



BOARD OF ADJUSTMENT

November 9, 2015

5:30pm

City Council Chambers

301 WEST 2ND STREET

AUSTIN, TEXAS

___ Brooke Bailey	___ Melissa Hawthorne (Vice Chair)
___ Michael Benaglio	___ Don Leighton-Burwell
___ William Burkhardt	___ Melissa Neslund
___ Eric Goff	___ James Valadez
___ Vincent Harding (Chair)	___ Michael Von Ohlen

AGENDA

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment/Sign Review Board will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Board of Adjustment/Sign Review Board may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

A-1 APPROVAL OF MINUTES – October 12, 2015

B. SIGN REVIEW BOARD RECONSIDERATIONS

NONE

C. SIGN REVIEW BOARD PREVIOUS POSTPONEMENTS

NONE

D. SIGN REVIEW BOARD NEW PUBLIC HEARINGS

D-1 C16-2015-0012	Christian Martinez for Austin Rogers
	14009 North US 183 NB

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance (s) to:

A. Section 25-10-123 (B) (2) (b) (i) (Expressway Corridor Sign District Regulations) to increase the maximum allowable sign area from .7 square feet of signage per each linear foot of the 242.80 linear feet of street frontage for this site, or 169.96 square feet of signage (required/permitted) to .721 square feet of signage per each linear foot of street frontage, or 175 square feet of signage (requested); and to

B. Section 25-10-131 (C) (Additional Freestanding Signs Permitted) to decrease the total street frontage required to permit two freestanding signs from 400 feet (required) to 242.80 (requested)

in order to construct a new sign in addition to the existing off-site advertising sign that already exists at this site in the Expressway Corridor Sign District within a “GR”, Community Commercial zoning district.

E. BOARD OF ADJUSTMENT INTERPRETATION RECONSIDERATIONS

NONE

F. BOARD OF ADJUSTMENT INTERPRETATION PREVIOUS POSTPONEMENTS

NONE

G. BOARD OF ADJUSTMENT INTERPRETATION NEW PUBLIC HEARINGS

**G-1 C15-2015-0147 Robert Kleeman
8901 West Highway 71**

AUSTIN ENERGY HAS NO COMMENT

The applicant has filed an appeal challenging the Planning and Development Review Department’s decision that

Or, The applicant has filed an appeal challenging the Planning and Development Review Department’s decision regarding subject property’s use determination and subsequent site plan and building permit approvals

in an “RR-NP”, Rural Residential – Neighborhood Plan zoning district. (West Oak Hill)

H. BOARD OF ADJUSTMENT RECONSIDERATION PREVIOUS POSTPONEMENTS

**H-1 C15-2015-0112 David Cancialosi for Carl Lauryssen
4209 & 4213 Hidden Canyon Cove**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) from Section 25-2-551 (Lake Austin (LA) District Regulations):

A. (B) (3) (a) to permit a mechanized pedestrian access facility within a shoreline setback area, where no structures are allowed except that: (a) a bulkhead, retaining wall, dock, non-mechanized pedestrian facility, or marina may be constructed and maintained in accordance with applicable regulations of this title (requested); and from

B. (E) (2) to permit development other than a fence, driveway, road or utility that cannot be reasonably placed elsewhere on a slope with a gradient of more than 35% (requested)

in order to construct a tram on these lots in an in a “LA”, Lake Austin zoning district.

I. BOARD OF ADJUSTMENT RECONSIDERATIONS

**I-1 C15-2015-0128 Stuart Hersh for Eduardo Longoria
1701 Toomey Road**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST

The applicant has requested variance(s) to Section 25-6 Appendix A (Tables of Off-Street parking and Loading Requirements) to reduce the number of required parking spaces from 46 spaces (required) to 0 spaces (requested) in order to maintain a restaurant and private educational facility use in a “CS”, General Commercial Services zoning district.

NOTE: This site includes 2,850 square feet of restaurant use, which is calculated at 1 space per every 75 feet of space or 38 spaces required, occupancy load for that part of the building is 85; and 8,503 square feet of private educational facility, which is calculated at 1.5 spaces per employee and 1 space per every three 11th and 12th graders, the school does not have an 11th or 12th grade but does have 12 employees, so 18 spaces required.

This address receives a 20% reduction in the required parking due to its location within the urban core. It does not receive credit for having a bicycle rack. It meets its loading space requirement (2 provided, 1 required).

J. BOARD OF ADJUSTMENT SPECIAL EXCEPTION PREVIOUS POSTPONEMENTS

**J-1 C15-2015-0107 James Coak for Julia Esparza
4502 Merle Drive**

DENIED BY AUSTIN ENERGY (AE); THE EXISTING STRUCTURE IS IN CONFLICT WITH FIVE (5') PUBLIC UTILITY EASEMENT, SHOWN ON VOL. 4, PG. 265, P.R.T.C.TX. OWNER/APPLICANT MUST OBTAIN WRITTEN APPROVAL OF CONFLICT RESOLUTION FROM AE PRIOR TO BOA APPROVAL. PLEASE CONTACT EBEN KELLOGG WITH AE PUBLIC INVOLVEMENT AND REAL ESTATE SERVICES AT 322-6050.

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 0 feet (requested, existing); and to

B. Section 25-2-555 (B) to decrease the rear yard setback from 5 feet (required) to 0 feet (requested, existing)

in order to maintain a detached second dwelling unit constructed at least 10 years ago in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (South Manchaca)

**J-2 C15-2015-0140 Socorro Arroyo
6929 Carwill Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to .5 feet (requested, existing) in order to maintain a patio cover constructed at least 10 years ago in an "SF-2", Family Residence zoning district.

**J-3 C15-2015-0142 Victoria Flores
6508 Sandshof Drive**

AUSTIN ENERGY DOES NOT OPPOSE THE REQUEST FOR VARIANCE FOR FRONT YARD SETBACK REDUCTION, IN ORDER TO MAINTAIN CARPORT, PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN

COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. THE OWNER/APPLICANT HAS MET WITH AUSTIN ENERGY ON SITE AND HAS MADE MECHANICAL CHANGES TO ACCESORY STRUCTURE, TO MEET AE CLEARANCES.

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 12 feet (requested, existing) in order to maintain a carport constructed at least 10 years ago in an “SF-2”, Family Residence zoning district.

Note: Section 25-2-554 (FAMILY RESIDENCE (SF-2) DISTRICT REGULATIONS) of the zoning ordinance states that the rear yard setback is five feet for an accessory building that is not more than one story or 15 feet in height. The accessory structure in the rear of this property meets this description.

K. BOARD OF ADJUSTMENT NEW PUBLIC HEARING SPECIAL EXCEPTIONS

**K-1 C15-2015-0077 Dwayne Barnes
5003 Martin Avenue**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Ordinance No. 20120112-087, Hyde Park NCCD, Part 7 (Residential District), 1. to:

A. to decrease the minimum front setback for an accessory building from 60 feet (required/permitted) to 29.4 feet (requested/existing); and to

B. to decrease the minimum interior side setback for an accessory structure from 5 feet (required) to 0.8 feet (requested/existing)

in order to maintain an accessory structure constructed at least 10 years ago in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan Zoning District. (Hyde Park)

L. BOARD OF ADJUSTMENT PREVIOUS POSTPONEMENTS

**L-1 C15-2015-0071 David Cancialosi for Claude Benayoun
1612 South Congress**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the street side yard setback from 10 feet (required) to 0 feet (requested) in order to construct a patio cover structure in an “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use - Conditional Overlay– Neighborhood Plan zoning district. (Bouldin Creek)

**L-2 C15-2015-0102 David Cancialosi for Mark Kudela
1403 West 45th Street**

DENIED BY AUSTIN ENERGY (AE); THE PROPOSED STRUCTURE IS IN CONFLICT WITH AE CLEARANCE CRITERIA REQUIREMENTS AND FACILITIES. OWNER/APPLICANT MUST OBTAIN WRITTEN APPROVAL OF CONFLICT RESOLUTION FROM AE PRIOR TO BOA APPROVAL. PLEASE CONTACT EBEN KELLOGG WITH AE PUBLIC INVOLVEMENT AND REAL ESTATE SERVICES AT 322-6050.

The applicant has requested variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to:

- A. decrease the front setback from 25 feet (required) to 21 feet (requested); and to
- B. decrease the minimum lot size from 5,750 (required) to 2,117 (requested); and to
- C. decrease the lot width from 50 feet (required) to 35 feet (requested)

in order to construct a single family home in an “SF-3”, Family Residence zoning district.

**L-3 C15-2015-0108 Roy Jensen for Mons Anderson
2301 Saratoga Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance(s) from:

- A. Section 25-2-492 (D) (*Site Development Regulations*) to decrease the front yard setback from 40 feet (required) to 25 feet (requested); and from

B. Section 25-2-551 (C) (3) (b) (Lake Austin (LA) District Regulations) to increase the maximum impervious coverage on a slope with a gradient of more than 15 % and not more than 35 % from 10% (required/permitted) to 35% (requested); and from

C. Section 25-2-551 (C) (3) (c) (Lake Austin (LA) District Regulations) to increase the maximum impervious coverage on a slope with a gradient of more than 25 % and not more than 35 % from 5% (required/permitted) to 30% (requested); and from

D. Section 25-2-551 (E) (2) (Lake Austin (LA) District Regulations) to allow construction on a slope with a gradient of more than 35% from 0% (required, see note below) to 15% (requested)

in order to construct a new single family home in a “LA”, Lake Austin zoning district.

Note: construction is prohibited except for a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or for a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs on a slope with a gradient of more than 35%.

**L-4 C15-2015-0115 David M Biven
 101 West 32nd Street**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance(s) from:

A. Section 25-2-899 (D) (Fences as Accessory Uses) to exceed the average height of six feet or a maximum height of seven feet for a solid fence constructed along a property line; and to

B. Ordinance #040826-58, Part 6, General Provisions, 10. Fences, to locate a fence in a front yard higher than four feet and more solid than 1 to 1.5 ratio

in order to maintain a wall as tall as 9 feet along the property line of this lot in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University)

**L-5 C15-2015-0116 Jim Bennett for Marth Atelia Clarkson
 2005 Tower Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND

OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) from:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the side setback from 5 feet (required) to 0 feet (requested/existing); and to

B. Increase the maximum impervious cover from 45% (required/permitted) to 62.40% (requested, 56.95 existing); and to

C. Subchapter F: Residential Design and Compatibility Standards, Article 2: Development Standards, Section 2.1 – Maximum Development Permitted to increase the floor-to-area ratio from 0.4 to 1 (required, permitted) to 0.635 to 1 (requested, 0.527 to 1 existing); and to

D. Section 2.6. A. (Side Setback Plane) to allow for a penetration of the side setback plane/building tent of 11 feet vertically and horizontally

in order to construct an addition to an existing duplex in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

**L-6 C15-2015-0127 George Rodenbusch
1014 E. 8th Street**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST

The applicant has requested variance(s) to Section 25-6 Appendix A (Tables of Off-Street parking and Loading Requirements) to reduce the number of required parking spaces from 4 spaces (required) to 0 spaces (requested) in order to change use from single family to triplex in a “MF-3-NP”, Multi-Family Residence Medium Density - Neighborhood Plan zoning district. (Central East Austin)

**L-7 C15-2015-0131 Michael Padavic
900 & 902 South 1st Street/901, 903 & 907 South 2nd Street**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. THE TRANSFORMER PAD MOUNT WILL REQUIRE BOLLARDS (BARRIER POSTS) ALONG THE WEST SIDE 30 FT. PUBLIC UTILITY/ACCESS EASEMENT

The applicant has requested variance(s) along the 909 South 2nd Street neighboring side of the lot(s), no variances requested for the 908 South 1st Street neighboring side of the lot(s), to

Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) of Article 10, Compatibility Standards:

A. (B) to decrease the distance that a structure can be constructed from property on which a use permitted in an SF-5 or more restrictive zoning district is located from 25 feet (required) to 0 feet (requested); and to (GRANTED on September 14, 2015 BOA MEETING)

B. (C) to increase the maximum height limitation from 2 stories and 30 feet on the portion of the building that is 50 feet from SF-5 or more restrictive zoning and 3 stories and 40 feet on the portion of the building that is 50-100 feet from SF-5 or more restrictive zoning (required/permitted) to 4 stories and 45 feet (requested)

in order to construct a multi-family use and related parking facility in an “GR-MU-V-CO-NP”, Community Commercial – Mixed Use – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Bouldin Creek)

**L-8 C15-2015-0132 Richard Kooris
1211 Taylor Street**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. IF OUR SERVICE DROP(S) ARE RECCOMENDED TO BE RELOCATED, WHEN YOU OBTAIN A BUILDING PERMIT, PLEASE SPEAK WITH OUR DISTRIBUTION CONSTRUCTION LEADER, JOAN WILHITE, 512-505-7604, AS SHE WILL PROVIDE YOU WITH DIRECTION AS TO RELOCATE SAID SERVICE DROP

The applicant has requested variance(s) to:

A. Section 25-2-515 (Rear Yard of Through Lot) to decrease the rear yard requirements for a through lot from 25 feet (required) to 15 feet (requested); and to

B. Section 25-2-774 (B) (Two Family Residential Use) to decrease the minimum lot size from 7,000 square feet (required) to 5,688 square feet (requested); and to

C. Section 25-2 Subchapter F, Article 2 Development Standards, 2.1 (Maximum Development Permitted) to increase the maximum gross floor to area ratio from 0.4 to 1.0 (required) to 0.46 to 1.0 (requested)

in order to construct a new single family home and secondary apartment in a “SF-3-NP”, Family Residence - Neighborhood Plan zoning district. (East Cesar Chavez)

AUSTIN ENERGY DOES NOT OPPOSE YOUR APPLICATION FOR THE ABOVE VARIANCES, WHICH IS SHOWN ON THE ATTACHED ELECTRONIC STAMPED SKETCH, PROVIDED THE PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AUSTIN ENERGY CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. THE OWNERS/APPLICANT WILL NEED TO ALLOCATE AREA AND SHOW A 20' X 20' TRANSFORMER PAD, IN ORDER TO SERVE THE ABOVE PROPOSED SITE PLAN. PLEASE CONTACT AE DESIGN FOR SITE SPECIFIC REQUIREMENTS FOR THE ABOVE COMMENTS.

The applicant has requested variance(s) to Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) of Article 10, Compatibility Standards:

(1) (B) to decrease the distance that a structure can be constructed from property on which a use permitted in an SF-5 or more restrictive zoning district is located from 25 feet (required) to 5 feet for a driveway on 1404, 1412 and 1414 West Olforf (requested); and to

(2) (C) (1) (b) to increase the maximum height limitation from 2 stories and 30 feet on the portion of the building that is 50 feet or less from a use permitted in a SF-5 or more restrictive zoned property (required/permitted) to 1 story and 45 feet 6 inches for a building on 1414 West Olforf and to increase the maximum height limitation from 2 stories and 30 feet on the portion of the building that is 50 feet or less from a use permitted in an SF-5 or more restrictive zoned property (required/permitted) to 4 stories and 55 feet 6 inches for a building on 1404 and 1412 West Olforf (requested); and to

(3) (C) (2) (b) to increase the maximum height limitation from 3 stories and 40 feet on the portion of the building that is more than 50 feet and not more than 100 feet from a use permitted in an SF-5 or more restrictive zoned property (required/permitted) to 2 stories and 55 feet 6 inches for a building on 1414 West Olforf and to increase the maximum height limitation from 3 stories and 40 feet on the portion of the building that is more than 50 feet and not more than 100 feet from a use permitted in an SF-5 or more restrictive zoned property (required/permitted) to 4 stories and 55 feet 6 inches for a building on 1404 and 1412 West Olforf (requested); and to

(4) (C) (3) to increase the maximum height limitation from 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 (required/permitted) to 55 feet six inches for a portion of the building on 1404, 1412 and 1414 West Olforf (requested)

in order to construct a commercially mixed use building and related parking facility in a “CS-MU-V-CO”, Community Commercial – Mixed Use – Vertical Mixed Use – Conditional Overlay and “CS-CO”, Community Commercial – Conditional Overlay zoning district.

L-10 C15-2015-0143

**Phil Moncada for Lee Ann Concienne
2805 Warren Street Unit B**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

- A. increase the maximum impervious cover from 45% (required/permitted) to 55.85% (requested); and to
- B. decrease the side setback from 5 feet (required) to 0 feet (requested); and to
- C. decrease the rear setback from 10 feet (required) to 0 feet (requested); and to
- D. decrease the front setback from 25 feet (required) to 2 feet (requested)

in order to maintain a pool and elevated wood deck with open pergola in the rear and a covered concrete area in the front of this lot in a “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (West Austin Neighborhood Group)

L-11 C15-2015-0146

**William L. Hodge for Daniel Chieng
2805 Rivercrest Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 40 feet (required) to 32 feet (requested) in order to construct a single family home in “LA”, Lake Austin Residence zoning district

M. BOARD OF ADJUSTMENT NEW PUBLIC HEARINGS

M-1 C15-2015-0078

**Dwayne Barnes
5003 Martin Avenue**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE

CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Ordinance No. 20120112-087 Hyde Park NCCD, Part 7 (Residential District):

A. 1. Site Development Table, to decrease the minimum lot width from 50 feet (required) to 46 feet (requested/existing); and to

B. 4. to decrease the minimum lot size of a two-family residential lot from 7,000 square feet (required) to 5,791 sf (requested, existing)

in order to maintain an existing two-family residential use in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District - Neighborhood Plan zoning district. (Hyde Park)

**M-2 C15-2015-0148 Justin Cofield
5412 & 5414 Northdale Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 25 feet (required) to 18 feet (requested) in order to retain a recently constructed covered front porch in a “SF-2-NP”, Family Residence – Neighborhood Plan zoning district. (Pecan Springs – Springdale)

Note: The Land Development Code allows an uncovered porch that is not more than three feet above ground level to project 2 feet into a required yard, but this site’s covered porch does not meet those requirements.

**M-3 C15-2015-0149 Alan Gonzalez
1313 Comal Street**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum front yard setback from 25 feet (required) to 19 feet (requested, existing); and to

B. decrease the side yard requirements from 5 feet (required) to 2.8 feet (requested, existing)

in order to maintain existing house on a to be subdivided lot in a “SF-3-NP”, Family Residence - Neighborhood Plan zoning district. (Central East Austin)

**M-4 C15-2015-0150 Tracy Perkins
1502 Kinney Avenue**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE. IF OUR SERVICE DROP(S) ARE RECCOMENDED TO BE RELOCATED, WHEN YOU OBTAIN A BUILDING PERMIT, PLEASE SPEAK WITH OUR DISTRIBUTION CONSTRUCTION LEADER, JOAN WILHITE, 512-505-7604, AS SHE WILL PROVIDE YOU WITH DIRECTION AS TO RELOCATE SAID SERVICE DROP

The applicant has requested variance(s) to:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the side yard setback from 5 feet (required) to 4.6 feet (requested, existing); and to

B. Decrease the rear yard setback from 10 feet (required) to 9.5 feet (requested/existing); and to

C. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot area from 7,000 square feet (required) to 6,674 square feet (requested/existing)

in order to create a second dwelling unit by remodeling an existing accessory structure in a “SF-3”, Family zoning district.

Note: A Special Exception was previously approved for the side setback encroachment of the accessory structure, however addition of a 2nd sink to create the second dwelling unit constitutes a change in use/remodel and negates the Special Exception. In addition, because the house was built in 1945 prior to the establishment of parking requirements, 2 spaces for the 2nd dwelling unit are required and will be provided via tandem spaces in the driveway but no space(s) for the primary dwelling unit are required.

**M-5 C15-2015-0151 Bruce Aupperle for Kirk Massey
6706 Elfland Cove**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance(s) to:

A. Section 25-2-1176 (A) (5) (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) to increase the size of a dock from 1,200 square feet (required/permitted) to 1,522 square feet (requested, 1,772 square feet existing); and to

B. Section 25-2-893 (Accessory Uses for Principal Residential Use) (G) (4) to increase the number of docks permitted for principal residential use from not more than one (required/permitted) to 3 (requested, 2 existing)

in order to erect a new boat dock and reconstruct two existing docks in an “LA”, Lake Austin zoning district.

M-6 C15-2015-0153 Kirk Lewis
13116 Travis View Loop

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum side yard setback from 5 feet (required) to 2 feet (requested) in order to maintain a recently constructed outdoor kitchen structures in a “SF-2”, Family Residence zoning district.

M-7 C15-2015-0154 **Matt Knifton for Sara Hensley**
1541 West Cesar Chavez

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance(s) to Section 25-2-1176 (A) (1) (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) to increase the distance a dock can

extend from the shoreline from 30 feet (required/permitted) to up to 89 feet (requested, up to 69 feet existing) in order to reconstruct a boat dock and storage structure in an “P-NP”, Public – Neighborhood Plan zoning district. (Old West Austin)

**M-8 C15-2015-0155 Nick Quijano
1401 & 1403 Matthews Lane**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum front yard setback from 25 feet (required) to 10 feet (requested) in order to construct a new single family home in a “SF-2-CO”, Family Residence – Conditional Overlay zoning district.

**M-9 C15-2015-0157 David Cancialosi for John and Susan Scarlett
3405 Far view Drive**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested variance(s) to Section 25-2-551 (C) (3) (Lake Austin District Regulations) to:

A. (a) increase the maximum impervious cover on a slope with a gradient of 15% or less from 35% (required/permitted) to 46% (requested/57% existing); and to

B. (b) increase the maximum impervious cover on a slope with a gradient of more than 15% and not more than 35% from 10% (required/permitted) to 41% (requested/7% existing); and to

C. (c) increase the maximum impervious cover on a slope with a gradient of more than 15% and not more than 35% from 5% (required/permitted) to 25% (requested/8% existing); and to

D. (E) (2) to permit development on a slope with a gradient of more than 35%, which is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs from 0% (required/permitted) to 4% (requested/0% existing)

in order to reconstruct a single family home which will 12% impervious cover of the 2.25 acre lot platted in 1978 that is located in a “RR”, Rural Residence zoning district within the Lake Austin Overlay District.

Note: Section 25-2-180 (Lake Austin Overlay District) of the City's Land Development Code specifies which properties, including this one that are zoned "RR" and are one acre or more in size, are included in the Lake Austin Overlay District and Section 25-2-647 (Lake Austin Overlay District Regulations) then requires compliance with Section 25-2-551 (Lake Austin (LA) District Regulations), the section from which these variances have been requested.

**M-10 C15-2015-0158 Michael and Nicole McCormick
4217 Shoal Creek Boulevard**

AUSTIN ENERGY DOES NOT OPPOSE REQUEST PROVIDED ANY PROPOSED AND EXISTING IMPROVEMENTS ARE IN COMPLIANCE WITH AE CLEARANCE CRITERIA REQUIREMENTS, THE NATIONAL ELECTRIC SAFETY CODE AND OSHA. ANY REMOVAL OR RELOCATION OF EXISTING ELECTRIC FACILITIES WILL BE AT OWNERS/APPLICANTS EXPENSE.

The applicant has requested a variance(s) to Subchapter F: Residential Design and Compatibility Standards, Article 3 – Definitions and Measurement, Section 3.3.3 (Gross Floor Area – Porch, basement and attic exemptions) (C) to decrease the area that has a ceiling height of 7 feet or less from 50% or more (required/permitted) to 24% (requested/existing) in order to finish out/remodel the attic space under building current envelope of an existing single family home in a "SF-2-CO", Family Residence – Conditional Overlay zoning district.

NOTE: Attic areas less than 5 feet are not included in the habitable attic exemption calculations and do not count toward floor-to-area calculations.

N. BOARD OF ADJUSTMENT NEW BUSINESS

N-1 Review draft revised Board Rules (Brent Lloyd)

N-2 Fees Charged to Neighborhood Associations for Interpretation cases

N-3 Potential Special Called Meeting on December 9, 2015 at 7pm at City Council Chambers

N-4 Adopt a meeting schedule for the upcoming calendar year (2016)

O. 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 4 days before the meeting date. Please call Leane Heldenfels at Planning & Development Review Department, at 512-974-2202 or Diana Ramirez at Planning & Development Review Department at 512-974-2241, for additional information; TTY users route through Relay Texas at 711.