



**CANCELLATION NOTICE
FOR
BOARD OF ADJUSTMENT
April 13, 2020
5:30 PM
CITY COUNCIL CHAMBERS
301 WEST 2ND STREET
AUSTIN, TEXAS**

The REGULAR BOA MEETING FOR APRIL 13, 2020, 5:30 P.M. HAS BEEN POSTPONED UNTIL THE NEXT SCHEDULED DATE ON MAY 11, 2020, due to the on-going need for social-distancing while we continue our efforts as a community to address the health concerns around COVID-19. This will include all previously postponed cases slated to be heard at the April 13th meeting; those will now be heard at the May 11, 2020 meeting.

___ Brooke Bailey
___ Jessica Cohen
___ Ada Corral
___ Melissa Hawthorne (Vice Chair)
___ William Hodge
___ Don Leighton-Burwell (Chair)
___ Rahm McDaniel

___ Darryl Pruett
___ Veronica Rivera
___ Yasmine Smith
___ Michael Von Ohlen
___ Kelly Blume (Alternate)
___ Martha Gonzalez (Alternate)
___ VACANT (Alternate)

AGENDA

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment 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 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

CITIZEN COMMUNICATION

The first four (4) speakers signed up prior 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.**

A. DISCUSSION AND REQUESTED ACTION ITEM

A-1 Staff requests approval of March 9, 2020 draft minutes

On-Line Link:

B. DISCUSSION AND REQUESTED ACTION ITEM

B-2 Staff and Applicant requests for postponement and withdraw of items posted on this Agenda

C. SIGNS NEW PUBLIC HEARINGS

C-1 C16-2020-0001 Jason Thumlert for Capital Metro Transportation Authority (Julie Barr)
901, 1011, 1109, 1211 E. 5th Street and 1300, 1304 E. 4th Street

On-Line Link:

The applicant is requesting a sign variance(s) from Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) (G) to allow for up to eighteen (18) illuminated wall signs in order to provide signage for a Mixed Use buildings in a “TOD-CURE-NP”, Transit Oriented District/Plaza Saltillo – Central Urban Redevelopment – Neighborhood Plan zoning district. (East Cesar Chavez)

Note: The Land Development Code sign regulations 25-10-133 University Neighborhood Overlay Zoning Districts Signs (G) states a sign may not be illuminated or contain electronic images or moving parts.

D. SIGNS PREVIOUS POSTPONEMENTS

NONE

E. SIGNS RECONSIDERATIONS

NONE

F. SIGNS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

G. INTERPRETATION NEW PUBLIC HEARINGS

NONE

H. SPECIAL EXCEPTION NEW PUBLIC HEARINGS

NONE

I. VARIANCES NEW PUBLIC HEARINGS

**I-1 C15-2020-0014 Rodney Bennett for Wendy H. Durham
2815 Glenview Avenue**

On-Line Link:

The applicant is requesting a variance(s) from the LDC Subchapter F: Residential Design and Compatibility Standards, Article 2, Development Standards Section 2.1 (*Maximum Development Permitted*) to exceed the F.A.R from 40% (required) to 55% (requested) in order to construct an attached exterior elevator in a “SF-3-NP”, Single-Family-Neighborhood Plan zoning district (Windsor Road Neighborhood Plan)

Note: Existing F.A.R is currently at 54%

**I-2 C15-2020-0016 Chris Paladino
4013 Clawson Road**

On-Line Link:

The applicant has requested variance(s) to Section 25-2 492 (D) (*Site Development Regulations*) to decrease the minimum lot width from 50 feet (required) to 34.8 feet (requested) for front lot and 49.82 feet (requested) for rear lot in order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a “SF-3”, Single-Family Residence zoning district.

**I-3 C15-2020-0018 Stuart Warren for Robert M. Ehrlich Jr.
3418 N. Lamar Boulevard**

On-Line Link:

The applicant has requested variance(s) to Section 25-6-472 (*Parking Facility Standards*) Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces from 67 spaces (required) to 43 spaces (requested, 45 spaces existing) in order to remodel an existing 5,760 sq. ft. building for a restaurant use in a “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use building – Conditional Overlay – Neighborhood Plan zoning district. (Windsor Road Neighborhood Plan)

Note: There are 45 existing grand-fathered parking spaces. One space is being used as a dumpster pad with a concrete wall and the second space has a light pole that cannot be used as a parking space + there are currently three handicap parking spaces to remain. Ample on-street parallel spaces exist along both sides of West 35th Street adjacent to the site.

I-4 C15-2020-0019 Darryl Dadon
2604 E. 6th Street

On-Line Link:

The applicant is requesting a variance(s) from Section 25-2-899 (E) (*Fences as Accessory Uses*) to increase the height permitted from 6 feet (required) to 8 feet (requested) in order to maintain a recently constructed fence along an alley on the East side property line in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (Holly Neighborhood Plan)

***Note:** The Land Development Code 25-2-899 (E) states: a solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files written consent to the construction of the fence with the building official; and (2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool.*

I-5 C15-2020-0020 Jennifer Hanlen for Durham Trading Partners XII
1401 E. 3rd Street

On-Line Link:

The applicant is requesting a variance(s) from Section 25-2-492 (*Site Development Regulations*) from setback requirements to decrease the minimum interior side setback from 5 feet (required) to 2.77 feet (requested) in order to complete a Single-Family residence in an “SF-3-NP”, Single-Family Residence-Neighborhood Plan zoning district. (East Cesar Chavez Neighborhood Plan)

***Note:** currently under construction, layout error*

J. INTERPRETATIONS PREVIOUS POSTPONEMENTS

NONE

K. INTERPRETATIONS RECONSIDERATIONS

NONE

L. INTERPRETATIONS RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

M. SPECIAL EXCEPTIONS PREVIOUS POSTPONEMENTS

NONE

N. SPECIAL EXCEPTIONS RECONSIDERTIONS

NONE

O. SPECIAL EXCEPTIONS RECONSIDERATION PREVIOUS POSTPONEMENTS
NONE

P. VARIANCES PREVIOUS POSTPONEMENTS

P-1 C15-2019-0061 Jarred Corbell for PSW-Springdale, LLC
735 Springdale Road

On-Line Link:

The applicant is requesting a variance(s) to increase the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 – Development Standards, Section 25-2-1063 (C)(2) (*Height Limitations and Setbacks for Large Sites*) from 40 feet (maximum allowed) to 60 feet (requested) and three stories (maximum allowed) to four stories (requested) in order to erect a Commercial Office use in a “CS-MU-CO-NP”, General Commercial Services –Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Note: The Land Development Code Section 25-2-1063 (C) (2) limits height to 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, or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.

P-2 C15-2019-0063 Stephen H. Rison
1507 Fairfield Drive

On-Line Link:

The applicant is requesting a variance(s) from the minimum setback requirement of LDC Section 25-2-492 (*Site Development Regulations*) (D) to decrease the rear setback requirement from 10 feet (required) to 0 feet (requested) in order to maintain an existing shed in an “SF-3-NP”, Single-Family zoning district. (Wooten Neighborhood Plan)

P-3 C15-2020-0003 David Cancialosi for Addison Thom
3409 Neal Street

On-Line Link:

The applicant is requesting a variance(s) from Section 25-2-492 (*Site Development Regulations*) from lot width requirements to decrease the minimum lot width from 50 feet (required) to 33.59 feet (requested) in order to SF-3-NP”, Single-Family Residence - Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

P-4 C15-2020-0004 Anthony Brown
1612 Newton Street

On-Line Link:

The applicant is requesting a variance(s) from LDC Section 25-2-492 (D) (*Site Development Regulations*) in order to decrease the minimum lot size requirement from

5,570 square feet (required) to 3,575 square feet (requested) in order to erect a Single Family residence in a “SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

***Note:** This neighborhood did not adopt Small Lot Amnesty which would have allowed the applicant to build on a lot smaller than 5,750 sq. ft.*

**P-5 C15-2020-0006 Ron Thrower for Patrick N. Dunn
2309 & 2311 Quarry Road**

On-Line Link:

The applicant is requesting a variance(s) from Section 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback for each lot 2309 & 2311 Quarry Rd. from 25 feet (required) to 10 feet (requested) in order to erect a single-family residence per lot in a SF-3”, Single-Family Residence zoning district.

***Note:** Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.*

**P-6 C15-2020-0010 Travis Young for Daniel & Amy Coops
71 Julius Street**

On-Line Link:

The applicant is requesting a variance(s) from Section 25-2-721 (*Waterfront Overlay (WO) Combining District Regulations*) to (C) (1) and (2) from secondary setback area to allow construction of a home and increase the maximum allowable impervious cover from 30% (allowed) to 36.8% (requested) in order to erect a single-family residence with a detached garage and guest house in a SF-3-NP”, Single-Family Residence – Neighborhood Plan zoning district (Holly Neighborhood Plan).

***Note:** Per LDC 25-2-721 Waterfront Overlay (WO) Combining District Regulations (C) In a secondary setback area:*

*(1) fountains, patios, terraces, outdoor restaurants, and similar uses are permitted; and
(2) impervious cover may not exceed 30 percent.*

Q. VARIANCE RECONSIDERATIONS

NONE

R. VARIANCES RECONSIDERATION PREVIOUS POSTPONEMENTS

NONE

S. NEW BUSINESS

S-1 Discussion of the March 9, 2020 Board activity report

On-Line Link: [Item S-1](#)

S-2 Discussion and possible action on the draft LDC; BOA LDC Workgroup Report (Workgroup Members: Leighton-Burwell, Hawthorne, Cohen, Hodge and Smith)
On-Line Link: [Item S-2](#)

S-3 Discussion and possible action on the FY 2020-21 Budget Calendar
On-Line Link: [Item S-3](#)

S-4 Discussion and possible action on the Number of Allowed Postponements; BOA Workgroup (Workgroup Members: Leighton-Burwell, Cohen and Bailey)

S-5 Discussion and possible action regarding Workgroups Update: Transportation Criteria/Code Recommendations Workgroup (Smith, Hodge & Corral)

- Resolution re: DSD Representation (No response from City Staff)
- Transportation Criteria Manual (e.g. Gas Islands)
- Regular BOA Issues that might trigger Code Revision

S-6 Announcements

S-7 Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests

T. 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 days before the meeting date. Please call** or email Board Liaison Elaine Ramirez, Development Services, at 512-974-2202/elaine.ramirez@austintexas.gov or Board Secretary Diana Ramirez, Development Services, at 512-974-2241/diana.ramirez@austintexas.gov, for additional information; *TTY users route through Relay Texas at 711*.