



**REGULAR MEETING of the BOARD OF ADJUSTMENT**  
**January 8, 2024 AT 5:30PM**  
**Austin City Hall, Council Chambers, Room 1001**  
**301 West 2<sup>nd</sup> 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>

Public comment will be allowed in-person or remotely via telephone. Speakers may only register to speak on an item once either in-person or remotely and will be allowed up to three minutes to provide their comments. Registration no later than noon the day before the meeting is required for remote participation by telephone. To register to speak remotely, email [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov) or call 512-974-2202.

**CURRENT BOARD MEMBERS:**

___ <i>Thomas Ates</i>	___ <i>Jeffery Bowen</i>
___ <i>Jessica Cohen (Chair)</i>	___ <i>Janel Venzant</i>
___ <i>Melissa Hawthorne (Vice-Chair)</i>	___ <i>Michael Von Ohlen</i>
___ <i>Brian Poteet</i>	___ <i>Yung-ju Kim</i>
___ <i>Marcel Gutierrez-Garza</i>	___ <i>Kelly Blume (Alternate)</i>
___ <i>Margaret Shahrestani</i>	___ <i>Suzanne Valentine (Alternate)</i>

**The Board of Adjustment may go into closed session to receive advice from legal counsel regarding any item on this agenda (Private consultation with legal counsel – Section 551.071 of the Texas Government Code).**

**AGENDA**

**CALL TO ORDER**

**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.

**APPROVAL OF MINUTES**

1. Approve the minutes of the Board of Adjustment Regular meeting on December 11, 2023.  
**On-Line Link:** [DRAFT MINUTES December 11, 2023](#)

## **PUBLIC HEARINGS**

2. Discussion of staff and applicant requests for postponement and withdrawal of public hearing cases posted on the agenda.

### **New Variance cases:**

3. C15-2023-0051 Linda Sullivan for Suzanne McFayden-Smith – Lotus Management Trust  
4400 Waterford Place

**On-Line Link:** [ITEM03 ADV PACKET](#); [PRESENTATION](#); [AE APPROVAL](#)

The applicant is requesting variance(s) from the Land Development Code, Section 25-2-551 (*Lake Austin District Regulations*): (C) (2)

- (a) increase the maximum impervious cover on a slope with a gradient of 25 percent or less from 20 percent (maximum allowed) to 47.4 percent (requested)
- (b) increase the maximum impervious cover on a slope with a gradient of 25 percent and not more than 35 percent from 10 percent (maximum allowed) to 17.8 percent (requested), in order to remodel an uncovered wood deck in a “LA” and “DR”, Lake Austin and Development Reserve zoning district.

*Note: 25-2-551 Lake Austin (LA) District Regulations*

*(C) This subsection specifies lot width and impervious cover restrictions in a Lake Austin (LA) district.*

*(2) For a lot included in a subdivision plat recorded after April 22, 1982, impervious cover may not exceed:*

*(a) 20 percent, on a slope with a gradient of 25 percent or less;*

*(b) 10 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or*

*(c) if impervious cover is transferred under Subsection (D), 30 percent.*

*For the above address the Subdivision Plat was recorded on January 27, 1986*

4. C15-2024-0001 Rodney Bennett for Asim Dhital  
8315 Burrell Drive

**On-Line Link:** [ITEM04 ADV PACKET](#); [PRESENTATION](#); [AE APPROVAL](#)

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 14 feet (requested), in order to erect a Carport to an existing 1 story Single-Family residence in a “SF-3-NP”, Single-Family-Neighborhood Plan zoning district (Wooten Neighborhood Plan).

5. C15-2024-0003 Richard Suttle for DC-2422, LLC  
2408, 2410, 2414, 2418, 2422, 2428 East 7<sup>th</sup> Street

**On-Line Link: [ITEM05 ADV PACKET](#); [PRESENTATION](#); [AE APPROVAL](#)**

The applicant is requesting a variance(s) from the Land Development Code: Article 10, Compatibility Standards, Division 2 –Development Standards, **Section 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 (maximum allowed) to three (3) stories and 35 feet (requested)
- b) (C) (2) (a) from height limitations to increase the height limit from three (3) stories and 40 feet (maximum allowed) to four (4) stories and 45 feet (requested)  
**and**
- c) (C) (3) (a) from height limitations to increase the height limit from 40 feet plus one foot for each 10 feet of distance (maximum allowed) to 58 feet (requested), in order to erect an Office building in a “CS-CO-NP”, General Commercial Services-Conditional Overlay-Neighborhood Plan zoning district (Govalle Neighborhood Plan).

*Note: The Land Development Code Section 25-2-1063 Height Limitations and Setbacks for Large Sites*

*(C) The height limitations for a structure are*

*(1) two stories and 30 feet, if the structure is 50 feet or less from property:*

*(a) in an SF-5 or more restrictive zoning district.*

*(2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property.*

*(a) in an SF-5 or more restrictive zoning district.*

*(3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 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.*

**Previous Postponed cases:**

- 6. C15-2023-0048 Stephen Hawkins for Willow Beach, LLC  
1446 Rockcliff Road

**On-Line Link: [ITEM06 ADV PACKET PART1](#), [PART2](#), [PART3](#), [PART4](#); [PRESENTATION](#)**

The applicant is requesting variance(s) from the Land Development Code, Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) (A) (5) (a) to increase the footprint of a boat dock from 1,200 square feet (maximum allowed) to 2,235 square feet (requested), in order to erect a second boat dock in a “LA”, Lake Austin zoning district.

*Note: Land Development Code, 25-2-1176 Site Development Regulations for Docks, Marinas, and other Lakefront Uses*

*(A) A dock or similar structure must comply with the requirements of this subsection.*

*(5) The footprint of a dock, including the portion of a cut-in slip, attached access structures, or roof overhang, may not exceed:*

*(a) 1,200 square feet for a dock that is accessory to a principal residential use*

**DISCUSSION ITEMS**

- 7. Discussion of the December 11, 2023 BOA activity report

**On-Line Link: [ITEM07 December 11, 2023-MONTHLY REPORT](#)**

8. Discussion in regarding to BOA training session

### **DISCUSSION AND ACTION ITEMS**

9. Discussion and possible action regarding agenda issues
10. Discussion and possible action regarding bylaws changes, rules of procedure changes, and resolutions regarding board terms, vacancies, and use of alternates

### **FUTURE AGENDA ITEMS**

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

### **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](mailto:elaine.ramirez@austintexas.gov) or the Board Secretary Diana Ramirez, Development Services Department at 512-974-2241 or email [diana.ramirez@austintexas.gov](mailto: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](mailto:elaine.ramirez@austintexas.gov)