

# BOA Monthly Report July 2021-June 2022

May 9, 2022

## Granted (4)

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of one (1) wall sign, one (1) illuminated blade, and one (1) illuminated parking blade
2. 25-2-601 (*Industrial Park (IP), Major Industry (MI), and Limited Industrial Services (LI) District Regulations*) from setback requirements to decrease the minimum Rear Yard Setback
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback and 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope.
4. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback and 25-2-963 (*Modification and Maintenance of Non-Complying Structures*) (E) (1) (b) to increase the height.

## Postponed (5)

1. 25-10-123 (*Expressway Corridor Sign District Regulations*) (B) (3), to exceed sign height
2. 25-2-757 (*Setbacks; Compatibility*) (E) to decrease minimum 30 feet from the centerline of adjacent street
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback
4. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
5. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope

## Denied (1)

1. 25-2, Subchapter F (*Residential Design and Compatibility Standards*) of the Land Development Code in connection with disapproval of a permit application for construction of a single-family home at the above-referenced address. The primary basis of the appeal is calculation of gross floor area for a “habitable attic” under the Land Development Code, in particular, requirements in Section 3.3 of Subchapter F. The appellant contends that staff incorrectly applies provisions related to the calculation of ceiling height for exempt space as applied to a two-story residence- INTERPRETATION

## Withdrawn (0)

## Discussion Items (5)

May 2022. Interpretations 1 new inquiries

The deposition of the case items: (Added May 9, 2022 #'s)

A. Granted	38
B. Postponed	59
C. Withdrawn	7
D. Denied	7
E. Discussion Items	50

## April 11, 2022

### Granted (7)

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of a blade sign
2. North University NCCD Ord. #040826-058, PART 7(Residential District) from: a) lot width requirements to decrease the minimum lot width and setback requirements to decrease the minimum interior side yard setback
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback
4. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback
5. 25-2-943 (B) (2) (a) (*Substandard Lot*) to decrease the minimum Lot Size
6. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback and Section 25-2-943 (*Substandard Lot*) (B) (1) (a) to decrease the minimum Lot Size
7. 25-2-774 (*Two-Family Residential Use*) (C) (5) (b) from 550 square feet on the second story (maximum allowed), to 864 square feet (requested) and Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R

### Postponed (4)

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*), requesting a total of 12 signs on the property: a) (F) to allow three (3) wall signs above the second floor, one on each the northern, southern and eastern sides b) (G) (1) one projecting sign for each building façade on the eastern side c) (H) to allow for all twelve (12) signs, nine (9) on the northern, one (1) on the southern, one (1) on the eastern and one (1) on the western sides, to all be illuminated
2. 25-10-123 (*Expressway Corridor Sign District Regulations*) (B) (3), to exceed sign height
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback and 25-2-963 (*Modification and Maintenance of Non-Complying Structures*) (E) (1) (b) to increase the height
4. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback and 25-2-551 (*Lake Austin District Regulations*) (C) (3) a) increase the maximum impervious cover on a slope

### Denied (2)

1. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
2. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope

### Withdrawn (0)

### Discussion Items (5)

April 2022. Interpretations 3 new inquiries

The deposition of the case items: (Added April 11, 2022 #'s)

A. Granted	34
B. Postponed	54
C. Withdrawn	7
D. Denied	6
E. Discussion Items	45

## March 14, 2022

### Granted (4)

1. 25-2-531 (*Height Limit Exceptions*)(C) (1) in order to increase the height limit of an elevator shaft
2. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback
3. 25-2-492 (*Site Development Regulations*) to decrease the minimum lot width
4. 25-2 492 (D) (*Site Development Regulations*) to decrease the minimum lot width

### Postponed (9)

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of a blade Sign
2. 25-10-123 (*Expressway Corridor Sign District Regulations*) (B) (3), to exceed sign height
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback from 40 feet (required) to 15 feet (requested) and 2. 25-2-551 (*Lake Austin District Regulations*) (C) (3) (a) increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (allowed) to 48 percent (requested), (58% existing) (c) increase the maximum impervious cover on a slope
4. 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size requirements and b) 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value
5. 25-2-943 (B) (2) (a) (*Substandard Lot*) to decrease the minimum Lot Size requirement
6. Section 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
7. Section 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
8. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback and 25-2-943 (*Substandard Lot*) (B) (1) (a) to decrease the minimum Lot Size
9. 25-2-774 (*Two-Family Residential Use*) (C) (5) (b) from 550 square feet on the second story and Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R

### Denied (1)

1. 25-2- 492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback

### Withdrawn

None

Discussion Items 7 items

Mar 2022. Interpretations 1 new inquiries

The deposition of the case items: (Added Mar 14, 2022 #'s)

A. Granted	27
B. Postponed	50
C. Withdrawn	7
D. Denied	4
E. Discussion Items	40

## February 14, 2022

### Granted 6

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*), requesting a total of 1 sign(s) on the property: (F) to allow one (1) wall signs above the second and (H) to allow for the one (1) sign(s) to all be illuminated
2. 25-2-492 (*Site Development Regulations*) to decrease the minimum front yard setback
3. 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) from: (A) (1) to increase the dock length from the shoreline (A) (4) (b) to increase the dock width parallel to the shoreline
4. 25-2-492 (*Site Development Regulations*) to decrease the minimum front yard setback
5. 25-2-492 (*Site Development Regulations*)(D) to decrease the minimum lot size requirement
6. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*): (C) (2) to increase height limit and (C) (3) to increase allowed height

### Postponed 9

1. 25-10-123 (*Expressway Corridor Sign District Regulations*) (B) (3), to exceed sign height
2. 25-2-492 (*Site Development Regulations*) to decrease the minimum front yard setback
3. 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot width
4. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
5. 25-2-551 (*Lake Austin District Regulations*) (C) (3) increase the maximum impervious cover on a slope
6. 25-2-492 (*Site Development Regulations*) to decrease the minimum front yard setback and 25-2-943 (*Substandard Lot*) (B) (1) (a) to decrease the minimum Lot Size
7. 25-2-774 (*Two-Family Residential Use*) (C) (5) (b) on the second story and Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R
8. 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size and 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value
9. Section 25-2-943 (B) (2) (a) (*Substandard Lot*) to decrease the minimum Lot Size

### Denied 0

### Withdrawn 0

Discussion Items 7 items

Jan 2021. Interpretations 0 new inquiries

The deposition of the case items: (Added Feb, 2022 #'s)

A. Granted	23
B. Postponed	41
C. Withdrawn	7
D. Denied	3
E. Discussion Items	35

**January 10,2022**

**BOA Meeting 1/10/22 –Cancelled due to NO Quorum present  
All cases will be automatic scheduled and re-notified to Feb 14, 2022.**

**December 13, 2021**

**Granted 0**

**Postponed 4**

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*), requesting a total of 1 sign(s) on the property: a)(F) to allow one (1) wall signs above the second floor and b) (H) to allow for the one (1) sign(s) to all be illuminated
2. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*): a)(C) (2) to increase height limit from three (3) stories and 40 feet (maximum allowed) and b)(C) (3) to increase allowed height from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive (maximum allowed)
3. 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,700 square feet (requested) and 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value from 20%
4. 25-2-943 (B) (2) (a) (Substandard Lot) to decrease the minimum Lot Size requirements from 5,750 square feet

**Denied 1**

1. 25-2-899 (D) (*Fences as Accessory Uses*) to exceed the average height

**Withdrawn 1**

1. 25-2-551 (*Lake Austin District Regulations*) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback from 75 feet

**Discussion Items 6 items**

**Dec 2021. Interpretations 0 new inquiries**

**The deposition of the case items: (Added Dec 13, 2021 #'s)**

<b>A. Granted</b>	<b>17</b>
<b>B. Postponed</b>	<b>32</b>
<b>C. Withdrawn</b>	<b>7</b>
<b>D. Denied</b>	<b>3</b>
<b>E. Discussion Items</b>	<b>28</b>

## November 8, 2021

### Granted 5

1. 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback and Subchapter F Residential Design and Compatibility Standards, Article 3, 3.3.2 (A) (1) (Gross Floor Area) for a detached parking area to decrease the minimum distance requirement from the principal structure
2. 25-2-551 (*Lake Austin District Regulations*) (C) (3) a) increase the maximum impervious cover on a slope b) increase the maximum impervious cover on a slope c) increase the maximum impervious cover on a slope and d) increase maximum impervious cover on a slope
3. 25-2-551 (*Lake Austin District Regulations*) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback
4. 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (1) to increase the dock length
5. 25-2-899 (*Fences as Accessory Uses*) (D) & (E) to increase the fence height and Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (2) to increase height limit and Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (3) to increase allowed height

### Postponed 3

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*), requesting a total of 1 sign(s) on the property: a) (F) to allow one (1) wall signs above the second floor and b) (H) to allow for the one (1) sign(s) to all be illuminated
2. 25-2-943 (B) (2) (a) (*Substandard Lot*) to decrease the minimum Lot Size requirements
- 3 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size requirements and 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value

### Denied 0

### Withdrawn 1

1. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (C) (1) (a) increase height limit and b) (C) (2) (a) increase height limit and c) (C) (3) increase height limit

### Discussion Items 8 items

### Nov 2021. Interpretations 0 new inquiries

### The deposition of the case items: (Added Nov 8, 2021 #'s)

A. Granted	17
B. Postponed	28
C. Withdrawn	6
D. Denied	2
E. Discussion Items	22

**October 11, 2021**

*Due to not enough Board Members present at the meeting, all items were postponed to Nov 8, 2021 or as requested by applicant.*

**Granted 0**

**Postponed 9**

- 1) 25-10-133 (University Neighborhood Overlay Zoning District Signs), requesting a total of 1 sign(s) on the property: a)(F) to allow one (1) wall signs above the second floor and b) (H) to allow for the one (1) sign(s) to all be illuminated
- 2) 25-10-133 (University Neighborhood Overlay Zoning District Signs), requesting a total of 12 signs on the property: a)(F) to allow three (3) wall signs above the second floor, one on each the northern, southern and eastern sides.b)(G) (1) one projecting sign for each building façade (allowed) to two (2) projecting signs (requested) on the eastern side c)(H) to allow for all twelve (12) signs, nine (9) on the northern, one (1) on the southern, one (1) on the eastern and one (1) on the western sides, to all be illuminated
- 3) 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (1) to increase the dock length
- 4) 25-2-899 (*Fences as Accessory Uses*) (D) & (E) to increase the fence height and Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (2) to increase height limit and Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (3) to increase allowed height
- 5) 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size and 25-2-947 (*Nonconforming Use Regulation Groups*) (B) (2) to increase the improvement value
- 6) Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (C) (1) (a) increase height limit and b) (C) (2) (a) increase height limit and c) (C) (3) increase height limit
- 7) 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback
- 8) 25-2-551 (*Lake Austin District Regulations*) (C) (3) a) increase the maximum impervious cover on a slope
- 9) 25-2-551 (*Lake Austin District Regulations*) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback

**Denied 0**

**Withdrawn 0**

**Discussion Items 5 items** (all postponed to Nov. 8, 2021)

**Oct 2021. Interpretations 0 new inquiries**

**The deposition of the case items: (Added Oct 11, 2021 #'s)**

<b>A. Granted</b>	<b>12</b>
<b>B. Postponed</b>	<b>25</b>
<b>C. Withdrawn</b>	<b>5</b>
<b>D. Denied</b>	<b>2</b>
<b>E. Discussion Items</b>	<b>14</b>

## September 13, 2021

### Granted 2

- 1) 25-2-492 (*Site Development Regulations*) to decrease the minimum Lot Size requirements and 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback
- 2) 25-2-492 (*Site Development Regulations*) from: a) setback requirements to decrease the minimum Rear Yard Setback b) setback requirements to decrease the minimum Interior Side Yard Setback and 25-2-735 (*Festival Beach Subdistrict Regulations*) from c) impervious cover requirements to increase

### Postponed 1

- 1) 25-2-551 (*Lake Austin District Regulations*) (B) (1) (a) from shoreline setback requirements to reduce the shoreline setback

### Denied 1

- 1) Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (Maximum Development Permitted) to increase the F.A.R

### Withdrawn 3

- 1) 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
- 2) 25-2-492 (*Site Development Regulations*) from Impervious Cover requirements to increase
- 3) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback

### Discussion Items 6

Sept 2021. Interpretations 0 new inquiries

The deposition of the case items: (Added Sept 13 # 2021)

A. Granted	12
B. Postponed	16
C. Withdrawn	5
D. Denied	2
E. Discussion Items	14



## August 9, 2021

### Granted 4

- 1) 25-2-492 (*Site Development Regulations*) to decrease the minimum lot width
- 2) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback
- 3) 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot size requirement
- 4) 25-2-773 (*Duplex Residential Use*) (B) (5) (b) from two stories (maximum allowed) to three stories

### Postponed 8

- 1) 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
- 2) 25-10-133 (*University Neighborhood Overlay Zoning District Signs*), a) (F) to allow three (3) wall signs above the second floor, one on each the northern, southern and eastern sides. b) (G) (1) one projecting sign for each building façade (allowed) to two (2) projecting signs (requested) on the eastern side c) (H) to allow for all twelve (12) signs, nine (9) on the northern, one (1) on the southern, one (1) on the eastern and one (1) on the western sides, to all be illuminated
- 3) 25-2-492 (*Site Development Regulations*) from: a) setback requirements to decrease the minimum Rear Yard Setback b) setback requirements to decrease the minimum Interior Side Yard Setback and from 25-2-735 (*Festival Beach Subdistrict Regulations*) from c) impervious cover requirements to increase
- 4) Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R
- 5) 25-2-492 (*Site Development Regulations*) from Impervious Cover requirements to increase
- 6) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback
- 7) 25-2-551 (*Lake Austin District Regulations*) (C) (3)(a) increase the maximum impervious cover on a slope (b) increase the maximum impervious cover on a slope (c) increase the maximum impervious cover on a slope (d) increase maximum impervious cover on a slope
- 8) 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback

### Denied 0

### Withdrawn 1

- 1) Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R

### Discussion Items 4

Aug 2021. Interpretations 0 new inquiries

The deposition of the case items: (Added aug9# 2021)

A. Granted	10
B. Postponed	15
C. Withdrawn	2
D. Denied	1
E. Discussion Items	8

## July 12, 2021

### Granted 6

- 1) 13-2-862 (G) (*Signs Authorized in all Districts*) from a) sign area 32 square feet and b) 6 feet height above grade
- 2) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum front yard setback
- 3) 25-2-492 (*Site Development Regulations*) a) to decrease the minimum Lot Size requirements and b) to decrease the minimum Front Yard Setback
- 4) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Rear Yard Setback and b) Section 25-5-774 (*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
- 5) 25-2-774 (*Two-Family Residential Use*) (C) (5) (a) from 1,100 total square feet (maximum allowed) to 1,150 square feet (requested) and (b) from 550 square feet on the second story
- 6) 25-2-899 (D) (E) (F) (*Fences as Accessory Uses*) to increase the height permitted

### Postponed 7

- 1) 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback
- 2) 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback
- 3) 25-2-551 (*Lake Austin District Regulations*) (C) (3)(a) increase the maximum impervious cover
- 4) 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot size
- 5) Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the F.A.R
- 6) 25-2-773 (*Duplex Residential Use*) (B) (5) (b) from two stories
- 7) 25-2-492 (*Site Development Regulations*) from Impervious Cover requirements

### Denied 1

- 1) 25-6-472 (*Parking Facility Standards*) Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces

### Withdrawn 1

- 1) 25-2-492 (D) (*Site Development Regulations*) to decrease the minimum lot size requirement

### Discussion Items 4

### July 2021. Interpretations 0 new inquiries

#### The deposition of the case items: (Added aug9# 2021)

- |                     |   |
|---------------------|---|
| A. Granted          | 6 |
| B. Postponed        | 7 |
| C. Withdrawn        | 1 |
| D. Denied           | 1 |
| E. Discussion Items | 4 |