

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-4**

**DATE: Monday June 14, 2021**

**CASE NUMBER: C15-2021-0032**

\_\_\_Y\_\_\_ Thomas Ates  
\_\_\_Y\_\_\_ Brooke Bailey  
\_\_\_Y\_\_\_ Jessica Cohen  
\_\_\_Y\_\_\_ Melissa Hawthorne  
\_\_\_Y\_\_\_ Don Leighton-Burwell  
\_\_\_Y\_\_\_ Rahm McDaniel  
\_\_\_N\_\_\_ Darryl Pruett  
\_\_\_Y\_\_\_ Agustina Rodriguez  
\_\_\_-\_\_\_ Michael Von Ohlen  
\_\_\_Y\_\_\_ Nicholl Wade  
\_\_\_-\_\_\_ Vacant  
\_\_\_-\_\_\_ Kelly Blume (Alternate)  
\_\_\_Y\_\_\_ Carrie Waller (Alternate)  
\_\_\_-\_\_\_ Vacant (Alternate)

**APPLICANT:** Jessica Braun

**OWNER:** Mark Hutchinson

**ADDRESS:** 1601 BRACKENRIDGE ST

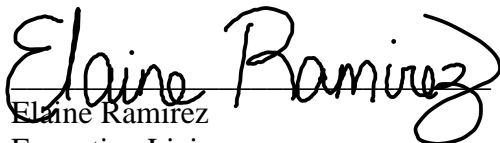
**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from Section 25-2-515 (*Rear Yard of a Through Lot*) from setback requirements to decrease the minimum rear yard setback from 25 feet (required) to 5 feet (requested) in order to erect a secondary dwelling unit in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (South River City Neighborhood Plan)

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

**BOARD'S DECISION:** May 10, 2021 POSTPONED TO JUNE 14, 2021 DUE TO LACK OF BOARD MEMBERS/VOTES; June 14, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Grant with condition that the ADU not be used for STR (Short-term rental); Board Member Brooke Bailey seconds on a 9-1 vote (Board member Darryl Pruett nay); GRANTED WITH CONDITION THAT THE ADU NOT BE USED FOR STR (SHORT-TERM RENTAL).

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the lot has a front yard setback requirement and both sides of street, street that generally has not have a front yard setback on both sides
2. (a) The hardship for which the variance is requested is unique to the property in that: there is a heritage tree in the middle, a rehab of an existing structure and placing the structure in its single story adjacent to the other structure along the street will be normal in the neighborhood on this particular lot.  
  
(b) The hardship is not general to the area in which the property is located because: other structures don't have the historic house, tree and have the historic structure be outstanding.
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: has gone through a stakeholder process, HLC has approved it and other structures along Drake that have same setback, and is completely in character with the neighborhood.

  
Elaine Ramirez  
Executive Liaison

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Diana Ramirez for

Jessica Cohen  
Chairman