



MINUTES

Special Meeting of the Board of Adjustment August 10, 2020

Board of Adjustment to be held August 10, 2020 with Social Distancing Modifications

The Board of Adjustment on August 10th, 2020, due to current situation with COVID-19, the meeting will be held virtually online and viewable at <http://www.atxn.tv> beginning at 5:30pm.

Public comment will be allowed via telephone; no in-person input will be allowed. **All speakers must register in advance (August 9, 2020 by Noon)**. All public comment will occur at the beginning of the meeting.

To speak remotely at the **August 10, 2020, Board of Adjustment** Meeting, residents must:

- Call or email the board liaison, Elaine Ramirez at **512-974-2202** or **elaine.ramirez@austintexas.gov** no later than noon, (August 9, 2020). The information required is the speaker name, item number(s) they wish to speak on, whether they are for/against/neutral, and a telephone number or email address.
- Once a request to speak has been called in or emailed to the board liaison, residents will receive either an email or phone call providing the telephone number to call on the day of the scheduled meeting.
- Speakers must call in at least 15 minutes prior to meeting start in order to speak, late callers will not be accepted and will not be able to speak.
- Speakers will be placed in a queue until their time to speak.
- Handouts or other information may be emailed to **elaine.ramirez@austintexas.gov** by Noon the day before **August 9 2020** the scheduled meeting. This information will be provided to Board and Commission members in advance of the meeting.
- If this meeting is broadcast live, residents may watch the meeting here: <http://www.austintexas.gov/page/watch-atxn-live>



MEETING MINUTES

August 10, 2020

The Board of Adjustment meeting convened on Monday, August 10, 2020 via Videoconference; <http://www.austintexas.gov/page/watch-atxn-live> .

Don Leighton-Burwell (Chair) called the Board Meeting to order at 5:31 p.m.

Board Members in Attendance: Brooke Bailey, Jessica Cohen, Ada Corral, Melissa Hawthorne (Vice Chair), William Hodge, Don Leighton-Burwell (Chair), Rahm McDaniel, Darryl Pruett, Yasmine Smith, Michael Von Ohlen, Kelly Blume (Alternate)

Board Members Absent: Veronica Rivera

Board Staff in Attendance: Elaine Ramirez (Board Liaison) Lee Simmons (Board Attorney) and Diana Ramirez (Board Secretary)

A. DISCUSSION AND REQUESTED ACTION ITEM

A-1 Staff requests approval of July 13, 2020 draft minutes

On-Line Link: [Item A-1](#)

Board Member Melissa Hawthorne motions to approve the minutes for July 13, 2020, Board member Brooke Bailey seconds on a vote 11-0; APPROVED MINUTES FOR JULY 13, 2020

B. DISCUSSION AND REQUESTED ACTION ITEM

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

NO POSTPONEMENTS/WITHDRAWALS

C. VARIANCES NEW PUBLIC HEARINGS

C-1 C15-2020-0036 David Cancialosi for Travis Machen
3005 Westlake Drive

On-Line Link: [Item C-1 PRESENTATION](#)

The applicant is requesting a variance(s) from Section 25-2-551 (Lake Austin (LA) District Regulations) to reduce the Shoreline Setback requirement from 75 feet (required)

to 25 feet (requested) for a main body, canal and man-made cove in order to construct a Single-Family Residential use in an “LA” zoning district.

The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant (as per previously approved variance C15-2019-0003 dated January 14, 2019) and as per drawing C-1/15 and no structure spanning the inlet access point, Board Member William Hodge seconds on an 11-0 vote; GRANTED (AS PER PREVIOUSLY APPROVED VARIANCE C15-2019-0003 DATED JANUARY 14, 2019) AND AS PER DRAWING C-1/15 AND NO STRUCTURE SPANNING THE INLET ACCESS POINT.

**C-2 C15-2020-0037 James Schissler for Paul Stables c/o Cooee Yakka, LLC
43 North IH 35 SVRD**

On-Line Link: [Item C-2 PRESENTATION](#)

The applicant has requested variance(s) to Section 25-6-472 (*Parking Facility Standards*) Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces from 15 spaces (required) to 11 spaces (requested) in order to erect a 5,820 sq. ft. Administrative Office Building in a “GR-MU-V-CO-NP”, Community Commercial – Mixed Use - Vertical Mixed Use building – Conditional Overlay – Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to Grant, Board Member William Hodge seconds on an 11-0 vote; GRANTED.

D. VARIANCES PREVIOUS POSTPONEMENTS

**D-1 C15-2019-0063 Micah King for Stephen H. Rison
1507 Fairfield Drive**

On-Line Link: [Item D-1 PRESENTATION](#)

The applicant is requesting a variance(s) from the minimum setback requirement of LDC Section 25-2-492 (*Site Development Regulations*) (D) to decrease the rear setback requirement from 10 feet (required) to 5 feet (requested) in order to maintain an existing shed in an “SF-3-NP”, Single-Family zoning district. (Wooten Neighborhood Plan)

The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant, Board Member Rahm McDaniel seconds on an 10-1 vote (Board member Darryl Pruett nay); GRANTED.

**D-2 C15-2020-0029 Ryan Bollom for John S Peet
1711 Waterston Avenue**

On-Line Link: [Item D-2 Part1](#) [Part2](#) [Part3](#) [PRESENTATION](#)

The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from

1. Setback requirements to decrease the minimum interior side setback from 5 feet (required) to 3ft. 6 in. (requested)
2. Setback requirements to decrease the minimum rear yard setback from 10 feet (required) to 5 feet (requested)
3. Building Cover requirements to increase from 40% (maximum allowed) to 55% (requested)
4. Impervious Cover requirements to increase from 45% (maximum allowed) to 65% (requested)

in order to construct an addition to an existing Single-Family residence in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

The public hearing was closed by Chair Don Leighton-Burwell, Board Member Jessica Cohen motions to Grant variance #1 interior side setback to 3 ft. 6 in (for carport ONLY); #2 rear yard setback remain at 10 ft.; #3 building coverage to 44%; #4 impervious coverage to 49% and conditions that the carport remain open on all 3 sides and requires a rain water harvesting (to capture additional run-off above 45% IC), Board Member Michael Von Ohlen seconds on an 11-0 vote; GRANTED VARIANCE #1 INTERIOR SIDE SETBACK TO 3 FT. 6 IN (FOR CARPORT ONLY); #2 REAR YARD SETBACK REMAIN AT 10 FT.; #3 BUILDING COVERAGE TO 44%; #4 IMPERVIOUS COVERAGE TO 49% AND CONDITIONS THAT THE CARPORT REMAIN OPEN ON ALL 3 SIDES AND REQUIRES A RAIN WATER HARVESTING (TO CAPTURE ADDITIONAL RUN-OFF ABOVE 45%IC).

E. NEW BUSINESS

- E-1** Discussion of the July 13, 2020 Board activity report
On-Line Link: [Item E-1](#)

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

- E-2** Discussion and possible action regarding on an Open BOA Alternate Position; need Mayor Adler to make appointment, ASAP

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

- E-3** Discussion and possible action regarding on Staff & PC Coordination Workgroup (Leighton-Burwell, Hawthorne, Von Ohlen & Bailey); coordination with COA

Planning Staff (including reporting, presentations and general accountability) and Planning Commission (including LDC overlap (e.g. Sign Regulations, etc).

On Line Link: [Item E-3](#)

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

E-4 Discussion and possible action regarding UNO Sign regulations – requesting presentation by City Staff (Jerry Rusthoven or Andy Linseisen)

On Line Link: [Item E-4](#)

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

E-5 Discussion and possible action regarding on the draft LDC; BOA LDC Workgroup Report (Workgroup Members: Leighton-Burwell, Hawthorne, Cohen, Hodge and Smith)

DISCUSSED; TABLE THIS ITEM UNTIL OUT OF COVID-19

E-6 Discussion and possible action regarding on the FY 2020-21 Budget Calendar - postponed workshop/training for BOA, New Workgroup (Cohen, Smith and Von Ohlen) to look at access to BOA for lower income applicants and possible funding to help those without resources to pay current fees.

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

E-7 Discussion and possible action regarding Workgroups Update: Transportation Criteria/Code Recommendations Workgroup (Smith, Hodge & Corral)

- Resolution re: DSD Representation (No response from City Staff)
- Transportation Criteria Manual (e.g. Gas Islands)
- Regular BOA Issues that might trigger Code Revision

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

E-8 Discussion and possible action regarding alternative meeting dates and locations

DISCUSSED; CONTINUE TO SEPTEMBER 14, 2020

E-9 Announcements

E-10 Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests

F. ADJOURNMENT 8:14 PM

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](tel:512-974-2202)/elaine.ramirez@austintexas.gov or Board Secretary Diana Ramirez, Development Services, at [512-974-2241](tel:512-974-2241)/diana.ramirez@austintexas.gov , for additional information; *TTY users route through Relay Texas at 711*.

For more information on the Board of Adjustment, please contact Board Liaison, Elaine Ramirez, Development Services, at [512-974-2202](tel:512-974-2202)/elaine.ramirez@austintexas.gov.