

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	41302	Agenda Number	23.
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Meeting Date:	3/12/2015	Department:	Planning and Development Review
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Subject

Conduct a public hearing and consider an appeal by Gregory Bow and Simmi Mehta, of a decision by the Residential Design and Compatibility Commission to increase the maximum allowable floor-to-area ratio to an existing single-family residence located at 905 Columbus.

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Daniel Word, 512-974-3341; John M. McDonald, 512-974-2728.
Boards and Commission Action:	February 4, 2015 – No action taken by the Residential Design and Compatibility Commission on a 4-1 vote with Commissioner Bledsoe absent and 1 vacancy.
MBE / WBE:	
Related Items:	

Additional Backup Information

A modification request was submitted to the Residential Design and Compatibility Commission (RDCC) to increase the maximum floor-to-area ratio (FAR) for a single family residence located at 905 Columbus Street (Bouldin Creek). Under Subchapter F (McMansion) the FAR of single-family residences is limited to the greater of 0.4 to 1 or 2,300 square feet, and certain parking areas are excluded from the calculation.

The existing home was constructed in 2013 with an attached carport. As permitted and constructed, the carport was not included in the original FAR calculation as the total square footage of the carport was less than 450 square feet, there is no habitable space above, and at least two sides of the carport were at least 80% open as measured from the finished floor to the bottom of the top plate. The current owner had a garage door installed and enclosed the remaining open wall to convert the area to a garage. The owner was cited by the Code Compliance Department as the work was performed without a permit and the addition of the garage door and wall enclosure caused the previously

excluded carport area to now be factored into the FAR calculation, which now exceeds the 2,300 square foot maximum. At present, the code violation remains open until a resolution to the violation is achieved.

The owner applied for a waiver through the RDCC to increase the maximum allowable FAR. The case was heard on October 1, 2014 and postponed at the request of the owner to allow the neighborhood association additional time to review the request. The postponement was approved without objection. The case came back to the RDCC on November 5, 2014, and was postponed by a 5-1-1 vote. The case was heard again on January 7, 2015, and was postponed by a vote of 7-0. The case was heard a fourth time on February 4, 2015. A vote to deny the waiver failed on a 3-2 vote. A 2nd motion to take "no action" was approved by a 4-1 vote. As allowed by Subchapter F (McMansion), the final vote on the waiver request has been appealed to the City Council.