

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
F-4

DATE: Monday March 14, 2022

CASE NUMBER: C15-2022-0010

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

APPLICANT: Christopher Paladino

OWNER: Christopher Paladino

ADDRESS: 4013 CLAWSON RD

VARIANCE REQUESTED: The applicant has requested variance(s) from the Land Development Code, Section 25-2 492 (D) (Site Development Regulations) to decrease the minimum lot width from 50 feet (required) to 34.8 feet (requested) for front lot and 49.82 feet (requested) for rear lot in order to subdivide the current lot into 2 lots and build 2 new single family homes and 2 new second dwelling units on each lot in a “SF-3”, Single-Family Residence zoning district.

BOARD’S DECISION: POSTPONED TO MARCH 14, 2022 (AE DENIAL); March 14, 2022 The public hearing was closed by Madam Chair Jessica Cohen, Board Member Melissa Hawthorne motions to approve with conditions as per previously approved case C15-2020-0016 dated June 8, 2020 (F-4/10 and F-4/11) and limited to .4 FAR- conditions approved on June 8, 2020: 1) garage on both units stay as one story with no habitable space, and that 2) subdivision be compliant with the south lamar flood mitigation plan (10% capture) even though single family use is proposed and this would not otherwise be required, and that 3) a screened area for all trash receptacles behind the property line be planned for at subdivision and added at construction; Board Member Brooke Bailey seconds on a 10-0 vote; GRANTED WITH CONDITIONS AS PER PREVIOUSLY APPROVED CASE C15-2020-0016 DATED JUNE 8, 2020 (F-4/10 AND F-4/11) AND

LIMITED TO .4 FAR – CONDITIONS APPROVED ON JUNE 8, 2020: 1) GARAGE ON BOTH UNITS STAY AS ONE STORY WITH NO HABITABLE SPACE, AND THAT 2) SUBDIVISION BE COMPLIANT WITH THE SOUTH LAMAR FLOOD MITIGATION PLAN (10% CAPTURE) EVEN THOUGH SINGLE FAMILY USE IS PROPOSED AND THIS WOULD NOT OTHERWISE BE REQUIRED, AND THAT 3) A SCREENED AREA FOR ALL TRASH RECEPTACLES BEHIND THE PROPERTY LINE BE PLANNED FOR AT SUBDIVISION AND ADDED AT CONSTRUCTION.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: SF-3 zoning contemplates a density of eight primary residences and eight secondary residences per acre, subject property is 19,602 SF in size, over three times the minimum lot size required by the LDC, narrow lot subject property is only 50.03' wide at the front property line and 49.82' wide at the rear property line, subject property can only house one primary residence and one secondary residence per acre.

2. (a) The hardship for which the variance is requested is unique to the property in that: narrowest property of its size in the general vicinity

(b) The hardship is not general to the area in which the property is located because: narrowest property of its size in the general vicinity, in general 65' wide, which could be subdivided

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: only one of the proposed four housing units will front on Clawson Road, thus maintaining the single family character of the streetscape, the remainder of the housing units will be accessible via a common driveway, LDC compliant parking will be provided onsite for each housing unit, the housing units shall comply with all applicable provisions of the Residential Design and Compatibility Standards of the LDC.


Elaine Ramirez
Executive Liaison

Diana Ramirez for

Jessica Cohen
Madam Chair