



Annual Internal Review

This report covers the time period of 7/1/2019 to 6/30/2020

BOARD OF ADJUSTMENT

The Board's mission statement (per the City Code, Title 2 Administration) is:

Mission Statement

The Board of Adjustment mission is defined by Article 2-1-111 Board of Adjustment and the Board of Adjustment Bylaws which state:

The purpose of the Board of Adjustment is to:

- (1) Hear and decide requests for a variance from the requirements of Chapter 25-2 (Zoning), except as otherwise provided by the Code; and,
- (2) Hear and decide a request for a special exception under Chapter 25-2 (Zoning); and,
- (3) Hear and decide an appeal of an administrative action under Chapter 25-2 (Zoning); and,
- (4) Hear and decide on a request for a variance from the requirements of airport zoning regulations under Section 241.034, Local Government Code; and,
- (5) Perform other duties prescribed by ordinance, such as to hear and decide requests for a variance from the requirements of Chapter 25-10 (Sign Regulations); and,
- (6) Perform other duties prescribed by state law.

Board Actions

The following actions of the Board were taken during the period between July 1, 2019 and June 30, 2020 in support of the Board's mission.

A. Meetings:

Twelve (12) meetings were scheduled for the Board of Adjustment during the reporting period. December 2019 meeting was cancelled due to unavailability of space and April 2020 meeting was cancelled due to COVID-19.

1. The Board of Adjustment met ten (10) times in support of the purposes and duties noted above. Two scheduled meetings were cancelled; May and June 2020 meetings were held via Tele-Conference, due to COVID-19.
2. The Board of Adjustment cancelled special called meeting and/or workshop one (1) time. Workshop-training was originally scheduled for April 2020.
3. The Board of Adjustment heard zero (0) cases related to airport zoning regulations.
4. After the July 2019 meeting, the Chair resigned. A new Chair was elected at the August 2019 meeting.
5. Beginning on the November 2019 agenda, hyperlinks were added to more easily access case back-up materials.
6. Workgroups were formed to address BOA concerns regarding the LDC re-write; Transportation Criteria/Code Recommendations; BOA Fees; Guidelines for Postponements; and, Coordination with City Staff.
7. City Council adjusted BOA fees in 2019 (based on BOA resolution) to create more equitable costs for Austin's citizens.

B. Variance Cases Heard:

1. The Board heard a total of 109 items related to variance requests from the requirements of 25-2 (Zoning) and 25-10 (Sign Regulations), plus had 63 discussion items (new business items) during the reporting period. That equates to an average total case load of approximately 11 agenda items per month of which 45 were new cases which equates to an average of approximately 5 new cases per month.

2. Disposition of variance cases:

A. Granted	34
B. Denied	6
C. Withdrawn	12
D. Postponed	57

C. Special Exception Cases Heard:

The Board of Adjustment heard zero (0) Special Exception cases.

D. Interpretation Cases Heard:

The Board of Adjustment heard one (1) Appeals of an Administrative Action/Interpretation cases. That case was eventually withdrawn.

E. Staff Presentations:

City of Austin staff made no presentations (except BOA's own liaison and legal counsel) to the Board in support of the purposes noted in (A) above during this reporting period. Greater involvement and presentations by DSD staff have been requested by BOA, but to date that none have taken place.

F. Board Working Groups

The Board of Adjustment had five (5) working groups during this reporting period:

- Transportation Criteria/Code Recommendations (pending)
- LDC Re-write Work Group – Recommendations were forwarded to PC & Council
- BOA Fees Work Group – Resolution will be forwarded to Council (approved)
- Guidelines for Postponements (pending)
- Coordination with City Staff (in formation)

G. Members of the Board

- Board of Adjustment regular members, eleven (11)
- Board of Adjustment alternate members, two (2); one VACANT position

H. Election of officers

The election of officers was held at the June 8, 2020 meeting. Don Leighton-Burwell was elected Chair and Melissa Hawthorne was elected Vice Chair.

1. The election of officers allows the Board to meet its obligation for the orderly conduct of its meetings in support of the purposes and duties of the Board.
2. Board's actions comply with the Mission Statement

All official actions of the Board are consistent with the purposes and duties set out in the Board Bylaws which constitute our mission statement.

3. Board goals and objectives for the 2019-2020 reporting period.

See goals and objectives for the 2019-2020 reporting period below. These were the same goals and objectives for the 2018-2019 reporting period and were met through actions of the Board at their monthly meetings.

4. Boards goals and objectives for the 2019-2020 reporting period
 - A. Maintain standards for granting variances that meet the findings of fact.
 - B. Conduct meetings in a fair and impartial manner for all parties.
 - C. Work with staff as needed with regard to regulatory issues.
 - D. Make recommendations to the City Council as needed on improving the variance process.

End of the Annual Internal Review