

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday August 12, 2019

CASE NUMBER: C15-2019-0044

Y Brooke Bailey
 Y Jessica Cohen
 - Ada Corral OUT
 Y Melissa Hawthorne
 R William Hodge RECUSED
 Y Don Leighton-Burwell
 Y Rahm McDaniel
 Y Darryl Pruet
 Y Veronica Rivera
 Y Yasmine Smith
 - Michael Von Ohlen OUT
 Y Kelly Blume (Alternate)
 - Martha Gonzalez (Alternate) OUT
 Y Denisse Hudock (Alternate)

APPLICANT: Hector Avila

OWNER: Tyson Tuttle

ADDRESS: 4302 and 4304 AVENUE D

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-492 (D) (Site Development Regulations) from setback requirements:

- a) 4302 Avenue D to decrease the minimum front yard setback from 25 feet (required) to 16 feet 3 inches (requested), decrease the minimum interior side yard setback from 5 feet (required) to 3 feet 1 inch (requested)
- b) 4304 Avenue D to decrease the minimum front yard setback from 25 feet (required) to 16 feet 7 inches (requested) and the minimum rear yard setback from 10 feet (Required) to 1 feet 3 inches (requested)

in order to remodel a single family residential use in a "SF-3-HD-NCCD-NP", Single-Family Residence zoning district. (Hyde Park Combined Neighborhood Plan, Historic District)

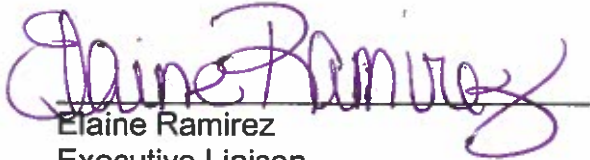
Note: A re-subdivision (C8-2019-0084.0A) is currently under review with Land Use Review to create one legal lot from two parcels of land.

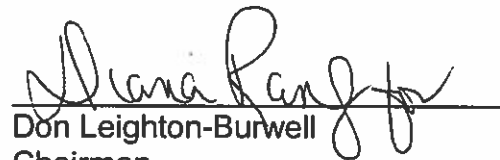
BOARD'S DECISION: BOA meeting Aug 12, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motion to Grant, Board Member Jessica Cohen second on a 10-0 vote (Board member William Hodge recused); GRANTED.

EXPIRATION DATE: August 12, 2020

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the existing structures are in their locations and considered existing non-conforming should the application not been filed and by bringing them together makes a better situation.
2. (a) The hardship for which the variance is requested is unique to the property in that: the house was erected in 1935 and the property line that existed was in 1946.
(b) The hardship is not general to the area in which the property is located because: the buildings were built and the configuration that existed was created in 1946
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: this is an older area in Austin, seen this quite frequently with some of the structures built during that time.


Elaine Ramirez
Executive Liaison


Don Leighton-Burwell
Chairman