

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
D-12

DATE: Monday June 14, 2021

CASE NUMBER: C15-2021-0028

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

OWNER/AGENT: David Morgan

ADDRESS: 3406 GONZALES ST

VARIANCE REQUESTED: The applicant is requesting variance(s) from the Land Development Code, Section 25-2-774 (*Two-Family Residential Use*) (C) (2) (a) which requires an Accessory Dwelling Unit to be located at least 10 feet to the rear or side of the principal structure (required), to 6 ft. 7 in. from the principal structure (requested) in order to erect a Single-Family residence in an "SF-3-NP", Single-Family Residence-Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Note: Per LDC the second Dwelling Unit must be contained in a structure other than the principal structure and a) must be located at least 10 feet to the rear or side of the principal structure; or b) above a detached garage.

BOARD'S DECISION: MAY 10, 2021 POSTPONED TO JUNE 14, 2021 DUT 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 is not used for STR (Short-term rental); Board Member Don Leighton-Burwell seconds on a 10-0 vote; GRANTED WITH CONDITION THAT THE ADU IS NOT USED FOR STR (SHORT-TERM RENTAL).

FINDING:

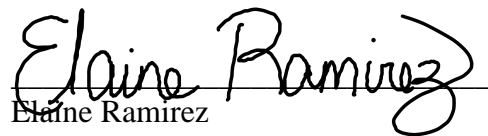
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing structure has 4 large protected trees in front half of property, these trees have CRZ

that overlap current structure, demolition and reconstructing of correct proportion is impossible, in taking off addition structure would bring proportion to ADU size.

2. (a) The hardship for which the variance is requested is unique to the property in that: has existing structure with 4 large protected trees in front

(b) The hardship is not general to the area in which the property is located because: 4 protected trees surrounded this small house makes it unique

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 from the front you will be able to see the existing structure and existing trees and rest of the lot will be in compliance with zoning regulations, FAR, setbacks, tents, size setbacks, rear and side setbacks placement of structure.


Elaine Ramirez
Executive Liaison

Diana Ramirez for
Jessica Cohen
Chairman