



Special Meeting of the Board of Adjustment November 9, 2020

Board of Adjustment to be held November 9, 2020 with Social Distancing Modifications

The Board of Adjustment on November 9, 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 (November 8, 2020 by Noon)**. All public comment will occur at the beginning of the meeting.

To speak remotely at the **November 9, 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, (**November 8, 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 **November 8, 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>

Reunión del **Board of Adjustment**

FECHA de la reunion (**November 9, 2020**) a la 5:30 pm

<http://www.atxn.tv>

La junta se llevará con modificaciones de distanciamiento social

Se permitirán comentarios públicos por teléfono; no se permitirá ninguna entrada en persona. Todos los oradores deben registrarse con anticipación (**November 8, 2020** antes del mediodía). Todos los comentarios públicos se producirán al comienzo de la reunión.

Para hablar de forma remota en la reunión, los residentes deben:

- Llame o envíe un correo electrónico al enlace de la junta a Elaine Ramirez 512-974-2202 o elaine.ramirez@austintexas.gov a más tardar al mediodía (el día antes de la reunion-**November 8, 2020**). La información requerida es el nombre del orador, los números de artículo sobre los que desean hablar, si están a favor / en contra / neutrales, y un número de teléfono o dirección de correo electrónico.
- Una vez que se haya llamado o enviado por correo electrónico una solicitud para hablar al enlace de la junta, los residentes recibirán un correo electrónico o una llamada telefónica con el número de teléfono para llamar el día de la reunión programada.
- Los oradores deben llamar al menos 15 minutos antes del inicio de la reunión para poder hablar, no se aceptarán personas que llamen tarde y no podrán hablar.
- Los oradores se colocarán en una fila hasta que llegue el momento de hablar.
- Los folletos u otra información pueden enviarse por correo electrónico a elaine.ramirez@austintexas.gov antes del mediodía del día anterior (**November 8, 2020**) a la reunión programada. Esta información se proporcionará a los miembros de la Junta y la Comisión antes de la reunión.
- Si esta reunión se transmite en vivo, los residentes pueden ver la reunión aquí: <http://www.austintexas.gov/page/watch-atxn-live>



**BOARD OF ADJUSTMENT
AGENDA
VIA VIDEOCONFERENCING**

The Board of Adjustment meeting on November 9, 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.

___ Brooke Bailey
___ Jessica Cohen
___ Ada Corral
___ Melissa Hawthorne (Vice Chair)
___ William Hodge
___ Don Leighton-Burwell (Chair)
___ Rahm McDaniel

___ Darryl Pruettt
___ Veronica Rivera
___ Yasmine Smith
___ Michael Von Ohlen
___ Kelly Blume (Alternate)
___ Martha Gonzalez (Alternate)
___ Donny Hamilton (Alternate)

CALL TO ORDER

CITIZEN COMMUNICATION: GENERAL

The first (4) four speakers who register to speak no later than noon the day before the meeting will be allowed a three-minute allotment to address their concerns regarding **items not posted on the agenda.**

A. DISCUSSION AND REQUESTED ACTION ITEM

A-1 Staff requests approval October 12, 2020 draft minutes
On-Line Link: [Item A-1](#)

B. DISCUSSION AND REQUESTED ACTION ITEM

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

C. SIGNS NEW PUBLIC HEARINGS

C-1 C16-2020-0007 Eric Beegun for Tim Finley
2234 Guadalupe Street

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

The applicant is requesting a sign variance(s) from the Land Development Code, Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (G) to allow for one (1) wall sign, one (1) blade sign, and a vinyl letter board, all illuminated in order to provide signage for Sweetgreen restaurant in a “CS-CO-NP”, General Commercial Services- Conditional Overlay Combining District– Neighborhood Plan zoning district. (West University)

Note: The Land Development Code sign regulations 25-10-133 University Neighborhood Overlay Zoning Districts Signs (G) states a sign may not be illuminated or contain electronic images or moving parts.

D. VARIANCES NEW PUBLIC HEARINGS

**D-1 C15-2020-0058 Laurence M. Ramirez
301 North Pleasant Valley Road**

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

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

- a) to decrease the minimum lot size requirement from 8,000 square feet (required) to 6,325 square feet (requested)
- b) to decrease the minimum lot width from 50 feet (required) to 46 feet (requested)

in order to erect a three story Multi-Family residence in a “MF-2-NP”, Multi-Family Residence – Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

**D-2 C15-2020-0062 Desra Bradford for Stacey Durham
13000 Kenswick Drive**

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

The applicant is requesting a variance(s) from LDC Section 25-2-492 (D) (Site Development Regulations) in order to increase the impervious cover from 45% (maximum allowed) to 46.18% (requested), in order to construct an Inground Swimming Pool in a “SF-2”, Single-Family Residence zoning district.

**D-3 C15-2020-0065 Joel Nolan for Sarah Haynie
3708 Robinson Avenue**

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

The applicant is requesting variance(s) from the Land Development Code, Section 25-2-774 (*Two-Family Residential Use*) (C) (2) (a) which requires an Accessory Dwelling Unit to be located at least 10 feet to the rear or side of the principal

structure, to 6 ft. 7 in. from the principal structure (requested) in order to erect a Two-Family Residential Use in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Upper Boggy Creek Neighborhood Plan)

Note: Per LDC the second Dwelling Unit must be contained in a structure other than the principal structure and a) must be located at least 10 feet to the rear or side of the principal structure; or b) above a detached garage.

**D-4 C15-2020-0066 Joel L. Aldridge, AIA for Josephat Valdez
1509 East 14th Street**

On-Line Link: [Item D-4; PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code,

- a) Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 17 feet (requested)
- b) Section 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum rear yard setback from 10 feet (required) to 5 feet (requested)
- c) 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 2 spaces (required) to 0 spaces (requested)

in order to erect a new Single-Family Residence in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (Central East Austin Neighborhood Plan).

**D-5 C15-2020-0068 Courtney Magonue-McWhorter for Peter Huff
3115 Westlake Drive**

On-Line Link: [Item D-5; PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-551 (Lake Austin (LA) District Regulations)

- a) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback from 75 feet (required) to 15 feet (requested) (Canal only)
- b) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (allowed) to 40 percent (requested) in order to erect a new Single-Family Residential Guest House in an “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 a tract that is not required to be platted.

The above address received a Land Status Determination, which shows that the tract is not required to be platted as allowed under (C)(3). The grandfather date is 7/19/1951.

**D-6 C15-2020-0069 Courtney Mogonye-McWhorter for Malia Muir
1230 Rockcliff Drive**

On-Line Link: [Item D-6; PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-551 (Lake Austin (LA) District Regulations) (B) (1) (b) from shoreline setback requirements to reduce the shoreline setback from 25 feet (required) to 10 feet (requested) (canal only) in order to erect a Single-Family Residence in an “LA”, Lake Austin zoning district.

E. VARIANCES PREVIOUS POSTPONEMENTS

**E-1 C15-2020-0050 Rick Rasberry for Meredith Dreiss
3002 Scenic Drive**

On-Line Link: [E-1 PART1, PART2, PART3, PART4, PART5; PRESENTATION](#)

The applicant is requesting variance(s) from the Land Development Code, Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (4) (a) to increase shoreline frontage from 20 percent (maximum allowed) to 30 percent (requested), (30 percent existing) in order to remodel an existing Boat Dock in a “LA”, Lake Austin zoning district.

Note: This section of the Land Development Code (4) the Width of a dock measured parallel to the shoreline of the lot or tract where the dock is proposed, and including all access and appurtenances, may not exceed: (a) 20 percent of the shoreline frontage, if the shoreline width exceeds 70 feet.

**E-2 C15-2020-0054 Mari Russ for Matthew Satter
3612 Govalle Avenue**

On-Line Link: [E-2 PART1, PART2, PART3; PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-774 (*Two-Family Residential Use*) (C) (5)

(a) to increase the total area of a Second Dwelling Unit; unit not to exceed 1,100 total square feet or Floor to Area Ratio of 0.15, whichever is smaller (maximum allowed) to 2,000 square feet (requested) and

(b) to increase the second floor area of a Second Dwelling Unit; 550 square feet on second floor (maximum allowed) to 1,100 square feet (requested) in order to erect an Accessory Dwelling Unit in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Note: 25-2-774 (C) The Second Dwelling Unit: (5) may not exceed: (a) 1,100 total square feet or a floor-to-area ration of 0.15, whichever is smaller; and (b) 550 square feet on the second story, if any; and (6) may not be used as a Short Term Rental for more than 30 days in a calendar year if the second dwelling unit was constructed after October 1, 2015.

**E-3 C15-2020-0057 Lauren Jones for Bryan E. Mayo
901 Terrell Hill Drive**

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

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*)

- a) from setback requirements to decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested) and
- b) from Section 25-2 Subchapter F, Residential Design and Compatibility Standards, Article 3, 3.3 to increase the finished floor elevation of the first story from 3 feet (maximum allowed) to 8 feet (requested) above the "average elevation" in order to erect a Single Family Residence in a SF-3", Single-Family Residence zoning district.

Note: Article 3, 3.3.3 (B) (2) Gross Floor Area states Porches, basements, and attics that meet the following requirements shall be excluded from the calculation of gross floor area: (B) 2. The finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

F. NEW BUSINESS

F-1 Discussion of the October 12, 2020 Board activity report

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

F-2 Discussion and possible action for adopting BOA meeting schedule for Jan 2021– Dec 2021 (2nd Monday of the month)

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

F-3 Discussion and possible action regarding postponed BOA Trainings (including new topic "Area Character"); Staff & PC Coordination Workgroup (Leighton-Burwell, Hawthorne, Von Ohlen & Bailey); and, 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 F-3](#)

F-4 Discussion and possible action regarding UNO Sign regulations – requesting presentation by City Staff (Jerry Rusthoven).

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

F-5 Discussion and possible action regarding staff guidance on LA (Lake Austin) cases (in particular, the intent of increased setback requirements – environmental or other purpose?)

F-6 Discussion and possible action regarding on the FY 2020-21 Budget Calendar - 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.

On Line Link: [Item F-6](#), [Item F-6 UPDATE](#)

F-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

F-8 Discussion and possible action regarding on the draft LDC; BOA LDC Workgroup Report (Workgroup Members: Leighton-Burwell, Hawthorne, Cohen, Hodge and Smith)

F-9 Discussion and possible action regarding alternative meeting dates and locations

F-10 Announcements

F-11 Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests

G. 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](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.