



AGENDA
BOARD OF ADJUSTMENT
September 13, 2021 at 5:30PM
Austin City Hall, Council Chambers, Room 1001
301 West 2nd Street, Austin, Texas 78701

Some members of the Board of Adjustment may be participating by videoconference. The meeting may be viewed online at:
<http://www.austintexas.gov/page/watch-atxn-live>

___ Thomas Ates	___ Agustina Rodriguez
___ Brooke Bailey	___ Richard Smith
___ Jessica Cohen (Chair)	___ Michael Von Ohlen
___ Melissa Hawthorne (Vice Chair)	___ Nicholl Wade
___ Barbara Mcarthur	___ Kelly Blume (Alternate)
___ Rahm McDaniel	___ Carrie Waller (Alternate)
___ Darryl Pruett	___ Vacant (Alternate)

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

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 August 9, 2021 draft minutes
On-Line Link: [Item A-1](#)

B. DISCUSSION AND REQUESTED ACTION ITEM

B-1 Staff and Applicant requests for postponement and withdraw of items posted on this Agenda

C. SIGNS PREVIOUS POSTPONEMENTS

**C-1 C16-2021-0008 Leah M. Bojo for The Standard at Austin, LLC
715 W. 23rd Street**

On-Line Link: [Item C-1 PART1](#); [PART2](#); [PART3](#); [PART4](#); NO PRESENTATION

The applicant is requesting a sign variance(s), a total of 6 signs on the property from the Land Development Code, Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*)

(H) to allow for a total of six (6) signs to all be illuminated, five (5) LED illuminated wall signs and one (1) internally illuminated cabinet wall sign in a “CS-NP”, General Commercial Services – Neighborhood Plan zoning district. (West University Neighborhood Plan)

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

WITHDRAWN BY APPLICANT

D. VARIANCES NEW PUBLIC HEARINGS

**D-1 C15-2021-0083 Victoria Haase for 1207 Taylor Series, LLC-Les Canter
1207 Taylor Street**

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

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

a) 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,676 square feet (requested) (*see Note 1*)

and

b) 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 19.25 feet (requested) in order to erect a Two-Family Residential use (*see Note 2*) in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

Note(s):

a) Per LDC 25-2-774 (*Two-Family Residential Use*) (B) For a two-family residential use the minimum lot area is equivalent to a standard lot.

b) Per LDC 25-2-515 (Rear Yard of a Through Lot) a rear yard must comply with the minimum requirements applicable to a front yard.

**D-2 C15-2021-0085 David Cancialosi for Estates at Lake Austin, LP
1717 Channel Road**

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

The applicant is requesting variance(s) from the Land Development Code, Section 25-2-551 (*Lake Austin District Regulations*) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback from 75 feet (required) to 25 feet (requested) along a man-made inlet in order to erect a Single-Family + associated improvements in a “LA”, Lake Austin zoning district.

E. VARIANCES PREVIOUS POSTPONEMENTS

**E-1 C15-2021-0027 Charles Shapiro
12905 Veronese Drive**

On-line Link: [Item E-1](#); NO PRESENTATION

The applicant is requesting a variance(s) from Section 25-2-492 (Site Development Regulations) from Impervious Cover requirements to increase from 45% (maximum allowed) to 50% (requested), in order to construct a swimming pool to an existing Single-Family residence in an “SF-2”, Single-Family Residence zoning district.

WITHDRAWN BY APPLICANT

**E-2 C15-2021-0055 Ruben Valdez
1206 W. Oltorf Street**

On-Line Link: [Item E-2](#); NO PRESENTATION

The applicant is requesting a variance(s) from the Land Development Code Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 25 feet (required) to 0 feet (requested) in order to maintain a Carport and Covered Entry in a “SF-6-NP”, Single-Family-Neighborhood Plan zoning district (Bouldin Creek Neighborhood Plan).

WITHDRAWN BY APPLICANT

**E-3 C15-2021-0080 Micah King for Darius Fisher
74 San Saba Street, Unit 2**

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*) from:

a) setback requirements to decrease the minimum Rear Yard Setback from 10 feet (required) to 2.1 feet (requested)

b) setback requirements to decrease the minimum Interior Side Yard Setback from 5 feet(required) to 3.9 feet (requested)

and from 25-2-735 (*Festival Beach Subdistrict Regulations*) from

c) impervious cover requirements to increase from 40% (maximum allowed) to 41.38% (requested), (existing 47.8%), in order to maintain a 2nd FL deck on rear accessory structure in a “SF-3-NP”, Single-Family-Neighborhood Plan zoning district (Holly Neighborhood Plan).

Note: 25-2-735 (Festival Beach Subdistrict Regulations) (A) This section applies in the Festival Beach subdistrict of the WO combining district. (D) For an area not included in a primary setback area or a secondary setback area, the maximum impervious cover is: 1) 40 percent.

**E-4 C15-2021-0081 Amanda Swor for Maryelaine Soto & Bill Schurtz
1308 West 9th 1/2 Street**

On-line Link: [Item E-4 PART1](#); [PART2](#); [PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (Maximum Development Permitted) to increase the F.A.R from .4 to 1.0 (required) to .46 to 1.0 (requested) in order to add an addition/remodel to an existing single family residence in an “SF-3-NP”, Single-Family- Neighborhood Plan zoning district (Old West Austin Neighborhood Plan)

Note: 25-2 Subchapter F RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS, Article 2 Development Standards Section 2.1. - MAXIMUM DEVELOPMENT PERMITTED. The maximum amount of development permitted on a property subject to this Subchapter is limited to the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area, as defined in Section 3.3. Floor-to-area ratio shall be measured using gross floor area as defined in Section 3.3, except that the lot area of a flag lot is calculated consistent with the requirements of Section 25-1-22 (Measurements).

F. NEW BUSINESS

F-1 Discussion of the August 9, 2021 Board activity report

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

F-2 Discussion regarding LA zone permitting training –by Susan Barr.

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

F-3 Discussion regarding future BOA hybrid meetings.

F-4 Discussion and possible action regarding an update on the resolution sent to council for the BOA Applicant Assistance Program (BAAP).

F-5 Discussion and possible action to form a BOA Workgroup to review and propose changes to BOA Appeals (including, but not limited to, process and fees)

Waiting New Appointments to BOA

On-Line Link: [Item F-5](#)

F-6 Discussion and possible action regarding postponed BOA Trainings (including new topic “Area Character”); Staff & PC Coordination Workgroup (Rodriguez, 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). (**Jan. 2021:**

Waiting New Appointments to BOA)

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

F-7 Announcements

F-8 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 / 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.*

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