

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**F-2**

**DATE: Monday March 14, 2022**

**CASE NUMBER: C15-2021-0100**

\_\_\_\_ Thomas Ates  
\_\_\_\_ Brooke Bailey  
\_\_\_\_ Jessica Cohen  
\_\_\_\_ Melissa Hawthorne  
\_\_\_\_ Barbara McArthur OUT  
\_\_\_\_ Rahm McDaniel OUT  
\_\_\_\_ Darryl Pruett **ABSTAINED**  
\_\_\_\_ Agustina Rodriguez **ABSTAINED**  
\_\_\_\_ Richard Smith  
\_\_\_\_ Michael Von Ohlen OUT  
\_\_\_\_ Nicholl Wade  
\_\_\_\_ Kelly Blume (Alternate)  
\_\_\_\_ Carrie Waller (Alternate) N/A  
\_\_\_\_ Marcel Gutierrez-Garza (Alternate)

**OWNER/APPLICANT: Ian Ellis**

**ADDRESS: 1003 KINNEY AVE**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code: Section 25-2-943 (B) (2) (a) (Substandard Lot) to decrease the minimum Lot Size requirements from 5,750 square feet (required) to 5,464 square feet (requested), (TCAD records show 5,740 sq. ft.) in order to erect a Single-Family residence with a Pool in a “SF-3”, Single-Family zoning district.

*Note: 25-2-943 SUBSTANDARD LOT (B) A substandard lot may be used for a single-family residential use if the use is permitted in the zoning district in which the lot is located and the lot complies with the requirements of this subsection. (2) A substandard lot recorded in the county real property records after March 14, 1946 must: (a) have an area of not less than 5,750 square feet.*

**BOARD’S DECISION: BOA MEETING NOV 8, 2021** The public hearing was closed by **Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to Postpone to December 13, 2021; Board Member Darryl Pruett seconds on a 9-0-2 vote (Board members Agustina Rodriguez and Carrie Waller Abstained); POSTPONED TO DECEMBER 13, 2021. Dec 13, 2021 Madam Chair Jessica Cohen motions to Postpone the remaining cases to January 10, 2022 at City Hall due to technical difficulties –internet issues; Board Member Rahm McDaniel seconds on a 11-0 vote; POSTPONED TO JANUARY 10, 2022 DUE TO TECHNICAL DIFFICULTIES-INTERNET ISSUES; Jan 10, 2022 BOA meeting cancelled**

**due to not having a quorum present at meeting, case will auto be scheduled and re-notified to February 14, 2021; Feb 14 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Michael Von Ohlen motions to postpone to March 14, 2022; Board Member Brooke Bailey seconds on an 8-1-2 vote (Board members Darryl Pruett nay, Agustina Rodriguez and Carrie Waller abstained); POSTPONED TO MARCH 14, 2022, March 14, 2022 POSTPONED TO APRIL 11, 2022 BY BOARD MEMBERS DUE TO TWO ABSTENTIONS AND NOT ENOUGH BOARD MEMBERS PRESENT**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
  - (b) The hardship is not general to the area in which the property is located because:
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:

  
Elaine Ramirez  
Executive Liaison

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Diana Ramirez for  
Jessica Cohen  
Madam Chair