tx/austin/codes/code_of_ordinances?nodeId=TIT25_LADE_CH25-1GEREPR)  
**25-1-212 (REPORT), see case coversheet for new 2019 cases**

**S-6** Discussion of additional elements to potentially add to the BOA DSD webpage and map  
<http://austintexas.gov/department/online-tools>

<http://www.arcgis.com/home/webmap/viewer.html?webmap=15c11c8910ef4221863ae2f2099df2ae&extent=-98.0051,30.1567,-97.4798,30.4149>

- S-7 Discussion of progress DSD has made on the project to post residential plan review administrative memos to DSD website
- S-8 Discussion and possible action to approve a meeting schedule for the upcoming year 2019 for 2<sup>nd</sup> Mondays except for November 1<sup>st</sup> Thursday the 7<sup>th</sup>.
- S-9 Announcements
- S-10 Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests

**T. 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* or email Board Liaison Leane Heldenfels, Development Services, at 512-974-2202/leane.heldenfels@austintexas.gov or Board Secretary Diana Ramirez, Development Services, at 512-974-2241/diana.ramirez@austintexas.gov, for additional information; *TTY users route through Relay Texas at 711*.