



**BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
Monday, February 10, 2025**

The **BOARD OF ADJUSTMENT** convened in a Regular meeting on Monday, February 10, 2025, at 301 West 2nd Street in Austin, Texas.

Chair Jessica Cohen called the Board of Adjustment Meeting to order at 5:38 PM.

Board Members/Commissioners in Attendance in-Person:

Jessica Cohen-Chair, Melissa Hawthorne-Vice Chair, Jeffery Bowen, Bianca A. Medina-Leal, Brian Poteet, Janel Venzant, Michael Von Ohlen

Board Members/Commissioners in Attendance Remotely:

Thomas Ates, Yung-ju Kim, Maggie Shahrestani

Board Members/Commissioners Absent

None

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 meeting on January 13, 2025.
On-Line Link: [Draft Minutes for January 13, 2025](#)
The minutes from the meeting January 13, 2025, were approved on Vice-Chair Melissa Hawthorne's motion, Board member Jeffery Bowen second, on 9-0 Vote (Board Member Bianca A Medina-Leal off the dias).

PUBLIC HEARINGS

Discussion and action on the following cases.

**Postponement request, by applicants/neighborhood group:
Item 5 postponement request to March 10, 2025 by applicant and Item 6 request to withdraw by applicant.**

Item 5 – Board member Michael Von Ohlen motions to deny postponement request due to multiple postponement requests made by the applicant; substitute motion by Madam Chair motions to postpone to May 12, 2025 (last postponement request by applicant), Vice-Chair Melissa Hawthorne seconds, on 10-0 vote.

Item 6 – Withdrawn

New Sign Variance cases:

2. C16-2025-0001 Colton Gohlke for Ascension Seton -Maria Vinhais
1201 West 38th Street

On-Line Link: [ITEM02 ADV PACKET](#); [PRESENTATION](#)

The applicant is requesting a sign variance(s) from the Land Development Code; *Section 25-10-130 (Commercial Sign District Regulations)* (B) to allow from one (1) freestanding sign (maximum allowed), to adding an additional seven (7) freestanding signs (total of eight (8)) in order to erect free-standing sign(s) for Ascension Seton Medical Center in a “PUD”, Commercial Sign District.

Note: 25-10-130 - COMMERCIAL SIGN DISTRICT REGULATIONS.

(A) This section applies to a commercial sign district.

(B) One freestanding sign is permitted on a lot. Additional freestanding signs may be permitted under [Section 25-10-131](#) (Additional Freestanding Signs Permitted).

(C) A roof sign may be permitted instead of a freestanding sign under [Section 25-10-132](#) (Roof Sign Instead of Freestanding Sign).

(D) Wall signs are permitted.

(E) One flag for each curb cut is permitted.

(F) This subsection prescribes the maximum sign area.

(1) For signs other than freestanding signs, the total sign area for a lot may not exceed 20 percent of the facade area of the first 15 feet of the building.

(2) For a freestanding sign, the sign area may not exceed the lesser of

(a) 0.7 square feet for each linear foot of street frontage; or

(b) for a sign other than a multi-tenant sign, 200 square feet; or

(c) for a multi-tenant sign, 250 square feet.

(G) The sign height may not exceed the greater of:

(1) 30 feet above frontage street pavement grade; or

(2) 6 feet above grade at the base of the sign.

Source: Section 13-2-867; Ord. 990225-70; Ord. 031211-11; Ord. No. [20170817-072](#), Pt. 14, 8-28-17.

25-10-131 - ADDITIONAL FREESTANDING SIGNS PERMITTED.

(A) This section applies in the expressway corridor, downtown, and commercial sign districts.

(B) In this section, "lot" includes contiguous lots used for a single use or unified development.

(C) For a lot with total street frontage of more than 400 feet, two freestanding signs are permitted.

(D) For a lot fronting on two streets, one freestanding sign is permitted on each street.

(E) For a pad site within a unified development, one freestanding sign is permitted in addition to the other freestanding signs permitted by this chapter.

Source: Section 13-2-870; Ord. [990225-70](#); Ord. [031211-11](#).

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen’s motion to Approve as per presentation Item02/3, signage not to exceed in height, E17 to 8 feet, WFO 1, 2, EO5 to 4 feet 8 inches, EO1, EO2 to 6 feet 1 inch, BO1 to 3 feet 6 inches, and E35 to 4 feet; Board member Maggie Shahrestani second on 9-1-0 votes (Vice-Chair Melissa Hawthorne abstains);

GRANTED AS PER PRESENTATION ITEM02/3, SIGNAGE NOT TO EXCEED IN HEIGHT, E17 TO 8 FEET, WFO 1, 2, EO5 TO 4 FEET 8 INCHES, EO1, EO2 TO 6 FEET 1 INCH, BO1 TO 3 FEET 6 INCHES, AND E35 TO 4 FEET,

New Variance cases:

3. C15-2024-0048 Maximiliano Martinez, PE for Shaun Vembutty
4013 Clawson Road

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

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-492 (*Site Development Regulations*) from lot width requirements to decrease:

- the front lot width from 50 feet (required) to 35 feet (requested),
- and**
- rear flag lot width from 50 feet (required) to 49.82 feet (requested)
- in order to subdivide the existing tract into two SF-3 lots in a “SF-3”, Single-Family zoning district.

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen’s motion to postpone to April 14, 2025; Board member Yung-ju Kim second on 10-0 votes; POSTPONED TO APRIL 14, 2025.

4. C15-2025-0001 Rodney K. Bennett for Adnan Awad
525 West Howard Lane

On-Line Link: [ITEM04 ADV PACKET](#); **NO PRESENTATION**

The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-814 (*Service Station Use*)

- (2) to increase the fuel dispensers from sixteen [16] (maximum allowed) to twenty-four [24] (requested)

and

- (3) to increase queue lanes from eight [8] vehicle queue lanes to twelve [12] vehicle queue lanes (requested)
- in order to erect a Gas Station in a “LI-PDA” Limited Industrial Services-Planned Development Area zoning district.

Note: 25-2-814 - SERVICE STATION USE.

A service station use:

(1) must be screened from the street by a building or a landscape buffer that includes shade trees;

(2) may not have more than 16 fuel dispensers; and

(3) may not have more than eight vehicle queue lanes.

Source: Ord. [20060831-068](#); Ord. [20110804-008](#).

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen’s motion to Approve; Vice-Chair Melissa Hawthorne second on 10-0 votes; GRANTED.

Previous Postponed Variance cases:

5. C15-2024-0031 Victoria Haase for Austin Area School for Dyslexics, Inc.

2615 ½ Hillview Road

**On-Line Link: [ITEM05 ADV PACKET PART1](#), [PART2](#), [PART3](#), [PART4](#);
NO PRESENTATION**

The applicant is requesting a variance(s) from the Land Development Code,
Section:

- **25-2-492 (Site Development Regulations):**
 - Height Requirements to increase the height from 35 feet (maximum allowed) to 50 feet (requested)
 - Setback Requirements to decrease the minimum front yard setback from 25 feet (required) to 15 feet (requested)
 - Setback Requirements to decrease the minimum rear yard setback from 10 feet (required) to 5 feet (requested)
 - Building Coverage to increase from 40 percent (maximum allowed) to 60% (requested)
 - Impervious Coverage to increase from 45 percent (maximum allowed) to 60 percent (requested)

- **25-2-832 (Private Schools) (1)** a site must be located on a street that has a paved width of at least 40 feet (required) to 30 feet (requested) from the site to where it connects with another street that has a paved width of at least 40 feet (required) to 30 feet (requested)

in order to erect school buildings and structured sub-grade parking facilities in a “SF-3-NP”, Single-Family-Neighborhood Plan zoning district (West Austin Neighborhood Group).

POSTPONED TO MAY 12, 2025

6. C15-2024-0040 Leah M. Bojo for Chris Affinito
600 Cumberland Road and 2610 & 2612 South 1st Street

**On-Line Link: [ITEM06 ADV PACKET](#); [PRESENTATION-GALINDO](#);
[WITHDRAWAL LTR](#)**

The applicant is requesting a variance(s) from the Land Development Code: Article 3, Additional Requirements for Certain Districts, Division 5 –Combining and Overlay Districts,

Section 25-2-654 (Density Bonus ETOD (DBETOD) Combining District Regulations:

- (H) Compatibility Requirements (3) Any structure that is located less than 50 feet from any part of a triggering property may not exceed 60 feet (maximum allowed) to 2 feet -4 27/32 inches – 5 feet 6 inches (requesting)
- (H) Compatibility Requirements (4) (a) from compatibility buffer to decrease the from 25 feet (minimum width allowed) to 2 feet -4 27/32 inches – 5 feet -6 inches (requesting),

in order to erect a Condominium Residential Building in a “GR-V-ETOD, DBETOD and GR-ETOD-DBETOD”, Community Commercial-Vertical Mixed-Use Building-Equitable Transit-Oriented Development and Community Commercial-Equitable Transit-Oriented Development-Density Bonus ETOD.

Note: The Land Development Code

Section 25-2-654 (Density Bonus ETOD (DBETOD) Combining District Regulations

(A) *This section applies to a property with density bonus ETOD (DBETOD) combining district zoning.*

(B) *This section governs over a conflicting provision of this title or other ordinance.*

(H) *Compatibility Requirements.*

(1) *A building is not required to comply with Article 10 (Compatibility Standards) in Subchapter C.*

(2) *In this subsection,*

(a) *TRIGGERING PROPERTY means a site:*

(i) *with at least one dwelling unit but less than four dwelling units; and*

(ii) *is zoned urban family residence (SF-5) district or more restrictive; and*

(b) *STRUCTURE includes a portion of a structure.*

(3) *Any structure that is located less than 50 feet from any part of a triggering property may not exceed 60 feet.*

(4) *Compatibility Buffer. A compatibility buffer is required along a site's property line that is shared with a triggering property.*

(a) *The minimum width of a compatibility buffer is 25 feet.*

(b) *A compatibility buffer must comply with [Section 25-8-700](#) (Minimum Requirements for Compatibility Buffers).*

WITHDRAWN BY APPLICANT

DISCUSSION ITEMS

7. Discussion of the January 13, 2025, Board of Adjustment activity report
On-Line Link: [ITEM07 January 13, 2025-MONTHLY REPORT](#)
DISCUSSED; CONTINUED TO March 10, 2025

FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

ADJOURNMENT 6:35PM

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/elaine.ramirez@austintexas.gov