



**BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
MONDAY, November 13, 2023**

The **BOARD OF ADJUSTMENT** convened in a Regular meeting on Monday, November 13, 2023, at 301 West 2nd Street in Austin, Texas.

Chair Jessica Cohen called the Board of Adjustment Meeting to order at 5:42 p.m.

Board Members/Commissioners in Attendance in-Person:

Jessica Cohen-Chair, Melissa Hawthorne-Vice Chair, Jeffery Bowen, Marcel Gutierrez-Garza, Brian Poteet, Maggie Shahrestani, Michael Von Ohlen, Suzanne Valentine (Alternate)

Board Members/Commissioners in Attendance Remotely:

Thomas Ates, Yung-ji Kim

Board Member/Commissioners absent: Janel Venzant

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 October 9, 2023.

On-Line Link: [DRAFT MINUTES October 9, 2023](#)

Vice-Chair Melissa Hawthorne motions to approve the minutes for October 9, 2023, Board member Jeffery Bowen seconds on 7-0-1 (Board member Michael Von Ohlen abstains); APPROVED MINUTES FOR October 9, 2023.

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. C15-2023-0041 Rodney Bennett for Exten LLC -Rahim K. Marediya
1701 E. Howard Lane

On-Line Link: [Item03 ADV PACKET](#); [PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-814 (*Service Station Use*) (3) to increase the maximum number of vehicle queue lanes from 8 (required) to 12 (requested), in order to erect a gas service station in a “GR-MU” Community Commercial-Mixed Use zoning district.

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to approve; Vice-Chair Melissa Hawthorne seconds on 10-0 votes; GRANTED.

4. C15-2023-0043 Thrower Design-Ron Thrower for 1904 Chicon St, LLC
1904 Chicon Street

On-Line Link: [Item04 ADV PACKET PART1 AND PART2](#); [PRESENTATION](#)

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 49 feet (requested), in order to construct a surface parking lot in a CS-NP”, General Commercial Services-Neighborhood Plan zoning district (Upper Boggy Creek Neighborhood Plan).

The public hearing was closed by Madam Chair Jessica Cohen, Vice-Chair Melissa Hawthorne motions to approve; Board member Michael Von Ohlen seconds on 10-0 votes; GRANTED.

5. C15-2023-0044 Bruce David Johnson, Jr
1904 Eva Street

On-Line Link: [Item05 ADV PACKET](#); NO PRESENTATION

The applicant is requesting Special Exception variance(s) from the Land Development Code Section 25-2-492 (*Site Development Regulations*) from two setback requirements: to decrease the front yard setback from 25 feet (required) to 0 feet (requested) in order to maintain a covered concrete patio and to decrease the minimum interior side yards setbacks from 5 feet (required) to 0 feet (requested – north and south sides) in order to maintain a storage shed, art studio, & garage (south side) and storage sheds (north side) that have existed for over 31 years in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan Zoning District (Bouldin Creek Neighborhood Plan).

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to postpone to December 11, 2023; Vice-Chair Melissa Hawthorne seconds on 10-0 votes; POSTPONED TO DECEMBER 11, 2023.

DISCUSSION ITEMS

6. Discussion of the October 9, 2023 BOA activity report
On-Line Link: [Item06 October 9, 2023-MONTHLY REPORT](#)
DISCUSSED; CONTINUED TO December 11, 2023

DISCUSSION AND ACTION ITEMS

7. Discussion and possible action regarding bylaws changes, rules of procedure changes, and resolutions regarding board terms, vacancies, and use of alternates
DISCUSSED; CONTINUED TO December 11, 2023

FUTURE AGENDA ITEMS

8. Discussion of future agenda items, staff requests and potential special called meeting and/or workshop requests
Items to add to the next month's agenda: Discussion regarding agenda issues and Discussion regarding Special exception cases and Life Safety Reports

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 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

The minutes were approved at the December 11, 2023 meeting on Vice Chair Melissa Hawthorne's motion, Board member Brian Poteet second on an 9-0-1 (Board member Janel Venzant abstains).