

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday March 09, 2020

CASE NUMBER: C15-2020-0013
Item # I-2

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

APPLICANT: Leah Bojo

OWNER: 2700 E. 5th JV, LLC

ADDRESS: 2700 E. 5TH ST

VARIANCE REQUESTED: 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 56 feet (requested) in order to erect four story (requested, three story is maximum allowed) Office Building in a “CS-MU-CO-NP”, General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Holly Neighborhood Plan)

Note: The Land Development Code Section 25-2-1063 (C) (2) allows a height limit of 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 is permitted in an “SF-5” or more restrictive zoning district is located.

BOARD’S DECISION: BOA MEETING MAR 9, 2020 **The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant, Board Member Ada Corral seconds on a 9-2 vote (Board members Jessica Cohen and Yasmine Smith nay); GRANTED**

EXPIRATION DATE: March 9, 2021

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: it's a commercial mixed use corridor and triggering properties are within the boundary with off geometry of site and triggering properties being in other side, other than the alley is not a reasonable expectation to have these properties trigger to such an extent.
2. (a) The hardship for which the variance is requested is unique to the property in that: very odd geometry shape of lot with railroad tracts is not alterable, not another odd shape lot in the area

(b) The hardship is not general to the area in which the property is located because: lot shape
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: mixed use site, is a changing area, 4 story structures


Elaine Ramirez
Executive Liaison

Diana Ramirez for

Don Leighton-Burwell
Chairman