

# BOA Monthly Report

## July 2022-June 2023

### June 12, 2023

#### Granted (1)

1. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards: a) Section 2.2 (*Building Height*) (A) to increase the height **and** b) Section 2.6 (*Setback Planes*) (B. Rear Setback Plane) to extend outside the inwardly sloping

#### Postponed (4)

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

2. 25-2-943 (*Substandard Lot*) a) (B) (2) (a) to decrease the minimum Lot Size **and** b) (B) (2) (b) to decrease the minimum Lot Width

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

4. 25-2-492 (*Site Development Regulations*) to decrease the minimum lot width

#### Denied (0)

#### Withdrawn (0)

#### Discussion Items (10)

June 2023. Interpretations 0 new inquiries

The deposition of the case items: (Added JUNE12# 2023)

Granted	33
Postponed	27
Denied	4
Withdrawn	6
Discussion Items	56

#### Board Members/Commissioners in Attendance in-Person:

Jessica Cohen-Chair, Janel Venzant, Margaret Shahrestani, Marcel-Gutierrez-Garza (Alternate), Brian Poteet, Michael Von Ohlen

#### Board Members/Commissioners in Attendance Remotely:

Thomas Ates, Richard Smith, Kelly Blume (Alternate)

#### Board Member/Commissioners absent:

Agustina Rodriguez Melissa Hawthorne-Vice Chair, Nicholl Wade

### May 8, 2023

#### Granted (0)

#### Postponed (1)

1. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards: **a)** Section 2.2 (*Building Height*) (A) to increase the height and **b)** Section 2.6 (*Setback Planes*) (B. *Rear Setback Plane*) to extend outside the inwardly sloping

**Denied (0)**

**Withdrawn (0)**

**Discussion Items (10)**

**May 2023. Interpretations 0 new inquiries**

**The deposition of the case items: (Added MAY10# 2023)**

<b>Granted</b>	<b>32</b>
<b>Postponed</b>	<b>23</b>
<b>Denied</b>	<b>4</b>
<b>Withdrawn</b>	<b>6</b>
<b>Discussion Items</b>	<b>46</b>

**Board Members/Commissioners in Attendance in-Person:**

Jessica Cohen-Chair, Melissa Hawthorne-Vice Chair, Margaret Shahrestani, Marcel-Gutierrez-Garza (Alternate), New board member Brian Poteet

**Board Members/Commissioners in Attendance Remotely:**

Thomas Ates, Richard Smith, Janel Venzant, Nicholl Wade, Kelly Blume (Alternate),

**Board Member/Commissioners absent:**

Michael Von Ohlen, Agustina Rodriguez

**April 10, 2023**

**Granted (1)**

1. 25-2-774 (*Two-Family Residential Use*) for: a) (C) (2) (a) for a Two-Family Residential use location at least 10 feet to the rear or side of the principal structure and b) (C) (5) (a) to increase the total square footage of a Two-Family dwelling unit

**Postponed (0)**

**Denied (0)**

**Withdrawn (2)**

1. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the Gross Floor area
2. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum interior side yard setback

**Discussion Items (6)**

**April 2023. Interpretations 0 new inquiries**

**The deposition of the case items: (Added APR10# 2023)**

<b>Granted</b>	<b>32</b>
<b>Postponed</b>	<b>22</b>
<b>Denied</b>	<b>4</b>
<b>Withdrawn</b>	<b>6</b>
<b>Discussion Items</b>	<b>46</b>

**Board Members/Commissioners in Attendance in-Person:**

Brooke Bailey, Jessica Cohen- Chair, Melissa Hawthorne-Vice Chair, Margaret Shahrestani, Michael Von Ohlen

**Board Members/Commissioners in Attendance Remotely:**

Thomas Ates, Agustina Rodriguez, Richard Smith, Janel Venzant, Kelly Blume (Alternate)

**Board Member/Commissioners absent:**

Nicholl Wade

**March 13, 2023**

**Granted (5)**

1. 25-6-471 (*Off-Street Parking Facility Required*) Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces
2. 25-2-492 (*Site Development Regulations*) from setback requirements to: decrease the minimum front yard setback and decrease the minimum rear yard setback
3. 25-2-1424 (*Urban Home Regulations*): 1 (D) (1) increase the maximum driveway width and 2 (G), a (1) decrease the minimum depth of front porch, b (2) decrease the width of the front porch
4. 25-2-551 (*Lake Austin District Regulations*) (C) (2) (a) to increase the maximum impervious cover on a slope
5. 25-2-492 (*Site Development Regulations*) from height requirements to increase the height, 25-2-1063 (*Height Limitations and Setbacks for Large Sites*), a (C) (1) (a) from height limitations to increase the height limit from two (2) stories and 30 feet for a structure, b (C) (2) (a) from height limitations to increase the height limit from three (3) stories and 40 feet for a structure, c (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, d (C) (4) to increase allowed height from 60 feet plus one foot for each 4 feet of distance in excess of 300 feet from the property

**Postponed (2)**

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum interior side yard setback
2. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the Gross Floor area

**Denied (0)**

**Withdrawn (0)**

**Discussion Items (5)**

**Mar 2023. Interpretations 0 new inquiries**

**The deposition of the case items: (Added MAR13# 2023)**

<b>Granted</b>	<b>31</b>
<b>Postponed</b>	<b>22</b>

**Denied** 4  
**Withdrawn** 4  
**Discussion Items** 40

**Board Members/Commissioners in Attendance in-Person:**

Brooke Bailey, Jessica Cohen- Chair, Janel Venzant, Marcel Gutierrez-Garza (Alternate)

**Board Members/Commissioners in Attendance Remotely:**

Thomas Ates, Melissa Hawthorne-Vice Chair, Darryl Pruett, Agustina Rodriguez, Richard Smith, Nicholl Wade, Kelly Blume (Alternate)

**Board Member/Commissioners absent:**

Michael Von Ohlen

**February 13, 2023**

**Granted (2)**

1. 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (H) to allow for illumination of a channel symbol sign
2. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the Gross Floor area

**Postponed (1)**

1. Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to increase the Gross Floor area (reconsideration case)

**Denied (0)**

**Withdrawn (0)**

**Discussion Items (6)**

**Feb 2023. Interpretations 1 new inquiries**

**The deposition of the case items: (Added FEB13# 2023)**

**Granted** 26  
**Postponed** 20  
**Denied** 4  
**Withdrawn** 4  
**Discussion Items** 35

**Board Members/Commissioners in Attendance in-Person:**

Brooke Bailey, Jessica Cohen – Chair, Melissa Hawthorne-Vice Chair, Michael Von Ohlen, Kelly Blume (Alternate), Marcel Gutierrez-Garza (Alternate)

**Board Members/Commissioners in Attendance Remotely:**

Thomas Ates, Barbara Mcarthur, Darryl Pruett, Richard Smith, Nicholl Wade

**Board Member/Commissioners absent:**

Agustina Rodriguez

## January 9, 2023

### Granted 1

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

### Postponed 0

### Denied 1

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

### Withdrawn 0

### Discussion Items 6

### Jan 2023. Interpretations 0 new inquiries

### The deposition of the case items: (Added JAN9# 2023)

Granted	24
Postponed	19
Denied	4
Withdrawn	4
Discussion Items	29

### 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 Pruet, Agustina Rodriguez, Richard Smith, Nicholl Wade Carrie Waller (Alternate), Kelly Blume (Alternate)

### Board Member/Commissioners absent:

Thomas Ates

## December 12, 2022

### Granted 5

1. 25-2-943 (Substandard Lot) (D) which states that a substandard lot that is aggregated with other property to form a site may not be disaggregated to form a site that is smaller than the minimum lot area requirement and 25-2-1406 (Ordinance Requirements)

2. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Front Yard Setback

3. #20050818-064, PART 7(*Residential District*)(2)(b) from setback requirements to increase the maximum setback

4. 25-2-1062 (*Height Limitations and Setbacks for Smaller Sites*) (C) from setback requirements to decrease the interior side setback

5. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback

**Postponed 0**

**Denied 0**

**Withdrawn 1**

1. 25-10-123 (*Expressway Corridor Sign District Regulations*): a) (B) (2) (b) (i) to exceed sign area and b) (B) (3) (a) to exceed sign height

**Discussion Items 4**

**Dec 2022. Interpretations 0 new inquiries**

**The deposition of the case items: (Added DEC12# 2022)**

**Granted 23**

**Postponed 19**

**Denied 3**

**Withdrawn 4**

**Discussion Items 23**

**Board Members/Commissioners in Attendance in-Person:**

Jessica Cohen – Chair, Brooke Bailey, Michael Von Ohlen,

**Board Members/Commissioners in Attendance Remotely:**

Thomas Ates, Darryl Pruett, Agustina Rodriguez, Richard Smith, Nicholl Wade  
Carrie Waller (Alternate), Marcel Gutierrez-Garza (Alternate)

**Board Member/Commissioners absent:**

Melissa Hawthorne-Vice Chair, Barbara Mcarthur

## **November 14, 2022**

**Granted 5**

1. 25-10-101 (*General On-Premise Signs*), a) (B)(1)(b) to exceed sign area and b) (B) (1)(c)(ii) to exceed sign height of building façade

2. 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback

3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback

4. 25-2-774 (*Two-Family Residential Use*) a) (C) (2) (a) for a Two-Family Residential use location and b) (C) (5) (a) to increase the total square footage of a Secondary Dwelling unit

5. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (B) (1) from setback requirements to decrease the setback and b) (C) (1) (a) from height limitations to increase the height limit

**Postponed 0**

**Denied 1**

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Interior Side Yard Setback

**Withdrawn 2**

1. 25-10-130 (*Commercial Sign District Regulations*) (G) (1) from sign height

2. 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback

**Discussion Items 3**

Nov 2022. Interpretations 0 new inquiries

The deposition of the case items: (Added NOV14# 2022)

**Granted 18**

**Postponed 19**

**Denied 3**

**Withdrawn 3**

**Discussion Items 19**

**Board members absent:** Agustina Rodriguez, Richard Smith and Nicholl Wade  
Vacant position

**October 10, 2022**

**Granted 3**

1. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*)- 1.For triggering property at 608 Baylor St: a)(B) (1) from setback requirements to decrease the setback and b)(C) (1) (a) from height limitations to increase the height limit and c)(C) (2) (a) from height limitations to increase the height and d)(C) (3) (a) to increase allowed height -2.For triggering property at 611 Blanco St a)(C) (2) (a) from height limitations to increase the height limit and b)(C) (3) to increase the height -3.For triggering property at 612 Blanco St (C) (3) to increase allowed height

2. 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) from: (A) (2) to extend the dock length

3. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*): a) (C) (1) (a) from height limitations to increase the height limit from two (2) stories and Section 25-2-1064 (*Front Setback*): c) (1) (a) to decrease the front setback

**Postponed 5**

1. 25-10-123 (*Expressway Corridor Sign District Regulations*): a)(B) (2) (b) (i) to exceed sign area and b) (B) (3) (a) to exceed sign height

2. 25-10-130 (*Commercial Sign District Regulations*) (G) (1) from sign height

3. 25-2-774 (*Two-Family Residential Use*) for a Two-Family Residential a) (C) (5) (a) to increase the total square footage of a Secondary Dwelling unit and b) (C) (5) (b) to increase the second floor square footage

4. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (B) (1) from setback requirements to decrease the setback and b) (C) (1) (a) from height limitations to increase the height limit

5. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback

**Denied 1**

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Interior Side Yard Setback

**Withdrawn 0**

**Discussion Items 5**

**Oct 2022. Interpretations 0 new inquiries**

**The deposition of the case items: (Added OCT10# 2022)**

**Granted 13**  
**Postponed 19**  
**Denied 2**  
**Withdrawn 1**  
**Discussion Items 16**

**Board members absent:** Thomas Ates, Agustina Rodriguez, Richard Smith and Nicholl Wade  
Vacant position

## **September 12, 2022**

**Granted 2**

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback
2. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Street Side Yard Setback

**Postponed 4**

1. 25-10-130 (*Commercial Sign District Regulations*) (G) (1) from sign height
2. Section 25-2-5  
15 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback
3. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*): a) (C) (1) (a) from height limitations to increase the height limit from two (2) stories to three (3) stories, b) (C) (2) (a) from height limitations to increase the height limit from three (3) stories to four (4) stories and Section 25-2-1064 (*Front Setback*): c) (1) (a) to decrease the front setback
4. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum interior side yard setback

**Denied 1**

1. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (B) (1) from setback requirements to decrease the setback and b) (C) (1) (a) from height limitations to increase the height limit from two (2) stories to three (3) stories

**Withdrawn 0**

**Discussion Items 4**

**Sept 2022. Interpretations 0 new inquiries**

**The deposition of the case items: (Added SEPT 12# 2022)**



**Granted** 10  
**Postponed** 14  
**Denied** 1  
**Withdrawn** 1  
**Discussion Items** 11  
**Board members absent:** Agustina Rodriguez and Vacant position

## **August 8, 2022**

**Granted** 2

1. 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum Front Yard Setback
2. 25-2-899 (D) (*Fences as Accessory Uses*) to exceed the average height

**Postponed** 4

1. 25-10-123 (Expressway Corridor Sign District Regulations): a)(B) (2) (b) (i) to exceed sign area and b)(B) (3) (a) to exceed sign height
2. 25-2-492 (Site Development Regulations) from setback requirements to decrease the minimum Street Side Yard Setback
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback
4. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a) (B) (1) from setback requirements to decrease the setback and b) (C) (1) (a) from height limitations to increase the height limit

**Denied** 0

**Withdrawn** 0

**Discussion Items** 3

**Aug 2022. Interpretations** 0 new inquiries

**The deposition of the case items:** (Added AUG8# 2022)

**Granted** 8  
**Postponed** 10  
**Denied** 0  
**Withdrawn** 1  
**Discussion Items** 7  
**Board members absent:** Thomas Ates, Michael Von Ohlen, Nicholl Wade

## **July 13, 2022**

**Special called meeting (Interpretation)**

**Denied Appeal** 1

1. 25-2, Subchapter E (*Design Standards and Mixed Use*) of the Land Development Code in connection with approval of a Site Plan application for construction of a Vertical Mixed-Use (VMU) development. The

appellant contends that the Site Plan does not meet the Land Development Code, Subchapter E Sections 1.1, 1.5, 2.1, 2.2, 2.8, 3.1, 4.1, and 4.3 in a “GR-V-CO-NP”, Community Commercial-Vertical Mixed Use-Conditional Overlay-Neighborhood Plan zoning district (Windsor Park Neighborhood Plan).

**The deposition of the case items: (Added July 13# 2022)**

**Granted** 6  
**Postponed** 6  
**Withdrawn** 1  
**Denied** 1  
**Discussion Items** 4

**Board members absent:** Melissa Hawthorne/Barbara McArthur/Darryl Pruett

**July 11, 2022**

**Granted** 6

1. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback and 25-2-774 (*Two-Family Residential Use*) (C) (2) (a) for a Two-Family Residential use location
2. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum street side yard setback
3. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback and decrease the minimum front yard setback
4. 25-2-492 (*Site Development Regulations*) from a) lot size requirements to decrease the minimum lot size and b) setback requirements to decrease the minimum front yard setback and c) building coverage and d) impervious coverage
5. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback
6. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Rear Yard Setback

**Postponed** 6

1. 25-10-123 (*Expressway Corridor Sign District Regulations*): a)(B) (2) (b) (i) to exceed sign area and b) (B) (3) (a) to exceed sign height
2. 25-2-899 (D) (*Fences as Accessory Uses*) to exceed the average height
3. 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) a)(B) (1) from setback requirements to decrease the setback and b)(C) (1) (a) from height limitation to increase
4. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum interior side yard setback
5. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum Interior Side Yard Setback
6. 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum rear yard setback

**Withdrawn** 1

- 1 25-10-123 (*Expressway Corridor Sign District Regulations*) (B) (3), to exceed sign height

**Denied** 0

**Discussion Items** 4

**July 2022. Interpretations 0 new inquiries**

**The deposition of the case items: (Added july11# 2022)**

**Granted 6**

**Postponed 6**

**Withdrawn 1**

**Denied 0**

**Discussion Items 4**

**Board members absent: Agustina Rodriguez/Richard Smith**