

CITY OF AUSTIN
Board of Adjustment
Decision Sheet

DATE: Monday, March 9, 2020

CASE NUMBER: C15-2020-0005

Item # P-7

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

APPLICANT: Aixa Sola

OWNER: Erin E. O'Malley

ADDRESS: 5003 HIGHLAND CT

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-515 (Rear Yard of a Through Lot) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 10 feet (requested) in order to erect a one story single-family residence in a SF-3", Single-Family Residence zoning district.

Note: Per LDC for a Through Lot, a rear yard must comply with the minimum requirements applicable to a front yard.

BOARD'S DECISION: BOA MEETING FEB 5, 2020 POSTPONED TO MARCH 9, 2020 BY APPLICANT DUE TO SHORTAGE OF BOARD MEMBERS (CORRAL ABSTAINING); The public hearing was closed by Chair Don Leighton-Burwell, Board Member Melissa Hawthorne motions to Grant with conditions that structure will be a single story affected area from 25 feet to 10 feet from the rear property line, Board Member William Hodge seconds on a 10-1vote (Board member Ada Coral abstained); GRANTED WITH CONDITIONS THAT STRUCTURE WILL BE A SINGLE STORY AFFECTED AREA FROM 25 FEET TO 10 FEET FROM THE REAR PROPERTY LINE.

EXPIRATION DATE: MARCH 9, 2021

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: Mopac is not necessary a through lot in particular in this area with a big sound wall that goes behind it and the intend of the code having through lot regulations is to give front yard setback to street that has a life.
2. (a) The hardship for which the variance is requested is unique to the property in that: has an unusual shape, front setback requirement on a property that has a large sound wall behind it and has not access to street no visible connection.

(b) The hardship is not general to the area in which the property is located because: it has odd shape and it's against Mopac
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: as its bordered by sound wall and being a single story height less than 15 feet and between 10 to 25 ft as is defined in LDC for properties adjacent to alley, no visible and behind sound wall.


Elaine Ramirez
Executive Liaison

Diana Ramirez for

Don Leighton-Burwell
Chairman