



BOARD OF ADJUSTMENT

May 13, 2019

5:30 PM

City Council Chambers

301 West 2nd Street

AUSTIN, TEXAS

___ William Burkhardt (Chair)

___ Jessica Cohen

___ Ada Corral

___ Eric Goff

___ Melissa Hawthorne (Vice Chair)

___ Don Leighton-Burwell

___ Rahm McDaniel

___ Darryl Pruett

___ Veronica Rivera

___ Yasmine Smith

___ Michael Von Ohlen

___ Kelly Blume (Alternate)

___ Martha Gonzalez (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 April 8, 2019 draft minutes

B-2 Staff and Applicant requests for postponement and withdraw of items posted on this Agenda

C. SIGNS NEW PUBLIC HEARINGS

**C-1 C16-2019-0001 Ann Lewis/Rodney Bennett for Steven Spratt
1201 West 38th Street**

The applicant has requested a variance (s) to:

A. Section 25-10-131 (D) (Additional Freestanding Signs Permitted) to increase the total number of freestanding signs from 2 (required, permitted) to 4 (requested, 1 to be replaced 3 existing to remain); and to

B. Section 25-10-191 (Sign Setback Requirements) (E) to decrease the feet a sign with a support of more than 36 inches in diameter must be set back from street right of way from 12 feet (required) to 6 feet (requested, existing)

in order to replace one existing freestanding sign at this site in the Commercial Sign District within a “PUD”, Planned Unit Development zoning district.

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 C15-2019-0022 Jason Asbury for Travis County
5501 Airport Boulevard**

The applicant has requested variance(s) to Section 25-2-492 (D) (*Site Development Regulations*) to Section 25-6 Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces from 360 spaces (required) to 339 spaces (requested, 271 spaces existing) in order to add 6,000 square feet office space for 240 employees in a “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use building – Conditional Overlay – Neighborhood Plan zoning district. (North Loop)

I-2 C15-2019-0025 Jeffrey Howard for Rebecca Davis

2404 Sweetbrush Drive

The applicant has requested variance(s) to Section 25-2-515 (Rear Yard of Through Lot) to decrease the through lot rear yard from 25 feet (required) to 10 feet (requested) in order to erect a single family home in a “SF-3-NP”, Family Residence zoning district. (West Austin Neighborhood Group)

**I-3 C15-2019-0026 Jay Dupont for Melissa Wise
2800 Rivercrest Drive**

The applicant has requested variance(s) to Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) to increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required, permitted) to 41 percent (requested) in order to remodel and provide an addition to a single family residence in a “LA”, Lake Austin zoning district.

Note: This section of the Land Development Code applies to lots that are included in a subdivision plat recorded before April 22, 1982 or on a tract that is not required to be platted.

**I-4 C15-2019-0027 Bryan Lym for Barbara Stevens, Daughters of the
Republic of Texas
810 ½ San Marcos Street**

The applicant has requested variance(s) to Ordinance 010607-23, Part 3 to increase the height from 40 feet (required, permitted) to 50 feet (requested) in order to construct a cultural center – the Republic of Texas History Museum - in an “GR - MU - CO - NCCD - NP”, Community Commercial – Mixed Use – Conditional Overlay - Neighborhood Conservation Combining District-Neighborhood Plan zoning district. (11th Street)

J. INTERPRETATIONS PREVIOUS POSTPONEMENTS

**J-1 C15-2019-0018 Ronald Sawey
2311 Shoal Creek Boulevard**

The applicant has filed an appeal challenging the Land Use Determination of 2311 Shoal Creek Blvd. as a single family residence use in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West University)

The applicant maintains that the use is either club/lodge or group residential.

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 C15-2017-0047 Janis Smith, P.E. for Ryan Dumont
3602 Rivercrest Drive**

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 67 feet (requested) in order to construct a new dock in an “LA”, Lake Austin zoning district.

**P-2 C15-2019-0013 Dave Anderson for North Central Catholic School
9400 Neenah Avenue**

The applicant has requested a variance from 25-2-Subchapter E (Design Standards and Mixed Use), Section 2.3. (Connectivity Between Sites) 1. (Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity) B. (Standards) 1. (Vehicular and Pedestrian Connections Between Sites)

A. a. to not provide either private drive or public street connections to existing private drives or public streets on adjacent sites or stub-outs if connections are not feasible; and to

B. b. where a public street is adjacent to the property line, to not provide direct pedestrian and bicycle access from that street to a customer entrance

in order to amend the connectivity portion of the site plan at this address in a GO-CO (General Office – Conditional Overlay) zoning district.

**P-3 C15-2019-0019 Jim Wittliff for Alvin Momin
12401 Tech Ridge Boulevard**

The applicant has requested a variance(s) to Section 25-2-814 (Service Station Use) (3) to increase the queue lanes from 8 (required, permitted) to 12 (requested) in order to add a retail gas service station in a “GR” Community Commercial zoning district.

**P-4 C15-2019-0020 Jarrod E. Cunningham
3804 Counselor Drive**

The applicant has requested a variance(s) from Section 25-2-899 (D) (Fences as Accessory Uses) to increase the fence height permitted from an average of 6 feet, maximum of 7 feet (required/permitted) to 8 feet (requested) in order to replace an existing solid privacy fence in an “SF-2” Family Residence zoning district.

**P-5 C15-2019-0021 Sandra Wilson
3004 Bonnie Road**

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, up to 8 feet permitted with adjacent signatures) to 8 (requested) in order to maintain a recently constructed fence on a corner lot with swimming pool in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin)

Q. VARIANCE RECONSIDERATIONS

**Q-1 C15-2019-0016 Jim Wittliff for Alvin Momin
13414 Harrisglenn Drive**

The applicant has requested a variance(s) to Section 25-2-814 (Service Station Use) (3) to increase the queue lanes from 8 (required, permitted) to 12 (requested) in order to add a retail gas service station in a “GR” Community Commercial zoning district.

R. VARIANCES RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

S. NEW BUSINESS

S-1 Discussion and possible action regarding Board Rules Resolution to City Council

S-2 Discussion of the April 8, 2019 Board activity report

S-3 Discussion and possible action 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

25-1-212 (REPORT), see case coversheet for new 2019 cases

S-4 Discussion and possible action 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-5 Discussion and possible action of progress DSD has made on the project to post residential plan review administrative memos to DSD website
- S-6 Discussion and possible action regarding the Board's Annual Internal Review Report to Council
- S-7 Discussion and possible action regarding City Attorney conflict-of-interest
- S-8 Announcements
- S-9 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 Elaine Ramirez, Development Services, at 512-974-2202/elaine.ramirez@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*.