

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	56674	Agenda Number	29.
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Meeting Date:	4/21/2016	Department:	Planning and Zoning
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Subject

Set a public hearing to consider an ordinance to amend the Land Development Code (Title 25) relating to approval of special exceptions by the Board of Adjustment. (Suggested date and time: May 19, 2016, 4:00 p.m. at 301 W. Second St., Austin, TX).

Amount and Source of Funding

Fiscal Note

Purchasing Language:

Prior Council Action:

May 26, 2011 – Council conducted a public hearing and approved Ordinance No. 20110526-098 amending Title 2 and Title 25 of the City Code to authorize special exceptions and fee waivers for longstanding code violations that do not threaten public safety or negatively impact surrounding properties.

May 24, 2012 – Council approved a resolution initiating code amendments to City Code 25-2-476 relating to the Board of Adjustment's review of special exceptions from setback regulations.

November 8, 2012 – Council conducted a public hearing and approved Ordinance No. 20121108-091 amending Chapter 25-2-476, relating to the requirements for granting special exceptions from setback regulations.

August 8, 2013 – Council conducted a public hearing and approved Ordinance No. 20130822-126 amending City Code Chapter 25-2 relating to the granting of special exceptions for existing residential structures.

For More Information:

Greg Dutton, 512-974-3509

Council Committee, Boards and Commission Action:

April 26, 2016 – To be reviewed by the Planning Commission.

MBE / WBE:

Related Items:

Additional Backup Information

In 2011, Council approved Ordinance No. 20110526-098 and amended the code to create a "special exceptions" provision in the Land Development Code that allows the Board of Adjustment to grant an exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning)

if the board finds that the special exception meets the requirements of Section 25-2-476 of the current code. The intent of the ordinance was to allow residents with long-standing minor code violations for existing structures that posed no harm or adverse impacts to public health, safety, or welfare, to be granted an exception that may allow the structure to remain in place.

On January 16, 2016, the Planning Commission initiated an amendment to Title 25 of the City Code to extend the period for which the Board of Adjustment may grant special exceptions and associated fee waivers. The proposed changes would extend the period during which a special exception can be sought for one year, and waive the fee for a special exception variance application for one year.