

**From:** [REDACTED] [BC](#)  
**To:** [Linseisen, Andrew](#)  
**Cc:** [Johnson, Christopher \[DSD\]](#); [Ramirez, Elaine](#); [Simmons, Lee](#)  
**Subject:** Re: Board of Adjustment Meeting Dates  
**Date:** Wednesday, February 19, 2020 4:14:42 PM

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Andy,

Thanks for your reply. As mentioned to Mr. Cronk, Board of Adjustment wants to have some priority in the scheduling of our meetings (relative to other advisory groups). We realize that with the on-going efforts on the new LDC that City Council and Planning Commission should have first-pick of Council Chambers.

It is our hope that BOA's use of the Council Chambers (re: dates of our monthly meetings) will take precedent over other groups due to the nature of the work that we do on behalf of the City. When alternative dates have been investigated in the past, we were told that other advisory groups (that currently have dates desired by BOA) will or cannot change their dates. We are hoping that our needs take some precedent in establishing calendar priorities.

Thanks for your help with this matter and we look forward to seeing what you can do to accommodate BOA's desires regarding this matter.

Respectfully,

Don Leighton-Burwell, AIA  
Board of Adjustment Chair

On Feb 17, 2020, at 4:39 PM, Linseisen, Andrew  
<[Andrew.Linseisen@austintexas.gov](mailto:Andrew.Linseisen@austintexas.gov)> wrote:

Don,

I have reached out to our staff working on the new PDC about when the large meeting space might become available. Based on the information that I have, my expectation is the space will likely be available in July or August but will follow up with you once this information is available. Thanks

Andy

**Andrew J. Linseisen, P.E., CNU-A**

Assistant Director

[City of Austin Development Services Department](#)

One Texas Center, 505 Barton Springs Road, 7<sup>th</sup> Floor

**Office:** 512-974-2239

<[image001.png](#)>

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**PER CITY ORDINANCE:** All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link: [DSD Visitor Log](#).

*Please note that all information provided is subject to public disclosure via DSD's open data portal. For more*

information please visit: [City of Austin Ordinance 2016-0922-005](#) | [City Clerk's website](#) | [City Clerk's FAQ's](#)

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**From:** Cronk, Spencer

**Sent:** Friday, February 14, 2020 3:38 PM

**To:** Leighton-Burwell, Don - BC [REDACTED]

**Cc:** Linseisen, Andrew <[Andrew.Linseisen@austintexas.gov](mailto:Andrew.Linseisen@austintexas.gov)>

**Subject:** RE: Board of Adjustment Meeting Dates

Chair Leighton-Burwell,

I appreciate you bringing this concern to my attention. Given that the Board of Adjustment (BOA) hears applications for appeals and variances, the matter of cancelled or rescheduled meetings can be disruptive for the BOA, City staff, applicants, and residents who have planned to attend these meetings. It is my understanding that staff has made several attempts, at the request of the BOA, to work with the City Clerk's Office to explore changing the BOA meeting night. Unfortunately, the schedule for the use of the Council Chambers is full, and the request has not been able to be accommodated.

Andy Linseisen, Assistant Director at the Development Services Department, is the Executive Sponsor for the BOA. I will ask that Andy work with you, the BOA, and the City Clerk's Office to again explore the feasibility of alternate meeting nights. Andy can also bring forward information to the BOA regarding the availability of meeting space being incorporated into the new Planning and Development Center (PDC). Both the Development Services Department and Planning and Zoning Department will be moving to the PDC this summer, and the new meeting space could present an opportunity for the BOA to move its meeting night.

Best regards,  
Spencer

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**From:** Leighton-Burwell, Don - BC <[\[REDACTED\]](#)>

**Sent:** Wednesday, January 15, 2020 1:55 PM

**To:** Cronk, Spencer <[\[REDACTED\]](#)>

**Cc:** Adler, Steve <[\[REDACTED\]](#)>; Renteria, Sabino

<[\[REDACTED\]](#)>; Tovo, Kathie <[\[REDACTED\]](#)>;

Pool, Leslie <[\[REDACTED\]](#)>; Garza, Delia

<[\[REDACTED\]](#)>; Casar, Gregorio <[\[REDACTED\]](#)>;

Kitchen, Ann <[\[REDACTED\]](#)>; Alter, Alison

<[\[REDACTED\]](#)> Flannigan, Jimmy

<[\[REDACTED\]](#)> Ellis, Paige <[\[REDACTED\]](#)>;

Harper-Madison, Natasha <[\[REDACTED\]](#)>; Rusthoven, Jerry

<[Jerry.Rusthoven@austintexas.gov](mailto:Jerry.Rusthoven@austintexas.gov)>; Lloyd, Brent <[brent.lloyd@austintexas.gov](mailto:brent.lloyd@austintexas.gov)>;  
Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>; Beaudet, Annick

**Subject:** Board of Adjustment Meeting Dates

Mr. Cronk,

I am writing to you on behalf of the **Board of Adjustment** regarding concern about our meeting dates. As you know, the Board of Adjustment is mandated by State Law and is one of only two Boards and Commissions mentioned in the Land Development Code.

As a sovereign, quasi-judicial body, our decisions are not forwarded to City Council and can only be challenged in District Court. However, given the gravity of our judgments and the importance of our existence at both the State and City levels, we are not afforded any special consideration regarding our meeting dates.

Due to the rush by City Council to adopt CodeNEXT v4, our December meeting was cancelled and now our February meeting has been rescheduled to accommodate the same. We understand that on rare occasion that this might be necessary, but ask that our calendar be honored when possible.

In addition, and more importantly, the BOA is NOT given any preferential consideration regarding the scheduling of other Boards and Commissions. It is our belief that only City Council, Planning Commission and ZAP (all mentioned in the LDC) should have equal footing regarding priority scheduling of our meetings. We do not think that other Boards and Commissions that serve ONLY an advisory role to City Council should have precedence when creating the annual calendar.

To that end, we are requesting that you work with the BOA to **prioritize our meeting dates** (and possible change in schedule to another night), as we are told that we are unable to impact the calendar without your assistance. I have discussed this with Brent Lloyd and he indicated to me that he concurs with our sentiments on this matter (given the important legal implications of our work).

Please get back with me at your earliest convenience to address this issue. Thanks for your help in this matter.

Gratefully,

Don Leighton-Burwell, AIA  
Board of Adjustment Chair

Don Leighton-Burwell  
Boards and Commissions

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Scheduled Meeting Disclosure Information: Written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question for compensation on behalf of another person. Anyone scheduling or accepting a meeting invitation with a City Official must either acknowledge that the disclosure requirement does not apply or respond to the following survey:

<https://www.surveymonkey.com/r/BCVisitorLog>

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Don Leighton-Burwell  
Boards and Commissions

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