



**BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
MONDAY, January 9, 2023**

The **BOARD OF ADJUSTMENT** convened in a Regular meeting on Monday, January 9, 2023, at 301 West 2nd Street in Austin, Texas.

Chair Jessica Cohen called the Board of Adjustment Meeting to order at 5:44 p.m.

Board Members/Commissioners in Attendance in-Person:

Jessica Cohen – Chair, Melissa Hawthorne-Vice Chair, Michael Von Ohlen,

Board Members/Commissioners in Attendance Remotely:

Brooke Bailey, Barbara McArthur, Darryl Pruett, Agustina Rodriguez, Richard Smith, Nicholl Wade, Kelly Blume (Alternate), Carrie Waller (Alternate)

Board Member/Commissioners absent:

Thomas Ates

PUBLIC COMMUNICATION: GENERAL

The first (4) four speakers signed up/register prior (**no later than noon the day before the meeting**) to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

None

APPROVAL OF MINUTES

1. Approve the minutes of the Board of Adjustment Regular meeting on December 12, 2022.
On-Line Link: [Draft minutes December 12, 2022](#)
Board Member Michael Von Ohlen motions to approve the minutes for December 12, 2022, Board member Melissa Hawthorne seconds on 10-0-1 votes (Board member Barbara McArthur abstains); APPROVED MINUTES FOR DECEMBER 12, 2022.

PUBLIC HEARINGS

2. Discussion of staff and applicant requests for postponement and withdrawal of public hearing cases posted on the agenda. **NONE**

New Variance cases:

3. C15-2023-0001 David Webber for Gale Giger
906 Ebony Street

On-Line Link: [Item 3](#); [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 Gross Floor area of 2,300 square feet (maximum allowed) to 3,014.5 square feet (requested) in order to remodel an existing single-family residence in an “SF-3-NP”, Single-Family- Neighborhood Plan zoning district (Bouldin Creek).

The public hearing was closed by Madam Chair Jessica Cohen, Board member Melissa Hawthorne motions to postpone; Board member Michael Von Ohlen seconds; substitute motion to Deny by Board member Jessica Cohen, Board member Darryl Pruett seconds on 6-5 votes (Board members Melissa Hawthorne, Agustina Rodriguez, Michael Von Ohlen, Kelly Blume and Carrie Waller nay); DENIED.

4. C15-2023-0002 Hector Avila for Sue Jacobs
5801 Sierra Madre

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

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 24 feet 3 inches (requested), in order to maintain a single-family residence in a “SF-2”, Single-Family zoning district.

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve with condition to tie drawing Item04/8 to this approval; Board member Melissa Hawthorne seconds on 11-0 votes; GRANTED WITH CONDITION TO TIE DRAWING ITEM104/8 TO THIS APPROVAL.

DISCUSSION ITEMS

5. Discussion of the December 12, 2022 BOA activity report
On-Line Link: [Item-05](#)
DISCUSSED, CONTINUE TO FEBRUARY 13, 2023
6. Discussion of the Board Members term-expirations
DISCUSSED
7. Discussion of future training for board members
DISCUSSED

DISCUSSION AND ACTION ITEMS

8. Discussion and possible action regarding an update on the resolution sent to council for the BOA Applicant Assistance Program (BAAP).
On Line Link: [Item 8 UPDATE1](#)- <https://www.austintexas.gov/department/city-council/2021/20211014-reg.htm#045>; [ITEM 8 UPDATE2](#)
DISCUSSED, CONTINUE TO FEBRUARY 13, 2023

9. Discussion and possible action by the Board based on the Working Group update on proposed changes to BOA Appeals. (Working group: Barbara McArthur, Darryl Pruett and Kelly Blume)

On-Line Link: [Item 9](#)

DISCUSSED, CONTINUE TO FEBRUARY 13, 2023

FUTURE AGENDA ITEMS

10. Discussion of future agenda items, staff requests and potential special called meeting and/or workshop requests

ADJOURNMENT 6:56 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 business days before the meeting date. Please call the Board Liaison Elaine Ramirez, Development Services Department at 512-974-2202 or email elaine.ramirez@austintexas.gov or the Board Secretary Diana Ramirez, Development Services Department at 512-974-2241 or email 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's Elaine Ramirez, Development Services Department at [512-974-2202](tel:512-974-2202)/elaine.ramirez@austintexas.gov