



NOTICE OF PUBLIC HEARING LAND DEVELOPMENT CODE VARIANCE

Este aviso es para informarle que hemos recibido una solicitud para una varianza dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al 512-974-3455.

Mailing Date: October 31st, 2024

Case Number: C15-2024-0040

Please be advised that the City of Austin has received an application for a variance from the Land Development Code.

Applicant:	Leah Bojo; 512-807-2918
Owner:	Chris Affinito
Address:	600 CUMBERLAND RD, 2610 & 2612 S 1 ST ST; LOT 1 LESS E 10FT BLK A OAK RIDGE HEIGHTS SEC 1, LOT 3 LESS E 10FT BLK A OAK RIDGE HEIGHTS SEC 1, LOT 2 LESS E 10FT BLK A OAK RIDGE HEIGHTS SEC 1

Variance Request(s): 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).




 Property
 Addresses
 Appraisal Districts
 TCAD Parcels

1: 600

10/29/2024

C15-2024-0040
 600 CUMBERLAND RD, 2610 & 2612 S 1ST STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on the ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2024-0040

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; November 14th, 2024

I am in favor
 I object

Your Name (please print) _____

Your address(es) affected by this application _____

Signature _____

Date _____

Daytime Telephone: _____

Comments: _____

If you will be using this form to comment, please return it via e-mail to:

Elaine Ramirez; 512-974-2202

Scan & Email to: Elaine.Ramirez@austintexas.gov

This application is scheduled to be heard by the **Board of Adjustment Board** on **Thursday, November 14th, 2024**. The meeting will be held Hybrid, in-person at **Austin City Hall / 301 West 2nd Street / Council Chambers - 1st Floor / Room 1001, beginning at 5:30 PM**.

Some Board Members of the **Board of Adjustment** may be participating by videoconference, **beginning at 5:30 PM**. The meeting may be viewed online at: <http://www.austintexas.gov/page/watch-atxn-live>

To find out how to participate in the meeting in-person or virtually, please view information below, contact the Case Manager listed below by e-mail or go to the following website:

Board of Adjustment: <http://www.austintexas.gov/department/boards-and-commissions>

You can find out more information on this application by inserting the case number at the following website:

<https://abc.austintexas.gov/web/permit/public-search-other>.

To see where on the agenda/when this item will be heard, on the **Friday prior to the hearing go to the **Board's website** (start at www.austintexas.gov, then click on government, click on Boards and Commissions, then highlight Board of Adjustment and click on view website, click on Agendas and find this hearing **agenda/case order** there. The Board will vote on postponement and withdraw requests at the beginning of the hearing, as close to 5:30pm as possible.*

You are being sent this notice because City Ordinance requires **that all property owners and utility account holders within 500 feet of the proposed development** and affected neighborhood organizations **be notified** when an application is scheduled for a **public hearing**.

You are not required to respond to this notice, however if you have any questions concerning this application, please contact **Elaine Ramirez of the Land Use Review Department** at elaine.ramirez@austintexas.gov and refer to the Case Number at the top right of this notice.

You may also find information on this case at our website: <https://www.austintexas.gov/department/development-services>

At this page click on the words Public Search, then input the case number above and click submit. Open the BA case by clicking on the title then scroll down to attachments to find the information submitted.

If you do wish to respond to this notice, follow instructions provided on the following page.

For additional information on the City of Austin's land development process, please visit our website:

<https://www.austintexas.gov/department/development-services>

Versión en español a continuación

Board of Adjustment meeting will be held Hybrid on Thursday, November 14th, 2024

Public comment will be allowed via telephone or in-person. **If speakers will be participating virtually it will be by phone only. All virtual speakers must register in advance (day before the scheduled meeting, November 13th, 2024 before 12p.m. - Noon).**

To speak remotely at the November 14th, 2024 Board of Adjustment Meeting, residents must:

• Email the board liaison at elaine.ramirez@austintexas.gov (the day before the meeting on November 13th, 2024). **The information required is:**

1. speaker name
2. case # they wish to speak on,
3. address of case
4. whether you are in support/opposition/neutral
5. speaker's address
6. Speaker's telephone number
7. Speaker's email address

Once a request to speak has been called in or emailed to the board liaison by the deadline, speakers will receive either an email or phone call providing the telephone number to call on the day of the scheduled meeting before 12p.m. - noon.

•Speakers must call in between 5:05p.m. – 5:20p.m, prior to the meeting starting in order to speak, late callers **will not be accepted** and will not be able to speak.

•Speakers will be placed in a queue until their time to speak and must place their phone on mute until called on to speak. The Speaker will hear silence. **DO NOT hang up.**

Residents may watch the meeting here: <http://www.austintexas.gov/page/watch-atxn-live>

Reunión del Board of Adjustment

FECHA de la reunion (November 14th, 2024)

La junta se llevará con modificaciones de distanciamiento social

Se permitirán comentarios públicos por teléfono; y se permitirá entrada en persona. Todos los oradores deben registrarse con anticipación (November 13th, 2024 antes del mediodía) si vas a participar por teléfono. Todos los comentarios públicos se producirán al comienzo de la reunión.

Para hablar de forma remota en la reunión, los residentes deben:

- Llame o envíe un correo electrónico al enlace de la junta en Elaine Ramirez elaine.ramirez@austintexas.gov a más tardar al mediodía (el día antes de la reunión). La información requerida es el nombre del orador, los números de artículo sobre los que desean hablar, si están a favor / en contra / neutrales, y un número de teléfono o dirección de correo electrónico.
- Una vez que se haya llamado o enviado por correo electrónico una solicitud para hablar al enlace de la junta, los residentes recibirán un correo electrónico o una llamada telefónica con el número de teléfono para llamar el día de la reunión programada.
- Los oradores deben llamar al menos 15 minutos antes del inicio de la reunión para poder hablar, no se aceptarán personas que llamen tarde y no podrán hablar.
- Los oradores se colocarán en una fila hasta que llegue el momento de hablar.
- Los folletos u otra información pueden enviarse por correo electrónico a elaine.ramirez@austintexas.gov antes del mediodía del día anterior a la reunión programada. Esta información se proporcionará a los miembros de la Junta y la Comisión antes de la reunión.

Si esta reunión se transmite en vivo, los residentes pueden ver la reunión aquí: <http://www.austintexas.gov/page/watch-atxn-live>

If you have any questions for the Liaison we ask that you e-mail Elaine Ramirez @ elaine.ramirez@austintexas.gov, the public will not be allowed at the Clerk's desk to speak with the Liaison(s) at any time before, during, or after the meeting.